

THE HONORABLE BODY  
 Council Chambers  
 Municipal Building  
 North Tonawanda, New York 14120  
 Tuesday, August 17, 1999  
 6:45 P.M.

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REGULAR SESSION CALLED TO ORDER BY PRESIDENT REIDENOUE

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: President Reidenouer  
 Aldermen Schwandt, Wudyka, Barberio, Kiedrowski

Absent: None

Also Present: Mayor Ronald R. Dawson  
 City Attorney Henry F. Wojtaszek

APPROVAL OF THE MINUTES OF THE REGULAR SESSION AUGUST 3, 1999

MOVED by Alderman Barberio      SECONDED by Alderman Schwandt  
 That the minutes of the regular session held August 3, 1999 be approved as circulated and  
 filed in the Office of the City Clerk.  
 CARRIED.

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PROOF OF PUBLICATION PUBLISHED JULY 26, 1999

- 1) Amendment of Chapter 20-13 – Boat Docks

PROOF OF PUBLICATION PUBLISHED AUGUST 6, 1999

- 1) Public Hearing – Rezone Block of Payne Avenue

MOVED by Alderman Barberio      SECONDED by Alderman Schwandt  
 That the aforementioned proofs of publication be received and filed.  
 CARRIED.

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AUDIENCE PARTICIPATION

Ray Stanley, 296 Sweeney St., spoke against Mr. Wudyka's proposal to use funds designated for the EMS training to pay for the Veterans Memorial.

Greg Frank, 960 Sweeney St., spoke against Mr. Wudyka's proposal to use funds designated for the EMS training to pay for the Veterans Memorial.

Sonia Dusza, 123 Miller St., concurred with Mr. Stanley's comments, spoke against Weatherbest Slip renewals and also spoke against the Eckerd Drug rezoning.

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COMMUNICATIONS FROM CITY OFFICIALS

VI.  
Wastewater Treatment Plant

August 9, 1999

The Honorable Ronald R. Dawson, Mayor  
and the Common Council  
City Hall, 216 Payne Avenue  
North Tonawanda, NY 14120

Re: Natural Gas Bids

Honorable Body:

Bids for the delivery of Natural Gas to the Wastewater Treatment Facility and Col. Payne Center were received and opened on July 21, 1999.

The bids were reviewed by our consultant EnerScope for tabulation and comment. It is my opinion that I concur with EnerScope's recommendation that all bids be rejected. Furthermore, I agree that the City should extend its current contract for one (1) additional year with the previous low bidder Co-Energy Trading Company (formerly Howard Energy).

Please feel free to contact me for any further information. Thank you for your actions on this matter.

Sincerely,  
Paul Joseph Drof  
Superintendent

MOVED by Alderman Wudyka      SECONDED by Alderman Barberio  
That the Common Council hereby concurs with EnerScope's recommendation and rejects all bids for Natural Gas which were opened on July 21, 1999, and further authorizes the extension of the current contract for Natural Gas for one (1) additional year with Co-Energy Trading Company (formerly Howard Energy).  
CARRIED.

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VII.1  
Accountant

July 22, 1999

Honorable Ronald R. Dawson, Mayor  
and Common Council  
North Tonawanda, NY 14120

Dear Honorable Body:

In accordance with Title XXIII of the City Charter, an Abstract of Claims has been submitted by this office for your review and approval.

Accordingly, please authorize for payment the current Abstract of Claims for Common Council Audit dated August 17, 1999.

David R. Jakubaszek  
City Accountant

Very truly yours,

MOVED by Alderman Kiedrowski SECONDED by Alderman Barberio  
 That the Common Council hereby authorizes the City Accountant to pay the current  
 Abstracts of Claims dated August 17, 1999:

01	General Fund	\$169,975.34
02	Water Fund	4,822.60
04	Sewer Fund	13,351.30
06	Capital Projects Fund	163,648.92
07	Trust & Agency Fund	5,033.69
08	Community Development	4,777.41
09	Capital Gratwick Park Remediation	<u>90,630.00</u>

TOTAL FINAL  
\$452,2

39.26

Ayes: Schwandt, Barberio, Kiedrowski, Reidenouer (4)  
 Nays: Wudyka (1)  
 CARRIED.

VII.2  
 Accountant

August 12, 1999

Honorable Ronald R. Dawson, Mayor  
 and Common Council  
 City Hall  
 North Tonawanda, New York 14120

Dear Honorable Body:

In accordance with Section 2.2 of the Budgetary Transfer Policy, please authorize the City Accountant to make the following transfers of budgetary appropriations:

<u>Control</u>	<u>Dollar</u>	<u>Appropriation</u>	<u>From</u>	<u>To</u>
<u>Number</u>	<u>Amount</u>	<u>Account</u>		<u>Appropriation</u>
				<u>Account</u>
5	\$1,000.00		2-8310.425 Data Processing	2-8310.434
Professional Serv.				
6			\$6,850.00 1-1990.400 Contingent	1-
1620.450 R&M Buildings				

Very truly yours,  
 David R. Jakubaszek  
 City Accountant

MOVED by Alderman Wudyka SECONDED by Alderman Schwandt  
 That the Common Council hereby authorizes the City Accountant to make the following  
 budgetary transfers:

<u>Control</u>	<u>Dollar</u>	<u>Appropriation</u>	<u>From</u>	<u>To</u>
<u>Number</u>	<u>Amount</u>	<u>Account</u>		<u>Appropriation</u>
				<u>Account</u>
5	\$1,000.00		2-8310.425 Data Processing	2-8310.434
Professional Serv.				

