

THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Wednesday, March 6, 2002
7:05 P.M.

REGULAR SESSION CALLED TO ORDER BY PRESIDENT SCHWANDT

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: President Schwandt
Aldermen Rizzo, Hogan, Sommer, Soos

Absent: None

Also Present: Mayor David J. Burgio
City Attorney Henry D. Wojtaszek

APPROVAL OF THE MINUTES OF THE REGULAR SESSION HELD FEBRUARY 20, 2002

MOVED by Alderman Rizzo SECONDED by Alderman Soos
That the minutes of the regular session held on February 20, 2002 be approved as
circulated and filed in the Office of the City Clerk.
CARRIED.

PROOF OF PUBLICATION PUBLISHED JANUARY 11 & 16, 2002

1) Public Hearing – Zoning 404 Meadow Drive – City Clerk

2) Public Market Fees – City Clerk

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

AUDIENCE PARTICIPATION - None

COMMUNICATIONS FROM CITY OFFICIALS

I.1
Mayor

February 14, 2002

Common Council
216 Payne Avenue
North Tonawanda, NY 14120

Dear Common Council:

Please be advised that I have formed a new Mayor's Advisory Steering Committee which will consist of 5 members. Their term will commence immediately, and be for 4 years expiring December 31, 2005.

Kurt Alverson
1296 Wurlitzer Court
North Tonawanda, NY 14120
694-0911

Randy Fahs
1217 Master St.
North Tonawanda, NY 14120
695-7979

Rae Proefrock
202 Niagara St
North Tonawanda, NY 14120
694-2859

Jerry Di Virgilio
4 Eggert Terrace
North Tonawanda, NY 14120
695-0988

Lou Santiago
147 8th Ave.
North Tonawanda, NY 14120
694-2280

Sincerely,
David J. Burgio

MOVED by Alderman Rizzo **SECONDED by Alderman Soos**
That the Common Council hereby receives and files the aforementioned
communication.

Ayes: Soos, Rizzo, Schwandt (3)

Nays Hogan, Sommer (2)

CARRIED.

I.2
Mayor

February 22, 2002

Common Council
216 Payne Ave.
North Tonawanda, NY 14120

Dear Council Members

Please be advised that I have appointed:

Ann L. Parise
176 Tremont St.
North Tonawanda, NY 14120
694-9257

to Bingo Inspector. Her term of office will commence immediately, and be for 1 year,
expiring December 31, 2002. She replaces Karl Osterman.

Sincerely,
David J. Burgjo

MOVED by Alderman Hogan **SECONDED by Alderman Rizzo**
That the Common Council hereby receives and files the aforementioned
communication.

CARRIED.

IV.
Engineer

February 27, 2002

Honorable David J. Burgio, Mayor
and Common Council Members
City Hall
North Tonawanda, New York 14120

Re: Robinson Street Reconstruction
(Oliver Street to Twin Cities Memorial Highway), Project 2000-1

**Approval of Change Order No. 19,
Project Acceptance and Final Payment**

Honorable Body:

Your approval of Change Order No.19, project acceptance and approval of final payment for Contract 00-1, Robinson Street Reconstruction, from Oliver Street to Twin Cities Memorial Highway, is hereby requested.

Change Order No.19 adjusts the original contract quantities to the actual installed or as-built quantities. Attached is the estimate of final quantities for your review.

I therefore recommend that the Common Council approve Change Order No.19, adjustment of final quantities in the amount of \$3,369.50, increasing the contract amount from \$860,549.00 to the final contract amount of \$863,918.50, and that the Mayor be authorized to sign said change order. Furthermore, the work under Project 00-1 has been completed in accordance with the plans and specifications prepared by the City, and I recommend that the project be accepted, and that the final documents required by the contract be reviewed and approved by the City Attorney.

Finally, a special retainage in the amount of \$10,000.00 has been established for asphalt repair work associated with Change Order #7 for the construction of the Fassett Street Storm Sewer. This work will be accomplished in the spring once the asphalt plants reopen. The special retainage will then be released accordingly.

Very truly yours,
Dale W. Marshall, P.E.
City Engineer

MOVED by Alderman Schwandt

SECONDED by Alderman Hogan

That the Common Council hereby Council approves Change Order No.19, Robinson Street Reconstruction, adjustment of final quantities in the amount of \$3,369.50, increasing the contract amount from \$860,549.00 to the final contract amount of \$863,918.50, and that the Mayor is authorized to sign said change order. Furthermore, the work under Project 20000-1 has been completed in accordance with the plans and specifications prepared by the City, the project is accepted, and that the final documents required by the contract be reviewed and approved by the City Attorney.

Ayes: Soos, Rizzo, Hogan, Sommer, Schwandt

(5)

Nays None

(0)

CARRIED.

