

have been budgeted.

If you concur, please authorize the mayor to execute the contract.

Very truly yours,
Robert Sondel
Assistant City Attorney

MOVED by Alderman Soos

SECONDED by Alderman Schwandt

That the Common Council hereby authorizes the mayor to sign the contract with Lakeshore Employee Testing, Inc. for mandatory random drug and alcohol testing for employees who possess Commercial Driver's Licenses (CDL) within the Public Works Department.

CARRIED.

IV. Engineer

February 14, 2003

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

Re: Project 98-5, Roblin Steel Site
Phase I Demolition and Disposal
Award of Bid

Honorable Body:

On January 7, 2003, ten (10) bids were received for the above referenced project. The bids were reviewed and tabulated as follows:

<u>Contractors</u>	<u>Total Base Bid</u>
<i>*Titan Wrecking and Environmental, LLC</i>	<i>\$368,097.01</i>
Mark Cerrone, Inc.	\$547,370.00
Empire Dismantlement Corporation	\$646,000.00
Donald J. Braasch Construction, Inc.	\$670,000.00
Ontario Specialty Contracting, Inc.	\$671,080.00
Sabre Demolition Contracting	\$688,000.00
Cambria Contracting, Inc.	\$710,155.00
LVI Environmental Services, Inc.	\$783,000.00
SLC Constructors, Inc.	\$787,980.00
Pinto Construction Services, Inc.	\$1,055,000.00

* Titan Wrecking and Environmental, LLC (Titan) submitted the lowest bid in the amount of \$368,097.01, however failed to qualify as the successful bidder for several reasons.

Stearns & Wheler, the city's engineering consultant on the project, list several factors (see attached letter) for the disqualification of Titan, summarized as follows:

- Titan's proposal was outside the scope of the approved work plan, making their bid contingent on acquiring a site specific variance from the New York State Department of Labor. On December 9, 2002, I wrote a letter to the Mayor and Common Council condemning all abandoned structures at the Roblin Steel Site, therefore making it impossible for Titan to demolition the structures as they alternately proposed. Further, it was required that the city's work plan and contract documents be approved by the NYSDEC and NYS Department of Health prior to bidding and award of contract.
- Titan provided an unbalanced bid to the City, putting a majority of their pricing (\$334,967) into mobilization/demobilization and only \$0.01 per ton for each of the contract's disposal items.

02/19/03

07	Trust & Agency Fund	244.10
08	Community Development	701.98
11	General Fund (Encumbered)	9,946.39
12	Water Fund (Encumbered)	12,400.00
14	Sewer Fund (Encumbered)	6,098.11
17	Home Rehab Program	<u>5,864.00</u>

FINAL TOTAL \$321,857.70

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

VII.2 Accountant

February 12, 2003

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>
14	10,000.00	1-3620.100 Personal services	1-3620.450 R&M Buildings
15	50,000.00	1-1990.400 Contingent Account	1-3120.100 Police Personal Services
16	40,000.00	1-1930.400 Judgment & Claims	1-3120.100 Police Personal services

Very truly yours,
 David R. Jakubaszek
 City Accountant

MOVED by Alderman Sommer **SECONDED** by Alderman Rizzo
 That the Common Council hereby tables the following transfer of budgetary appropriations:

<u>Control Number</u>	<u>Dollar Amount</u>	<u>From Appropriation Account</u>	<u>To Appropriation Account</u>
14	10,000.00	1-3620.100 Personal services	1-3620.450 R&M Buildings

CARRIED.

MOVED by Alderman Sommer **SECONDED** by Alderman Schwandt
 That the Common Council hereby authorizes the City Accountant to make the following transfer of budgetary appropriation:

<u>Control Number</u>	<u>Dollar Amount</u>	<u>From Appropriation Account</u>	<u>To Appropriation Account</u>
15	50,000.00	1-1990.400 Contingent Account	1-3120.100 Police Personal Services

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

MOVED by Alderman Schwandt **SECONDED** by Alderman Soos
 That the Common Council hereby authorizes the City Accountant to make the following transfer of budgetary appropriations:

<u>Control Number</u>	<u>Dollar Amount</u>	<u>From Appropriation Account</u>	<u>To Appropriation Account</u>
16	40,000.00	1-1930.400 Judgment & Claims	1-3120.100 Police Personal services

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

X. Police

January 30, 2003

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

RE: NYS GRANT

Dear Mayor Burgio,

As you are aware, I have applied for and received a state grant to be used to supplement the salaries of police officers teaching DARE classes.

I respectfully ask that you petition the Common Council for authorization to sign the contract and any related paperwork on behalf of the City of North Tonawanda.

Respectfully,
 Carl W. Stiles
 Chief of Police

MOVED by Alderman Sommer **SECONDED** by Alderman Rizzo
 That the Common Council hereby authorizes the Mayor to sign the contract and any related paperwork relating to a state grant to be used to supplement the salaries of police officers teaching DARE classes, on behalf of the City of North Tonawanda.
CARRIED.

