

THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Wednesday, September 4, 2002
6:00 P.M.

REGULAR SESSION CALLED TO ORDER BY PRESIDENT SCHWANDT

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: **President Schwandt**
 Aldermen Rizzo, Sommer, Soos, Chorny

Absent: **None**

Also Present: **Mayor David J. Burgio**
 Assistant City Attorney Robert Sondel

APPROVAL OF THE MINUTES OF THE REGULAR SESSION HELD AUGUST 21, 2002

MOVED by Alderman Schwandt **SECONDED** by Alderman Soos
That the minutes of the regular session held on August 21, 2002 be approved as
circulated and filed in the Office of the City Clerk.
CARRIED.

APPROVAL OF THE MINUTES OF THE SPECIAL SESSION HELD AUGUST 14, 2002

MOVED by Alderman Rizzo **SECONDED** by Alderman Soos
That the minutes of the special session held on August 14, 2002 be approved as
circulated and filed in the Office of the City Clerk.
CARRIED.

AUDIENCE PARTICIPATION

Gordon Fritz, 1727 Eddy Dr., wanted to know if the trucks hauling leaves have tarps to
cover the debris.

COMMUNICATIONS FROM CITY OFFICIALS

VII.1

Accountant

August 29, 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 September 4, 2002, and further authorize the Mayor and City Clerk respectively sign and countersign said Warrant.

Very truly yours,
David R. Jakubaszek
City Accountant

MOVED by Alderman Rizzo

SECONDED by Alderman Soos

That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated September 4, 2002, and further authorizes the Mayor and City Clerk respectively sign and countersign said Warrant:

01	General Fund	\$382,439.76
02	Water Fund	35,634.78
04	Sewer Fund	93,978.67
06	Capital Projects Fund	76,236.81
07	Trust & Agency Fund	3,966.13
08	Community Development	7,303.25
09	Capital Gratwick Park Remediation	10,963.65
12	Water Fund (Encumbered)	10,000.00
14	Sewer Fund (Encumbered)	30,000.00
17	Home Rehabilitation Program	<u>2,200.00</u>

FINAL TOTAL \$652,723.05

Ayes: Soos, Sommer, Chorny, Rizzo, Schwandt (5)
Nays: None (0)
CARRIED.

VII.2

Accountant

August 29, 2002

Honorable David J. Burgio, 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 Number</u>	<u>Dollar Amount</u>	<u>From Appropriation Account</u>	<u>To Appropriation Account</u>
9	\$8,000.00	2-8320.438 Light Heat Power	2-8310.434 Professional Services
10	500.00	4-8130.100 Personal Services	4-8130.252 Maintenance Tools
11	1,500.00	4-8130.100 Personal Services	4-8130.452 R&M Trucks
12	2,000.00	4-8130.100 Personal Services	4-8130.260 Public Safety
13	30,000.00	4-8130.100 Personal Services	4-8130.454 R&M Plant Equip.
14	30,000.00	4-8130.100 Personal Services	4-8130.434 Professional Services

Very truly yours,
David R. Jakubaszek
City Accountant

MOVED by Alderman Soos

SECONDED by Alderman Schwandt

That the Common Council hereby authorizes the City Accountant to make the following budgetary transfer:

<u>Control Number</u>	<u>Dollar Amount</u>	<u>From Appropriation Account</u>	<u>To Appropriation Account</u>
9	\$8,000.00	2-8320.438 Light Heat Power	2-8310.434 Professional Services
10	500.00	4-8130.100 Personal Services	4-8130.252 Maintenance Tools
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12	2,000.00	4-8130.100 Personal Services	4-8130.260 Public Safety
13	30,000.00	4-8130.100 Personal Services	4-8130.454 R&M Plant Equip.
14	30,000.00	4-8130.100 Personal Services	4-8130.434 Professional Services

Ayes: Soos, Sommer, Chorny, Rizzo, Schwandt (5)
 Nays: None (0)
CARRIED.

**IX.1
 Public Works**

August 16, 2002

Honorable David Burgio
 City of North Tonawanda
 City Hall – 216 Payne Avenue
 North Tonawanda, NY 14120

**Re: Acceptance of Proposal
 For Purchase of Leaves & Wood Chips**

Dear Mayor:

On August 7, 2002 the City Clerk's Office publicly opened proposals in sealed envelopes, which I had requested by publishing in the Tonawanda NEWS on July 29, 2002.

One bidder, Leo Brenon Topsoil, submitted a proposal for \$6,000.00 to purchase stockpiles of leaves and wood chips and an additional \$1,000.00 per year per year, for a 3-year period, for leaves collected by the City.

I have discussed this proposal with Assistant City Attorney, Robert Sondel, and have decided to accept the proposal of Leo Brenon Topsoil, 5530 Killian Road, North Tonawanda, New York 14120.

A copy of the Brenon Proposal is attached for your information.