6 \$6,850.00 1-1990.400 Contingent 1-  
1620.450 R&M Buildings

Ayes: Schwandt, Wudyka, Barberio, Kiedrowski, Reidenouer (5)  
Nays: None (0)  
CARRIED.

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XIV.  
Youth & Recreation

August 9, 1999

The Honorable Ronald R. Dawson  
and Common Council  
City Hall, 216 Payne Avenue  
North Tonawanda, New York 14120

Dear Mayor Dawson and Common Council Members:

Please find attached a renewal agreement between the City and Niagara Community Action Program (NiaCap) for leasing room space at the Col. Payne Community Center.

NiaCap has been a long-term tenant of the community center and conduct a viable community program through their North Tonawanda office.

I request that Your Honorable Body authorize the Mayor to execute this agreement on behalf of the City.

The City Attorney's office has been request to review and approve it.

Thank you for your consideration.

Sincerely,  
John P. Silsby  
Director of Youth, Recreation & Parks

MOVED by Alderman Schwandt      SECONDED by Alderman Barberio  
That the Common Council hereby approves the renewal agreement between the City and Niagara Community Action Program (NiaCap) for leasing room space at the Col. Payne Community Center.  
CARRIED.

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XXV.  
Monthly Reports

- |    |                      |    |    |                    |
|----|----------------------|----|----|--------------------|
| .1 | City Clerk           |    | .4 | Senior Citizens    |
| .2 | NT Housing Authority | .5 |    | Vital Statistics   |
| .3 | Police Dept.         |    | .6 | Youth & Recreation |

MOVED by Alderman Kiedrowski      SECONDED by Alderman Barberio  
That the aforementioned reports be received and filed.  
CARRIED.

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XXVI.  
Semi-Annual Vacation & Sick Leave Report

- |    |                            |    |             |
|----|----------------------------|----|-------------|
| .1 | Wastewater Treatment Plant | .2 | Engineering |
|----|----------------------------|----|-------------|

MOVED by Alderman Wudyka                      SECONDED by Alderman Kiedrowski  
That the aforementioned reports be received and filed.  
CARRIED.

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COMMUNICATIONS FROM OTHERS

A.  
Tom Camann

451 Homestead Drive  
North Tonawanda, NY 14120  
August , 1999

Dear Sirs:

The Homestead Drive homeowners request permission to hold our 6<sup>th</sup> annual block party on September 11, 1999. We would like to have some barricades dropped off somewhere around 550 Homestead Drive.

Thank you,  
Tom Camann

MOVED by Alderman Barberio      SECONDED by Alderman Kiedrowski  
That the Common Council hereby grants Tom Camann permission to hold a block party on the north end of Homestead Drive on September 11, 1999.  
CARRIED.

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B.  
Tony & Mary Hempel

346 Belmont Court East  
North Tonawanda, NY 14120  
July 26, 1999

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

Dear Sirs:

The residents of Belmont Ct.. East would like to have a block party on Sunday, September 5, 1999. We would like to have the street blocked off to traffic from 2:00 PM until 9:00. The portion of the street involved is the northern block from Belmont East and East Goundry to Belmont East and Brentwood. Thank you for your consideration in this matter.

Sincerely,  
Tony & Mary Hempel

MOVED by Alderman Schwandt      SECONDED by Alderman Kiedrowski  
That the Common Council hereby grants Tony & Mary Hempel permission to hold a block party on Belmont Court East from Belmont East and East Goundry to Belmont East and Brentwood on September 5, 1999.  
CARRIED.

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C.  
Carousel Society of the Niagara Frontier Inc.

August 4, 1999

Mr. Paul Reidenouer, Pres.  
North Tonawanda Common Council  
City Hall, Payne Avenue  
North Tonawanda, NY 14120

Dear Paul and Members of the Common Council:

In keeping with our agreement with the City of North Tonawanda for the use of the Linear Park, the Carousel Society of the Niagara Frontier is requesting use of the Linear Park to hold a second Band Organ Rally on Friday, August 27 from 10:00 AM to 8:00 PM, and Saturday, August 28 from 10:00 AM to 5:00 PM

In order to provide appropriate spacing for the 12-15 expected band organs, it is possible we might need to use Felton Field and the electrical boxes surrounding the perimeter of the ball park, as we did in 1996.

Since this event is outdoors in the Linear Park adjoining the museum, it is free and open to the public. The last time we hosted a similar rally there were thousands of visitors, many of whom continue to request a return of the event.