X.2 Police

January 13, 2003

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

**RE: NYS Adolescent Tobacco Use Prevention Act (ATUPA)
 GRANT – Compliance Checks**

Dear Mayor Burgio:

I have been in contact with the Niagara County Health Department in regard to the attached grant proposal regarding the *Adolescent Tobacco Use – Compliance Check Program*. We have participated in this program before, and I believe it is worthwhile. Statistics have proven that the program is a deterrent to the sale of tobacco to minors.

I respectfully ask that you petition the common council for authorization to sign the contract and any related paperwork on behalf of the City of North Tonawanda.

Carl W. Stiles
Chief of Police

MOVED by Alderman Soos

SECONDED by Alderman Schwandt

That the Common Council hereby authorizes the Mayor to sign the contract and any related paperwork for a grant regarding the *Adolescent Tobacco Use – Compliance Check Program*, on behalf of the City of North Tonawanda.

Ayes: Soos, Rizzo, Proefrock, Sommer, Schwandt

(5)

Nays: None

(0)

CARRIED.

X.2 Police

February 12, 2003

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

RE: Hiring of Police Officers

Dear Mayor Burgio:

As per our earlier conversations, and pursuant to §3.002-e of the City Charter, I have hired the following four individuals as Police Officers, effective on Friday, February 28th, 2003. They were selected from a list of eligibles provided by the Niagara County Civil Service Commission.

Richard A. Wydysch
258 Witmer Road
North Tonawanda, NY 14120

Jeffrey L. Shiesley
1715 Ruie Road
North Tonawanda, NY 14120

John D. Snopkowski
1174 Payne Avenue (upper)
North Tonawanda, NY 14120

Joshua J. Cress
20 Rumbold Avenue
North Tonawanda, NY 14120

A brief swearing-in ceremony will be held on Friday, February 28th, @ 9A.M. in the Common Council chambers. As always, you are cordially invited to attend and participate.

Respectfully,
Carl W. Stiles
Chief of Police

MOVED by Alderman Soos

SECONDED by Alderman Rizzo

That the Common Council hereby receives and files the aforementioned communication.
CARRIED.

02/19/03

PROGRAM	2003 Fee
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 umps)	\$500 per team
4. Youth (18-21) Team Fee	\$100 per team
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 is a recommended donation.	
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. Non-Resident Team Fee	\$ 300 per team
D. <u>Other League Charges</u>	
1. Protest Fee	\$20 each incident
E. <u>Instructional Classes</u>	
1. Baton - School Year	\$20 per session
2. Baton - Summer	\$8 per session
3. Little People - School Year	\$10 per session

Memorial Pool Summer
SWIMMING POOL PROGRAM

PROGRAM	2003 FEE
A. <u>Swimming Charges</u>	
1. Daily Swim Pass (Resident)	\$.50
2. Daily Swim Pass (Non-resident)	\$ 2.00
B. <u>Swimming Lessons</u>	
1. Youth Swim Lessons (Resident only) (Summer)	\$ 5.00

PARK PAVILIONS & BOAT TRAILER PERMITS

BOTANICAL GARDENS GAZEBO RENTALS

TREE PLANTING PROGRAM CHARGES

PROGRAM	FEE
A. Park Pavilion Rental Charge	
1. <u>Fisherman's Park (#1 & #2 without kitchens)</u>	
Resident	\$40
Non-Resident	\$60
Band Shell (Fisherman's Park) * Includes 1 shelter	
Resident	\$75
Non-resident	\$100
2. <u>Pinewoods & Mayors #3</u>	
(With Large Pavilions & Kitchen)	\$50
Non-resident	\$75
Pinewoods #2 and Mayors 1 & 2 Without Kitchens	
Non-resident	\$40
	\$60
3. Private use of the Performance Trailer	\$ 500
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>	\$30

SENIOR CITIZENS PROGRAM FEE & CHARGES

PROGRAM	FEE
A. <u>Senior Citizens Program Charges</u>	
1. Newsletter/annual fee/ 12 issues	\$2 per year

2. Medical Van –

Suggested donation

City of North Tonawanda \$2/use

North of Sheridan Dr. \$4/use

South of Sheridan Dr./ \$5/use

East of Niagara Falls Blvd/

Buffalo/Niagara Falls

Ayes: Soos, Rizzo, Proefrock, Sommer, Schwandt (5)

Nays: None (0)

CARRIED.

XIV.2 Recreation

February 13 2003

The Honorable Mayor and Common Council Members

City Hall

216 Payne Ave.

North Tonawanda, New York 14120

Re: Award of Bid for the Carruthers Playground Project

Dear Honorable Body:

On Tuesday, January 28, bids were received and publicly opened in the City Clerk's Office for the Carruthers Playground Project. My office has reviewed the low bid submitted by the Game Time: Marturano Recreation Company Inc. The equipment meets all specifications including compliance with all ADA requirements.

