

THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Wednesday, January 19, 2005
6:00 P.M.

REGULAR SESSION CALLED TO ORDER BY PRESIDENT SOMMER

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Absent: None

Also Present: Mayor David J. Burgio
Assistant City Attorney Shawn P. Nickerson

AUDIENCE PARTICIPATION - None

PROOF OF PUBLICATION PUBLISHED DECEMBER 3, 17, 20 & 29, 2004

- 1) Legal Notice – Amendment to Chapter 101 of the City Code – City Clerk
- 2) Bid – River Road 36 inch Storm Sewer Outfall Replacement – Engineer
- 3) Legal Notice – Tax and Revenue Anticipation Note – Accountant

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

APPROVAL OF THE MINUTES OF THE REORGANIZATION MEETING
HELD JANUARY 3, 2005

MOVED by Alderman Sommer **SECONDED by Alderman Rizzo**
That the minutes of the reorganization meeting held January 3, 2005 be approved as
circulated and filed in the Office of the City Clerk.
CARRIED.

APPROVAL OF THE MINUTES OF THE REGULAR SESSION JANUARY 3, 2005

MOVED by Alderman Sommer **SECONDED by Alderman Rizzo**
That the minutes of the regular session held January 3, 2005 be approved as circulated and
filed in the Office of the City Clerk.
CARRIED.

COMMUNICATIONS FROM CITY OFFICIALS

I.1 Mayor

January 13, 2005

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

Dear Council:

Please be advised that I have reappointed Esther Bailey of 103 Brundage, North Tonawanda as Bingo Inspector.

Her term will be for 2 years and expire December 31, 2006.

**Thank you,
David J. Burgio**

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

I.2 Mayor

January 5, 2005

**Common Council
216 Payne Ave.
North Tonawanda, NY 14120**

Dear Common Council:

Please be advised that I am reappointing Leonard Joyce to the Plumbing board his term will begin immediately and be for 3 years expire December 31, 2007.

Thank You.

**Sincerely,
David J. Burgio**

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

I.3 Mayor

January 5, 2005

**Common Council
216 Payne Ave.
North Tonawanda, NY 14120**

Dear Common Council:

Please be advised that I have reappointed all of the current members of Emergency Management Gerald Doucette 1st, Bill Manth 2nd and Thomas Pendleton Advisor.

Their term will be for 1 year and expire December 31, 2005.

Thank you.

Sincerely
David J. Burgio

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

I.4 Mayor

January 6, 2005

Common Council
216 Payne Ave.
North Tonawanda, NY 14120

Dear Common Council:

Please be advised that I have appointed Walter Yaro of 170 Christiana St., North Tonawanda, NY 14120, Phone 692-7878 to the Housing Authority.

His term begins February 1, 2005 and is for 5 years ending January 31, 2010. He replaces Alexander Soos whose term expires January 31, 2005.

Thank you.

Sincerely,
David J. Burgio

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

I.5 Mayor

January 6, 2005

Common Council
216 Payne Ave.
North Tonawanda, NY 14120

Dear Common Council:

Please be advised that I have reappointed John Long of 194 Schenck. North Tonawanda, NY 14120 as City Market Clerk.

His term will be for 2 Years and expire December 31, 2006.

Thank you.

Sincerely
David J. Burgio

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

I.6 Mayor

January 6, 2005

**Common Council
216 Payne Ave.
North Tonawanda, NY 14120**

Dear Common Council

Please be advised that I have reappointed the following: Dawn Vollmer, Mary Fonzi, Joy Marie Kuebler, Elizabeth Kaszubski, Dale Rogers and Paul Lehman, to the Environment Committee.

Their term will for 1 year begin immediately and expire December 31, 2005.

Thank you.

**Sincerely
David J. Burgio**

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

I.7 Mayor

January 6, 2005

**Common Council
216 Payne Ave.
North Tonawanda, NY 14120**

Dear Common Council:

Please be advised that I have reappointed Beverly Loxterman, Kurt Alverson and Larry Deneff to the Waterfront commission.