VII.1

Accountant

February 28, 2002

**Honorable David J. Burgio, Mayor
and Common Council
North Tonawanda, NY 14120**

Dear Honorable Body:

In accordance with Article V, Division 1, Section 5.002 and 5.003 of the new 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 March 6, 2002, and further authorize the Mayor and City Clerk respectively sign and countersign said Warrant.

Very truly yours,
David R. Jakubaszek
City Accountant

X.1
Police Dept.

February 25th, 2002

Honorable David J. Burgio, Mayor
City of North Tonawanda
216 Payne Avenue
North Tonawanda, NY 14120

RE: Lateral Transfers

Dear Mayor Burgio,

As per our earlier conversations, and pursuant to §3.002-e of the City Charter, I have hired the following individuals as Police Officers, effective on Friday, March 1st, 2002. The Niagara County Civil Service Commission has approved their lateral transfers.

Benjamin J. Pasiak
1049 — 101st Street
Niagara Falls, NY 14304

James P. Muehlbauer
124 Fontaine Avenue
Cheektowaga, NY 14215

Mr. Pasiak was employed by the Niagara Falls Police Department. Mr. Muehlbauer worked with the New York State Park Police. They have been instructed that they must obtain and maintain a permanent residence within the City within six months.

A brief swearing-in ceremony will be held on Friday, March 1st @ 9 A.M. in the Common Council chambers.

Respectfully,
Carl W. Stiles
Chief of Police

MOVED by Alderman Schwandt
That the Common Council hereby
communication.
CARRIED.

SECONDED by Alderman Hogan
receives and files the aforementioned

X.2
Police Dept.

February 21st, 2002

Honorable Mayor David Burgio
City of North Tonawanda
216 Payne Avenue
North Tonawanda, NY. 14120

RE: Crossing Guard Position

Dear Mayor Burgio,

As per our earlier conversations, and pursuant to §3.002-e of the City Charter, I have hired the following individual as a relief substitute Crossing Guard, effective on Monday, February 25th, 2002 subject to the approval of his application, by the Niagara County Civil Service Commission.

Henry V. Wisnieski
797 East Robinson Street
North Tonawanda, NY 14120

Respectfully,
Carl W. Stiles, Chief of Police

XIV.2
Youth & Recreation

1/30/2002

The Honorable Mayor, David Burgio
City Hall, 216 Payne Ave.
North Tonawanda, New York 14120

Dear Mayor Burgio:

Please find attached the 2002 Youth, Recreation, Parks & Senior Citizens Department fee and charge schedule.

The recommended fees & charges were established with the intended goal of operating cost effective parks & recreation programs and facilities in the community.

The fee schedule as presented represents only minor changes from the 2001 fee & charge schedule.

Therefore, I request that you approve the fee schedule as recommended.

Thank you for your assistance.

Sincerely,
Jerry Whitehead
Director of the Dept. of Youth, Recreation,
Parks & Senior Citizens

MOVED by Alderman Schwandt SECONDED by Alderman Hogan
That the Common Council hereby approves the 2002 Youth, Recreation, Parks and Senior Citizens Department fee and charge schedule as follows:

SPORTS LEAGUES & FEES

<u>PROGRAM</u>	<u>2002 Fee</u>
A. <u>Softball Leagues</u> (charge per season)	
1. Adult Slow pitch	\$300 per team
2. Coed Slow pitch	\$300 per team
3. Men's Fast pitch (2 umpers)	\$500 per team
4. Youth (18-21) Team Fee	\$100 per team
*The 2003 Fee will be determined by the resolution of a new Contract with the umpires association.	
5. Fall League	\$100 per team
* The Fall League Fee does not include umpire fees.	
6. Non-Resident Team Fee	\$ 400 per team
7. Girls Youth Softball League	\$20 per Individual
* The Girls Softball Fee represents a NEW charge for 2002.	
B. <u>Volleyball Leagues</u> (charge per season)	
1. Adult	\$125 per team
2. Coed	\$125 per team
3. Youth (18-21)	\$50 per team
4. Non-Resident Team Fee	\$200 per team
C. <u>Basketball League</u> (charge per season)	
1. Men	\$200 per team
2. Youth (18-21)	\$100 per team
3. Youth Basketball	\$10 per individual
* The Youth Basketball Fee represents a NEW charge for 2002.	