Very truly yours,
 Gary J. Franklin
 Superintendent

MOVED by Alderman Rizzo SECONDED by Alderman Soos
That the Common Council hereby accepts the proposal of Leo Brenon Topsoil, 5530 Killian Road, North Tonawanda, New York 14120 for \$6,000.00 to purchase stockpiles of leaves and wood chips and an additional \$1,000.00 per year per year, for a 3-year period, for leaves collected by the City.

Ayes: Soos, Sommer, Chorny, Rizzo, Schwandt (5)
 Nays: None (0)
CARRIED.

A brief ceremony will be held in the Common Council chambers on Friday, August 30th, at 9 A.M. As always, you are invited to attend and or participate in this ceremony if you so desire.

Respectfully,
Carl W. Stiles
Chief of Police

MOVED by Alderman Schwandt SECONDED by Alderman Soos
That the Common Council hereby receives and files the Mayor's approval of the appointment of David M. Rousselle of 214 Zimmerman St., to the position of Police Captain in the Police Department effective August 30, 2002.
CARRIED.

X.2
Police Dept.

August 26th, 2002

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

Re: Appointment

Dear Mayor Burgio,

As per our earlier conversations, and pursuant to §3.002-e of the City Charter, I have made the following appointment from the list of eligibles supplied by the Niagara County Civil Service Commission, effective Friday, August 30th.

Police Officer Scott D. Willard to Police Lieutenant

A brief ceremony will be held in the Common Council chambers on Thursday, August 29th, at 9 A.M. As always, you are invited to attend and or participate in this ceremony if you so desire.

Respectfully,
Carl W. Stiles
Chief of Police

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XI.
Fire Dept.

August 20, 2002

Dear Mayor Burgio:

I respectfully request permission for Training Officer, Assistant Chief Gregory Frank, to attend the New York State Fire Instructors Conference at the New York State Academy of Fire Science in Montour Falls, New York. This conference will be October 14-18, 2002.

The purpose of this conference is certify the Training Officer to teach New York State Firefighting courses to our paid and volunteer firefighters.

Cost of this conference is not expected to exceed \$250.

Use of a Fire Department vehicle is also requested.

FURTHER RESOLVED, that the Common Council has caused to be prepared an environmental assessment of the significance and potential environmental impact of the above-referenced action. The Common Council hereby accepts the environmental assessment of the proposed project prepared by Stuart I. Brown Associates, Inc. The Common Council further declares that, based on the environmental assessment which has been prepared, the project will result in no major impacts and, therefore, will not cause any significant adverse impacts to the environment. The Common Council hereby authorizes the Mayor to sign the Environmental Assessment Form. A Negative Declaration under SEQR is therefore issued for the Cultural Heritage Trail.

Sincerely,
Michele A. Tow
Community Development Director

MOVED by Alderman Rizzo

SECONDED by Alderman Soos

RESOLVED, that in accordance with the New York State Environmental Quality Review Act (SEQR), the Common Council of the City of North Tonawanda hereby announces its intent to serve as lead agency for the purpose of conducting the environmental review of the Canal Corridor Initiative – Cultural Heritage Trail, which the Common Council has determined to be an “Unlisted Action,” as defined under SEQR regulations.

FURTHER RESOLVED, that the Common Council has caused to be prepared an environmental assessment of the significance and potential environmental impact of the above-referenced action. The Common Council hereby accepts the environmental assessment of the proposed project prepared by Stuart I. Brown Associates, Inc. The Common Council further declares that, based on the environmental assessment which has been prepared, the project will result in no major impacts and, therefore, will not cause any significant adverse impacts to the environment. The Common Council hereby authorizes the Mayor to sign the Environmental Assessment Form. A Negative Declaration under SEQR is therefore issued for the Cultural Heritage Trail.

CARRIED.

XXXII.2

Community Dev.

August 29, 2002

The Honorable Mayor and Common Council
City Hall – 216 Payne Avenue
North Tonawanda, New York 14120

Re: Canal Corridor Initiative Section 108 Grant
Cultural Heritage Trail
Authorization to Sign Project Documents

Dear Honorable Body:

In the next several weeks, the City expects to receive a new Contract and Note from the U.S. Department of Housing and Urban Development for the \$60,000 Canal Corridor Initiative Section 108 grant for the Cultural Heritage Trail. This activity will link the Canal with the City’s other historic sites and enhance additional community revitalization activities in the downtown and surrounding areas.

At this time, please authorize the Mayor to sign the Contract and Note and related documentation for the Canal Corridor Initiative Section 108 Grant for the Cultural Heritage Trail, sponsored by the U.S. Department of Housing and Urban Development, subject to review by the City Attorney.

Thank you for your cooperation.

Sincerely,
Michele A. Tow
Community Development Director

MOVED by Alderman Soos

SECONDED by Alderman Schwandt

That the Common Council hereby authorizes the Mayor to sign the Contract and Note and related documentation for the Canal Corridor Initiative Section 108 Grant for the Cultural Heritage Trail, sponsored by the U.S. Department of Housing and Urban Development, subject to review by the City Attorney.

Ayes: Soos, Sommer, Chorny, Rizzo, 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: 6:13 P.M.

Respectfully submitted,

Catherine P. Gambino
Assistant City Clerk