I appoint Linda Hankinson of 328 Vandervoort St. North Tonawanda, NY 14120 694-1176 as Secretary to the commission, she replaces Judy Ellman who has resigned.

All of the above appointments will be for 3 years ending December 31, 2007.

I appoint Walter A Rozicki of 549 North Ave. North Tonawanda, NY 14120 695-1088 to replaces Douglas Jayne, his term of office will expire December 31, 2005.

Thank you.

**Sincerely,
David J. Burgio**

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

I.8 Mayor

January 13, 2005

**Common Council
216 Payne Ave.
North Tonawanda, NY 14120**

Dear Council:

Please be advised that I have appointed Keith A. Lemke of 234 Belmont Court East North Tonawanda, NY 693- 9783 to the Traffic Safety Board.

He replaces Douglas Jayne who recently passed away, he will finish out the term of office which will expire December 31, 2005.

Thank you.

**Sincerely,
David J. Burgio**

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

II.1 Attorney

October 29, 2004

**Honorable Mayor and Common Council
North Tonawanda City Hall
216 Payne Avenue
North Tonawanda, NY 14120**

Re: Historic Preservation Ordinance

Dear Mayor Burgio and Common Council

This letter is in response to the Council's request that the attached ordinance be scheduled for the next agenda. Accordingly, please find a draft of the proposed Historic Preservation Ordinance for your review.

Please place said ordinance on the next agenda for a vote.

Should you have any questions or comments, please do not hesitate to contact me.

**Yours truly,
Shawn P. Nickerson
Assistant City Attorney**

**MOVED by Alderman Schwandt SECONDED by Alderman Soos
That the Common Council hereby adopts the aforementioned Historic Preservation Ordinance, Chapter 51C of the Codified Ordinances of the City of North Tonawanda as follows:**

**HISTORIC PRESERVATION ORDINANCE
FOR
NORTH TONAWANDA, NEW YORK**

AN ORDINANCE relating to the establishment of landmarks or historic districts in the City of North Tonawanda.

Section 1. Purpose

It is hereby declared as a matter of public policy that the protection, enhancement, and perpetuation of landmarks and districts of historic character are necessary to promote the economic, cultural, educational, and general welfare of the public. Inasmuch as the identity of a people is founded on its past, and inasmuch as North Tonawanda has many significant historic, architectural, and cultural resources which constitute its heritage, this act is intended to:

- a) Protect and enhance the landmarks and historic districts, which represent distinctive elements of North Tonawanda's historic, architectural, and cultural heritage;**
- b) Foster civic pride in the accomplishments of the past;**
- c) Protect and enhance North Tonawanda's attractiveness to residents and prospective residents, and promote and support the economic well-being of the people of the City;**
- d) Enhance the visual and aesthetic character, diversity and distinctiveness of the City;**
- e) Insure the harmonious, orderly, and efficient growth and development of the City;**

Section 2. Historic Preservation Commission

There is hereby created a Commission to be known as the North Tonawanda Historic Preservation Commission.

- a) The Commission shall consist of seven (7) members to be appointed, to the extent available in the community, by the Mayor and Common Council, as follows:**
 - i. At least one shall be an architect experienced in working with historical buildings;**
 - ii. At least one shall be an historian;**
 - iii. At least one shall be a resident of an historic district;**
 - iv. At least one shall have demonstrated significant interest in and commitment to the field of historic preservation evidenced either by involvement in a local historic preservation group, employment, or volunteer activity in the field of historic preservation, or other serious interest in the field; and**
 - v. All members shall have a known interest in historic preservation and architectural development within the City of North Tonawanda.**
 - vi. Members of the commission shall be selected with the consent of both the Mayor and the Common Council. In the event the Mayor and a majority of the Common Council do not consent to an appointment, that individual may not serve as a member of the Commission.**
- b) Commission members shall serve for a term of four (4) years, with the exception of the initial term of one of the initial members, which shall be one year, two of the initial members who shall serve two-year terms, and two of the initial members who shall serve three-year terms.**
- c) The chairman and vice chairman of the Commission shall be elected by and from among the members of the Commission.**

