

**THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Wednesday, October 2, 2002
6:05 P.M.**

REGULAR SESSION CALLED TO ORDER BY PRESIDENT SCHWANDT

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Absent: Mayor David J. Burgio

**Also Present: Mayor's Administrative Assistant Michael Carney
 Assistant City Attorney Shawn Nickerson**

APPROVAL OF THE MINUTES OF THE REGULAR SESSION HELD SEPTEMBER 18, 2002

**MOVED by Alderman Rizzo SECONDED by Alderman Soos
That the minutes of the regular session held on September 18, 2002 be approved as
circulated and filed in the Office of the City Clerk.
CARRIED.**

APPROVAL OF THE MINUTES OF THE SPECIAL SESSIONS HELD SEPTEMBER 11 & 16, 2002

**MOVED by Alderman Schwandt SECONDED by Alderman Rizzo
That the minutes of the specials sessions held on September 11 & 16, 2002 be approved
as circulated and filed in the Office of the City Clerk.
CARRIED.**

AUDIENCE PARTICIPATION - None

COMMUNICATIONS FROM CITY OFFICIALS

**I.
Mayor**

September 20, 2002

**Common Council
216 Payne Avenue
North Tonawanda, NY 14120**

Dear Council Members:

Please be advised that I have appointed:

**Fire Captain Leon Szczerbinski
187 Spaulding Street
North Tonawanda, NY 14120**

**to the Traffic Safety Committee. His term of office will start immediately and expire
December 31, 2002.**

**Sincerely,
David J. Burgio
Mayor**

**VI.1
Wastewater Treatment Plant**

September 11, 2002

Honorable Mayor David J. Burgio
And the Common Council
City Hall/Payne Avenue
North Tonawanda, NY

**Re: Acceptance of Terms and Conditions for CSO/SSO Development
With Stearns and Wheler, LLC**

Honorable Body:

The New York State Department of Environmental Conservation requires the City of North Tonawanda to prepare and submit a plan to abate combined and sanitary sewer overflows (CSO/SSO). This plan is required to be completed by October 2002.

In order to comply with this mandate, the Wastewater Treatment Plant would like to contract with Stearns and Wheler, LLC to aid the City in meeting these requirements. Funding for this program is included in the 2002 and 2003 operating budgets.

Thank you in advance for your time and consideration in addressing this request.

Sincerely
Paul J. Drof
Superintendent

MOVED by Alderman Soos

SECONDED by Alderman Rizzo

That the Common Council hereby authorizes the Wastewater Treatment Plant to contract with Stearns and Wheler, LLC to aid the City in preparing a plan to abate combined and sanitary sewer overflows (CSO/SSO) as mandated by the New York State Department of Environmental Conservation. Funding for this program is included in the 2002 and 2003 operating budgets.

Ayes: Soos, Rizzo, Chorny, Sommer, Schwandt

(5)

Nays: None

(0)

CARRIED.

**VI.2
Wastewater Treatment Plant**

August 14, 2002

Honorable David J. Burgio, Mayor
And the Common Council
City Hall, 216 Payne Avenue
North Tonawanda, NY 14120

Re: Natural Gas

Honorable Body:

Bids were received and opened on August 7, 2002 for supplying the Wastewater Treatment Plant and Colonel Payne Community Center natural gas.

Based upon review of these bids and the recommendation of our consultant, Enerscope, I recommend that the bid be awarded to Crown Energy Services, Inc. under the NYMEX index method at \$0.7070 per DTH over the monthly NYMEX Natural Gas Futures settlement price.

Thank you for your time and consideration in addressing this matter.

**VII.2
Accountant**

September 25, 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>
17	1,190.00	2-8310.471 Training/Education	2-8310.220 Office Machines

Very truly yours,
David R. Jakubaszek
City Accountant

MOVED by Alderman Schwandt SECONDED by Alderman Rizzo
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>
17	1,190.00	2-8310.471 Training/Education	2-8310.220 Office Machines

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

**XXV.
Monthly Reports**

.1	City Clerk	.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.

**XXVI.
Vacation & Sick Leave Reports**

.1	City Clerk	.2	Vital Statistics
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MOVED by Alderman Rizzo SECONDED by Alderman Schwandt
That the aforementioned reports be received and filed.
CARRIED.

**XXXII.
Community Development**

September 26, 2002

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

**Re: Solid Surface Acrylics – Economic Development Program
Amendment to Agreement**

Dear Honorable Body:

Solid Surface Acrylics, located in the National Industrial Park on Walck Road, makes molded acrylic tabletops for restaurants, hotels and offices. The company was established in the Industrial Park nine years ago with private equity, bank resources and partial loan assistance from the Niagara County Development Corporation and the City’s Economic Development Program. Two years ago, Solid Surface Acrylics and An-Cor Plastics, a long-time member of the business community, established a productive partnership, creating Solid Surface Acrylics, LLC. The company employs eighteen people in North Tonawanda.

