THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, November 24, 2020
6:30 P.M.

SPECIAL SESSION CALLED TO ORDER BY PRESIDENT ZADZILKA

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:	**President Zadzilka** **Alderman Schmigel, DiBernardo, Pecoraro, Tylec**
Absent:	**None**
Also Present:	**Mayor Arthur G. Pappas** **City Attorney Luke Brown**

MOVED by Alderman Pecoraro SECONDED by Alderman Tylec
To convene a Special Session of the Common Council.
Ayes: Alderman Schmigel, DiBernardo, Pecoraro, Tylec, Zadzilka (5)
Nays: None (0)
CARRIED.

APPROVAL OF THE MINUTES OF THE REGULAR SESSION NOVEMBER 17, 2020

MOVED by Alderman Tylec SECONDED by Alderman Pecoraro
That the minutes of the regular session meeting held November 17, 2020 be approved as circulated and filed in the Office of the City Clerk.
Ayes: Adlerman Schmigel, DiBernardo, Pecoraro, Tylec, Zadzilka (5)
Nays: None (0)
CARRIED.

#1. Attorney

November 24, 2020

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

Dear Honorable Body:

On the Agenda tonight is a special session to approve or deny Upstate Towers request for a permit for a cell phone application. As you may recall, Coz presented this at a workshop and him and I were in agreement that it should not go forward. Since that time, Upstate filed a lawsuit against the City and the Judge ordered that we have it reviewed by an expert and the Council vote on the application. Attached hereto is the report from our hired experts. They are recommending denying the permit and I would concur with their assessment and would ask that the council vote tonight to deny their application for a permit. Thank you.

Sincerely,
Luke A. Brown
City Attorney

MOVED by Alderman Zadzilka SECONDED by Alderman DiBernardo
That the Common Council hereby denies the aforementioned permit application for a cell phone tower, from Up State Tower and Buffalo-Lake Erie Wireless, subject to further review by the City Attorney.
Ayes: Alderman Schmigel, DiBernardo, Pecoraro, Tylec, Zadzilka (5)
Nays: None (0)
CARRIED.

ADJOURNMENT

MOVED by Alderman Schmigel SECONDED by Alderman DiBernardo
That this special session of the Common Council be and hereby is adjourned.
CARRIED.

Time of Adjournment: 6:35 P.M.

Respectfully submitted,

Donna L. Braun

Donna L. Braun
City Clerk-Treasurer