d) **The powers of the Commission shall include:**

- i. Selection of staff and professional consultants as necessary to carry out the duties of the Commission as approved by the Mayor, with funding approved by the Common Council;**
- ii. Promulgation of rules and regulations as necessary for the conduct of its business;**
- iii. Adoption of criteria for the identification of significant historic, architectural, and cultural landmarks and for the delineation of historic districts;**
- iv. Conducting of surveys of significant historic, architectural, and cultural landmarks and historic districts within the City;**
- v. Designation of identified structures or resources as landmarks and historic districts;**
- vi. Acceptance on behalf of the City government of the donation of façade easements and development rights, and the making of recommendations to the City government concerning the acquisition of façade easements or other interests in real property as necessary to carry out the purpose of this act;**
- vii. Increasing public awareness of the value of historic, cultural, and architectural preservation by developing and participating in public education programs;**
- viii. Making recommendations to City government concerning the utilization of state, federal, or private funds to promote the preservation of landmarks and historic districts within the City;**
- ix. Recommending acquisition of a landmark structure or other real property by the City government where its preservation is essential to the purposes of this act and where private preservation is not feasible;**
- x. Approval or disapproval of applications for certificates of appropriateness pursuant to this act;**
- xi. Inventorying and designating all historically significant buildings, structures, sites, or districts within the City of North Tonawanda, enlisting the voluntary assistance of interested civic and social organizations. The initial inventory shall be completed within two years of the effective date of this local law or the date of first appointment of members to the Commission created hereunder, whichever is later, or such other extended times as adopted by resolution of the Commission. Such inventory shall be reviewed, updated, or revised, where necessary, each year thereafter before the submission of the annual alterations shall be distributed to the City Building Inspector, Clerk, Historian, and Assessor;**
- xii. Exercising aesthetic judgment and maintaining the desirable character of the historic properties and present construction, reconstruction, alteration, or demolition, in harmony with existing properties insofar as style, materials, color, line, and detail are concerned, and thus preventing degeneration of property, safeguarding public health, preventing fire, promoting safety, and preserving the beauty and character of the historic properties;**
- xiii. Formulating recommendations concerning the preparation of maps, brochures, and historical markers for selected historical and/or architectural sites and buildings;**

- xiv. **Advising and assisting owners on physical and financial aspects of preservation, renovation, rehabilitation, and reuse, or procedures for inclusion in the National Register of Historic Places and on participation in state and federal preservation programs;**
 - xv. **Informing and educating the citizens of North Tonawanda concerning the historic and architectural heritage of the City by publishing appropriate maps, newsletters, brochures, and pamphlets, and by holding programs and seminars;**
 - xvi. **Conferring recognition upon the owners of landmarks or property or structures within an historic district by means of certificates, plaques, or markers;**
 - xvii. **Requesting advisory opinions on any matter before the Commission from the Mayor, the Common Council, the Zoning Board of Appeals, the Planning Board, and any other body, agency, or department of the City;**
 - xviii. **Reviewing and making advisory recommendations on any matter before the Commission to the Mayor, the Common Council, the Zoning Board of Appeals, the Planning Board, and any other body, agency, or department of the City;**
 - xix. **Investigating and recommending to the Common Council the adoption of ordinances designating properties or structures having special historic, community, or architectural value as landmarks; and recommending revisions to the existing ordinance;**
 - xx. **Subject to the approval of the Common Council; applying for, accepting, and expending grants and funds for goods and services from private and public sources;**
- e) **The Commission shall meet at least monthly, but meetings may be held at any time on the written request of any two of the Commission members or on the call of the chairman or the Mayor.**
 - f) **A quorum for the transaction of business shall consist of four (4) of the Commission's members, but not less than a majority of the full authorized membership may grant or deny a certificate of appropriateness.**