I recommend that the Council award the bid for the Carruthers Playground Project to Game Time/ Marturano Recreation Company Inc., P.O. Box 449, Brick Town, New Jersey 08723 at a bid price of Sixteen Thousand Eight Hundred and Seven Dollars (\$ 16,807.00).

Funding for the playground will be provided through the 2000 Small Cities Community Grant Program GOSC #2000.213. Installation would take place in the spring of 2003.

Very truly yours,
Jerry Whitehead
Dept. of Youth, Recreation & Parks

MOVED by Alderman Soos

SECONDED by Alderman Schwandt

That the Common Council hereby awards the bid for the Carruthers Playground Project to Game Time/ Marturano Recreation Company Inc., P.O. Box 449, Brick Town, New Jersey 08723 at a bid price of Sixteen Thousand Eight Hundred and Seven Dollars (\$ 16,807.00) subject to the approval of the City Attorney.

Ayes: Soos, Rizzo, Proefrock, Sommer, Schwandt (5)

Nays: None (0)

CARRIED.

XXV. Monthly Reports

.1 City Clerk

.5 Vital Statistics

.2 Police

.6 Housing Authority

.3 Police (Traffic Division)

.7 Tonawandas Gateway Harbor, Inc.

.4 Senior Citizens

02/19/03

MOVED by Alderman Rizzo SECONDED by Alderman Soos
That the Common Council receives and files the aforementioned Monthly Reports.
CARRIED.

XXVI. Semi Annual Vacation and Sick Leave Reports

- .1 Wastewater Treatment Plant**
- .2 Police**

MOVED by Alderman Schwandt SECONDED by Alderman Rizzo
That the Common Council receives and files the aforementioned Semi Annual Vacation
and Sick Leave Report.
CARRIED.

COMMUNICATIONS FROM OTHERS

A.
Catherine P. Gambino

February 3, 2003

Common Council
216 Payne Avenue
North Tonawanda, NY 14120

Dear Honorable Body:

I am requesting to be reappointed a Commissioner of Deeds for the City of North
Tonawanda for a two-year period effective February 1, 2003.

Thank you,
Catherine P. Gambino

MOVED by Alderman Rizzo SECONDED by Alderman Schwandt
That the Common Council hereby reappoints Catherine P. Gambino as Commissioner of
Deeds for the City of North Tonawanda. Her term will be effective February 1, 2003 expiring
January 31, 2005.
CARRIED.

B.
Sweeney Hose

January 28, 2003

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

Honorable Council Members:

Once again Sweeney Hose Company requests the use of Gateway Park for the 21st annual
Canal Fest.

Specifically we request the use of the area adjacent to the Delaware Street Bridge at the
corner of Main and Sweeney Streets. The use would be for our beer tent.

As in the past we would set up the tent late in the week prior to the Canal Fest and would

be in operation during the entire Canal Fest.

If you have any questions, you can contract me at 694-7110.

Thank you in advance for your consideration.

Sincerely yours,
David C. Kierman
Secretary

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

C.
NT Lumberjack HS Marching Band

February 5, 2003

Mr. David Burgio, Mayor
North Tonawanda City Hall
Payne Avenue
N Tonawanda, NY 14120

Dear Mayor Burgio:

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

The Band Boosters are sponsoring their annual Theme Tray on Saturday, March 8, 2003 at the high school. We are requesting that the banner be put up from February 28-March 8.

Could you please put it on the agenda for the next council meeting? Thank you for your consideration and your continued support of the NTHS Concert/Marching Band. You may contact Mrs. Janet Roberts at 694-4376 if you have any questions. Thank you again for your continued support.

Sincerely yours,
Susan F. Ferrio
Band Booster Secretary

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

D.
Dom Polski

Date: February 11, 2003

To: North Tonawanda City Council

From: Roberta Pfeil, President
Dom Polski Club

On April 21, 2003 our club will celebrate our annual Dyngus Day Party at 576 Oliver St. North Tonawanda.

We would like permission for the North Tonawanda signal department to hang our Dyngus Day banner across Oliver Street in front of our building on Monday March 24th and remove it on Tuesday April 22nd.

02/19/03

Please have the signal department contact Joe Bukoskey to make arrangements pertaining to the installation and removal of the banner. He can be reached at 693-6529.

Thank you very much for your consideration.

Roberta Pfeil
President, Dom Polski

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

E.
Columbia Hook & Ladder - **Re:Statement of Volunteer Fireman:**

Robert D. Kornacki, II

Re: Exemption Petition :

Robert E. Chapman – 50 years.

MOVED by Alderman Rizzo **SECONDED** by Alderman Soos
That the name of Robert D. Kornacki, II be added to the City Fire Rolls and that a 50 year exemption certificate be issued to Robert E. Chapman
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: 8:10 P.M.

Respectfully submitted,

Catherine P. Gambino
Assistant City Clerk