The slow economic conditions in 2001, which intensified after the tragic events of September 11, have caused some delay in business activities for Solid Surface Acrylics. In light of this, the company has requested a temporary deferment of loan payments until January 1, 2003. The Company representatives are very cooperative, and the job creation that has occurred benefits the City and the region.

At this time, please authorize the Mayor to sign an amendment to the Economic Development Program Loan and Security Agreement with Solid Surface Acrylics, LLC, temporarily deferring loan repayments until January 1, 2003.

Thank you very much.

Sincerely,
Michele A. Tow
Community Development Director

MOVED by Alderman Schwandt SECONDED by Alderman Rizzo
That the Common Council hereby authorizes the Mayor to sign an amendment to the Economic Development Program Loan and Security Agreement with Solid Surface Acrylics, LLC, temporarily deferring loan repayments until January 1, 2003.
CARRIED.

COMMUNICATIONS FROM OTHERS

A.
Sweeney Hose Co. - Re: Statement of Volunteer Fireman:

Neill E. Morrison

MOVED by Alderman Sommer SECONDED by Alderman Schwandt
That the name of Neill E. Morrison be added to the City Fire Rolls.
CARRIED.

We believe that the homeownership option, in conjunction with the existing Family Self-Sufficiency Program, is a terrific addition to the Section 8 Program, and we would recommend that the City adopt the provision as part of its housing assistance program.

If the attached addendum is acceptable to you, we respectfully request that you adopt the revised Administrative Plan by passing the enclosed resolution at your next meeting.

Sincerely,
Kathy O'Brien
V. P., Housing Programs

MOVED by Alderman Schwandt SECONDED by Alderman Soos
That the Common Council hereby adopts the revised Section 8 Administrative Plan, including the Homeownership provision, and authorizes Mayor David J. Burgio to sign the Plan for submission to the U. S. Department of Housing and Urban Development by Belmont Shelter Corp.
CARRIED.

ALDERMAN RIZZO:

MOVED by Alderman Rizzo SECONDED by Alderman Soos
That the Common Council hereby directs the Department of Public Works to install a "No Parking" sign on Northeast Avenue from the dead end to the first driveway on the south side of the street.
CARRIED.

MOVED by Alderman Rizzo SECONDED by Alderman Soos
That the Common Council hereby requests Niagara Mohawk Power Corporation to install a street light on pole #NM92 in front of 92 Northeast Avenue.
CARRIED.

LATE COMMUNICATIONS

#1
North Tonawanda High
School Marching Band

September 27, 2002

Mayor David Burgio
North Tonawanda City Hall
Payne Avenue
North Tonawanda, NY 141210

Dear Mayor Burgio:

On behalf of the North Tonawanda High School Concert/Marching Band Boosters, I am writing to ask permission to hang a banner across Payne Avenue in front of Lowry Middle School.

The Band Boosters are sponsoring a Craft Show on Saturday, November 9, 2002 at the high school. We are requesting that the banner be put up from October 26 to November 9.

Could you please put it on the agenda for the next council meeting? Thank you for your consideration. You may call me at 692-8820 if you have any questions. Thank you again.

Sincerely,
Susan F. Ferrio (Burgio)
Band Booster Secretary

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

#2
Mayor Burgio

September 30, 2002

Common Council
216 Payne Avenue
North Tonawanda, NY 14120

Dear Common Council:

Please be advised that I have appointed Ken Pearl to the Planning Board. He replaces Cosimo R. Capozzi. His term will begin immediately and will expire December 31, 2004. Thank you.

Sincerely,
David J. Burgio

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

#3
Chief Rogge

September 30, 2002

President Catherine Schwandt
and Members of the Council

Dear Honorable Body:

I am respectfully requesting that you take the appropriate legislative action to have the position of Clerk-Typist at the Fire Department, reclassified to Account-Clerk Typist.

The basis for this action is to bring the duties, that have been performed by Carol Pawlik since 1983, under the job title, which most accurately reflects these duties. I am enclosing a letter from the Niagara County Civil Service Office, verifying that this change is in order.

Please create the position of "Account-Clerk Typist" in the Fire Department. Money has been allocated in the budget to cover the \$996.00 difference between the two titles.

Sincerely,
David A. Rogge
Fire Chief

MOVED by Alderman Schwandt **SECONDED** by Alderman Rizzo
**That the Common Council hereby refers the aforementioned communication to the
Traffic Safety committee for their recommendation.
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: 6:27 P.M.

Respectfully submitted,

**Catherine P. Gambino
Assistant City Clerk**