Section 3. Designation Of Landmarks Or Historic Districts

- a) **The Commission may designate an individual property as a landmark if it:**
 - i. **Has demonstrated a significant contribution to or is directly related to the history and development of the City of North Tonawanda;**
 - ii. **Is identified with historic personages; or**
 - iii. **Embodies the distinguishing characteristics of an architectural style; or**
 - iv. **Is the work of a designer whose work has significantly influenced an age; or**
 - v. **Because of a unique location, represents a significant segment of the City's history.**
- b) **The Commission may designate a group of properties as a historic district if it:**
 - i. **Contains properties which meet one or more of the criteria for designation of a landmark; and**
 - ii. **By reason of possessing such qualities, it constitutes a distinct section of the City;**

The boundaries of each historic district designated henceforth shall be specified in detail and shall be filed, in writing, in the City Clerk's Office for public inspection.

- c) Notice of a proposed designation shall be sent by registered mail to the owner of the property proposed for designation, describing the property proposed and announcing a public hearing by the Commission to consider the designation. Where the proposed designation involves so many owners that individual notice is infeasible, notice may instead be published at least once in a newspaper of general circulation at least 30 days prior to the date of the public hearing. Once the Commission has issued notice of a proposed designation, no building permits shall be issued by the Building Inspector until the Commission has made its decision.
- d) The Commission shall hold a public hearing prior to designation of any landmark or historic district. The Commission, owners, and any interested parties may present testimony or documentary evidence at the hearing which will become part of a record regarding the historic, architectural, or cultural importance of the proposed landmark or historic district. The record may also contain staff reports, public comments, or other evidence offered outside the hearing.
- e) All landmark and historic district designations are subject to Common Council approval.
- f) The Commission shall forward notice of each property designated as a landmark and of the boundaries of each designated historic district to the office of the Niagara County Clerk for recordation.

Section 4. Certificate of Appropriateness for Alteration, Demolition, or New Construction Affecting Landmarks or Historic Districts

No person shall carry out any exterior alteration, restoration, reconstruction, demolition, new construction or moving of a landmark or property within a historic district, nor shall any person make any material change in the appearance of such a property, its light fixtures, signs, sidewalks, fences, steps, paving or other exterior elements visible from a public street or alley which affect the appearance and cohesiveness of the historic district, without first obtaining a certificate of appropriateness from the Historic Preservation Commission.

Section 5. Criteria for Approval of a Certificate of Appropriateness

- a) In passing upon an application for a certificate of appropriateness, the Historic Preservation Commission shall not consider changes to interior spaces, unless they are open to the public, or to architectural features that are not visible from a public street or alley.
- b) The Commission's decision shall be based upon the following principles:
 - i. Properties which contribute to the character of the historic district shall be retained, with their historic features altered as little as possible;
 - ii. Any alteration of existing property shall be compatible with its historic character, as well as with the surrounding district; and
 - iii. New construction shall be compatible with the district in which it is located.
- c) In applying the principle of compatibility, the Commission shall consider the following factors:
 - i. The general design, character, and appropriateness to the property of the proposed alteration or new construction;
 - ii. The scale of proposed alteration or new construction in relation to the property itself, surrounding properties, and the neighborhood;

- iii. **Texture, materials, and color and their relation to similar features of other properties in the neighborhood;**
- iv. **Visual compatibility with surrounding properties, including proportion of the property's front façade, proportion and arrangement of windows and other openings within the façade, roof shape, and the rhythm of spacing of properties on streets, including setback;**
- v. **The importance of historic, architectural, or other features to the significance of the property.**