4. Non-Resident Team Fee \$300 per team

D. Other League Charges

1. Protest Fee \$20 each incident

E. Instructional Classes

3. Baton - School Year \$20 per session
 4. Baton - Summer \$8 per session
 5. Little People - School Year \$10 per session

SWIMMING POOL PROGRAMS

<u>PROGRAM</u>	<u>2002 FEE</u>
A. <u>Pool Party Rental</u>	
1. Memorial	\$50/hr.
2. Wurlitzer	\$25/hr.
B. <u>Swimming Pass Charges</u>	
1. Resident Pool Pass	
Adult	\$20 per year
Senior (62 years & older)	\$10 per year
Youth	\$10 per year
2. Non-Resident Swim Pass	\$35 per year
3. Daily Swim Pass	\$2.50
4. Replacement	\$2.00
C. <u>Swimming Lessons</u>	
1. Youth Swim Lessons (Summer)	\$5.00

DEERWOOD GOLF COURSE FEES

<u>PROGRAM</u>	<u>FEE</u>
A. <u>Resident Golf Passes</u>	
1. Adult	\$20 per year
2. Senior	\$10 per year
3. Youth	\$10 per year
B. <u>Golf Course Fees (excluding Golf Passes and Daily Ticket Fees)</u>	
1. Tournament Fee (to be paid prior to tournament)	
18 hole tournament -\$250/credit/tourn. - \$255 (\$105 fee/\$150 credit)	
9 hole tournament	\$153 (\$53 fee/\$100 credit)
2. Tournament Rate (round of golf/cart) (includes both weekdays & weekends)	
18 hole rate	\$22/player \$24
9 hole rate	\$13
3. Booking Fee - League	\$6/player \$7
C. <u>Golf Fees</u>	
Daily Fees for the coming season were approved in 2001. (See attached 2002 approved Fees.)	

PARK PAVILIONS & BOAT TRAILER PERMITS

BOTANICAL GARDENS GAZEBO RENTALS

TREE PLANTING PROGRAM CHARGES

<u>PROGRAM</u>	<u>FEE</u>
A. <u>Park Pavilion Charge</u> (*Rental Charges for Pavilion use at Pinewoods, Mayors, Fisherman's and Gratwick Parks)	
1. Shelter - Rental	
Resident	\$35/shelter
Non-Resident	\$55/shelter
With kitchen (mandatory)	\$10 additional
2. Band Shell (Fisherman's Park) (includes 1 shelter)	
Resident	\$75
Non-resident	\$100
B. <u>Tree Charge</u>	
1. Buy-A-Tree	\$50 tree
C. <u>Gazebo Permit (Botanical Gardens)</u>	
1. Booking Fee	\$20
D. <u>Boat Launch Permit</u>	
1. Resident Fee	\$25
2. Non-resident Fee	\$50

SENIOR CITIZENS PROGRAM FEE & CHARGES

<u>PROGRAM</u>	<u>FEE</u>
A. <u>Senior Citizens Program Charges</u>	
1. Newsletter/annual fee/ 12 issues	\$2 per year
2. Medical Van <u>Suggested donation</u> City of North Tonawanda	\$2/use
North of Sheridan Dr.	\$4/use
South of Sheridan Dr./ East of Niagara Falls Blvd/ Buffalo/Niagara Falls	\$5/use
Ayes: Soos, Rizzo, Hogan, Sommer, Schwandt	(5)
Nays: None	(0)
CARRIED.	

XXV. Monthly Reports

.1 Police Dept.3	Treasurer
.2 NT Housing Authority	.4 Treasurer (Investments)

MOVED by Alderman Schwandt SECONDED by Alderman Rizzo
That the aforementioned reports be received and filed.
CARRIED.

LATE COMMUNICATIONS

#1

Alderman Hogan

March 6, 2002

To: Honorable Mayor and Common Council:

Due to another conflict with the Gateway Steering Committee, Mr. David Taylor and Runwayz Promotions has voluntarily switched an existing Common Council approved date of August 17th for August 31st, 2002. This was initiated by Mr. Taylor to accommodate a jazz fest on the August 17th weekend. Therefore, I hereby ask the Common Council, by resolution, to authorize Runwayz Concert Promotions to hold a concert on Saturday, August 31, 2002.

Thank you for your consideration in this matter.

Sincerely,
 Pamela A. Hogan
 2nd Ward Alderman

c

#2

Brett Sommer**MOVED by Alderman Sommer****SECONDED by Alderman Hogan**

That the Common Council hereby approves a local retirement incentive plan for employees who are eligible to retire from the New York State Retirement System and are age 55 or older. Employees would receive a total of \$10,000 over a five-year period (\$2,000 per year) on a voucher and receive an IRS Form 1099 each year. Employees would also receive a \$10,000 term life insurance policy, until the employee reaches age 70. Employees would have to retire by April 30, 2002. Police and Fire employees are excluded. No new retirement incentive plans will be offered for the next two years.

Ayes: Soos, Rizzo, Hogan, Sommer, Schwandt

(5)

Nays None

(0)

CARRIED.**ADJOURNMENT****MOVED by Alderman Schwandt****SECONDED by Alderman Rizzo**

That this regular session of the Common Council be and hereby is adjourned.

CARRIED.

Time of Adjournment: 7:23P.M.

Respectfully submitted,

Michael D. Cox
 City Clerk