Simultaneous with the rally, we are also hosting the National Carousel Association Convention of approximately 200 people from across the country. This group will visit North Tonawanda on Thursday evening at the Riviera and Saturday at the museum, bringing real tourism dollars into our community.

In order to provide lunch for these people at the museum, we are also requesting that the City loan us 10 picnic tables, if this number is available. We would set them on the corner lot at Thompson and Vandervoort Streets, where we hope to erect a tent.

It would be wonderful if all of you and Mayor Dawson visited the Band Organ Rally at your convenience to interact with our visitors from throughout the United States. Please identify yourselves at the admission desk if you would also like to visit inside the museum where there will be demonstrations of carving, band organ roll production, and 25 miniature carousels on display.

Thank you for your consideration of these requests.

Sincerely yours,  
Rae Proefrock  
V-Pres, CSNF

MOVED by Alderman Schwandt      SECONDED by Alderman Barberio  
That the Common Council hereby grants permission for the Carousel Society of the Niagara Frontier, Inc. to use Linear Park and Felton Field for their second Band Organ Rally on Friday, August 27, 1999 from 10:00 AM to 8:00 PM and Saturday, August 28 from 10:00 AM to 5:00 PM, and further authorizes the use of 10 picnic tables for same.  
CARRIED.

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MOVED by Alderman Wudyka      SECONDED by Alderman Reidenouer  
That the Common Council supports the Committee's initiative to raise funds to renovate and restore the Veterans War Memorial and further supports the proposal of Alderman Wudyka, requesting that the \$20,000 already provided to the City of North Tonawanda by the Niagara County Legislature, for advanced Fire Department training, be used for restoration of the Veterans War Memorial project.

Ayes: Wudyka, Reidenouer

(2)

Nays: Schwandt, Barberio

(2)

Abstained: Kiedrowski

(1)

MOTION FAILED.

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LATE RESOLUTIONS

#1

MOVED by Alderman Schwandt      SECONDED by Alderman Kiedrowski  
That the Common Council hereby transfers Weatherbest Slip #18 from Elio & Theresa D'Angelo to Dennis P. Ondak of 15 Wheatfield St., No. Tonawanda, NY.  
CARRIED.

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#2

MOVED by Alderman Kiedrowski      SECONDED by Alderman Wudyka  
That the Common Council hereby awards the demolition contract to Cambria Construction at their low bid of \$5,600 to demolish 472 Oliver Street.  
CARRIED.

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#3

MOVED by Alderman Schwandt      SECONDED by Alderman Wudyka  
That the Common Council hereby approves the lease agreement between the D & K Stores Inc. and the City of North Tonawanda to use their vacant lot adjacent to the store for a city park.  
CARRIED.

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#4

MOVED by Alderman Wudyka      SECONDED by Alderman Kiedrowski  
That the Common Council concurs with the City Planning Commission's recommendation and hereby rezones the parcel of land on the west side of Payne Avenue between Eighteenth and Nineteenth Avenues to a C-1 Classification for the Eckerd Drug Store.  
CARRIED.

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#5

MOVED by Alderman Reidenouer      SECONDED by Alderman Wudyka  
That the Common Council hereby officially enters into the minutes the Council's recognition of the Navy Seabee Veterans of America's hard work and dedication to provide freedom and liberty for all Americans and the construction of the beautiful Seabee Memorial Monument at Fisherman's Park in the City of North Tonawanda.  
Ayes: Schwandt, Wudyka, Barberio, Kiedrowski, Reidenouer      (5)  
Nays: None      (0)  
CARRIED.

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AUDIENCE PARTICIPATION

Francis Marion, 1461 Sherwood Ave., asked about the possible subdivision off of Sherwood.

Kathy Cochran, 362 Adelaide Pl., spoke about the NT tax rate vs. Lockport and Niagara Falls and spoke in favor of reassessment.

Ray Stanley, 296 Sweeney St., spoke in favor of reassessment, also mentioned that the out houses are dirty and asked if Alderman Wudyka filed for the Star and senior tax breaks.

Gordon Fritz, 1727 Eddy Dr., questioned the sale of the Tonawanda Iron Works to DiMatteo & DeLuca and also spoke against the variance request for People Inc. at 624 River Road.

Leon Szczerbinski, representing Local 1333, asked about the training money debate and previous contract negotiations.

Sonia Dusza, 123 Miller St., spoke about tax breaks for businesses and suggested that Alderman Wudyka meet with his constituents.

Kathy Eagan, 477 Robinson St., commented on the new paving on Robinson St., spoke against the east/west truck route and asked about the weeds behind Robinson St.

Scott Wawrzynek, 433 Robinson St., spoke about the damage to his car.

Mrs. Chimino, 440 Robinson St., asked about the swing bridge in the Little River.

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#### ADJOURNMENT

MOVED by Alderman Reidenouer                      SECONDED by Alderman Barberio  
That this regular session of the Common Council be and hereby is adjourned.  
CARRIED.

Time of Adjournment: 9:00 p.m.

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Respectfully submitted,

Michael D. Cox  
City Clerk