Section 6. Certificate of Appropriateness Application Procedure

- a) **Prior to the commencement of any work requiring a certificate of appropriateness the owner shall file an application for such a certificate with the Historic Preservation Commission. The application shall contain:**
 - i. **Name, address, and telephone number of applicant;**
 - ii. **Location and photographs of property;**
 - iii. **Elevation drawings of proposed changes, if available;**
 - iv. **Perspective drawings, including relationship to adjacent properties, if available;**
 - v. **Samples of color or materials to be used;**
 - vi. **Where the proposal includes signs or lettering, a scale drawing showing the type of lettering to be used, all dimensions and colors, a description of materials to be used, method of illumination and a plan showing the sign's location on the property;**
 - vii. **Any other information which the Commission may deem necessary in order to visualize the proposed work.**
- b) **No building permit shall be issued for such proposed work until a certificate of appropriateness has first been issued by the Historic Preservation Commission. The certificate of appropriateness required by this act shall be in addition to and not in lieu of any building permit that may be required by any other ordinance of the City of North Tonawanda.**
- c) **The Commission shall approve, deny, or approve the permit with modifications within 60 days from receipt of the completed application. The Commission may hold a public hearing on the application at which an opportunity will be provided for proponents and opponents of the application to present their views.**
- d) **All decisions of the Commission shall be in writing. A copy shall be sent to the applicant by registered mail and a copy filed with the City Clerk's Office for public inspection. The Commission's decision shall state the reasons for denying or modifying any application.**

Section 7. Hardship Criteria

- a) **An applicant whose certificate of appropriateness for a proposed demolition has been denied may apply for relief on the ground of hardship. In order to prove the existence of hardship, the applicant shall establish that:**
 - i. **The property is incapable of earning a reasonable return, regardless of whether that return represents the most profitable return possible;**
 - ii. **The property cannot be adapted for any other use, whether by the current owner or by a purchaser, which would result in a reasonable return; and**

- iii. Efforts to find a purchaser interested in acquiring the property and preserving it have failed.

Section 8. Hardship Application Procedure

- a) After receiving written notification from the Commission of the denial of a certificate of appropriateness, an applicant may commence the hardship process. No building permit or demolition permit shall be issued unless the Commission makes a finding that a hardship exists.
- b) The Commission may hold a public hearing on the hardship application at which an opportunity will be provided for proponents and opponents of the application to present their views.
- c) The applicant shall consult in good faith with the Commission, local preservation groups and interested parties in a diligent effort to seek an alternative that will result in preservation of the property.
- d) All decisions of the Commission shall be in writing. A copy shall be sent to the applicant by registered mail and a copy filed with the City Clerk's Office for public inspection. The Commission's decision shall state the reasons for granting or denying the hardship application.

Section 9. Enforcement

All work performed pursuant to a certificate of appropriateness issued under this ordinance shall conform to any requirements included therein. It shall be the duty of the Building Code Enforcement Officer to inspect periodically any such work to assure compliance. In the event work is found that is not being performed in accordance with the certificate of appropriateness, or upon notification of such fact by the Historic Preservation Commission, the Building Code Enforcement Officer shall issue a stop work order and all work shall immediately cease. No further work shall be undertaken on the project as long as a stop work order is in effect.

Section 10. Maintenance and Repair Required

- a) Nothing in this ordinance shall be construed to prevent the ordinary maintenance and repair of any exterior architectural feature of a landmark or property within a historic district, which does not involve a change in design, material, color, or outward appearance.
- b) No owner or person with an interest in real property designated as a landmark or included within a historic district shall permit the property to fall into a serious state of disrepair so as to result in the deterioration of any exterior architectural feature which would, in the judgment of the Historic Preservation Commission, produce a detrimental effect upon the character of the historic district as a whole or the life and character of the property itself.

Examples of such deterioration include:

- i. Deterioration of exterior walls or other vertical supports;
- ii. Deterioration of roofs or other horizontal members;
- iii. Deterioration of exterior chimneys;
- iv. Deterioration or crumbling of exterior stucco or mortar;
- v. Ineffective waterproofing of exterior walls, roofs, or foundations, including broken windows or doors;
- vi. Deterioration of any feature so as to create a hazardous condition which could lead to the claim that demolition is necessary for the public safety.

Section 11. Violations

- a) Failure to comply with any of the provisions of this ordinance shall be deemed a violation and the violator shall be liable to a fine of not less than \$500 nor more than \$1,000 for each day the violation continues.
- b) Any person who demolishes, alters, constructs, or permits a designated property to fall into a serious state of disrepair in violation of this ordinance shall be required to restore the property and its site to its appearance prior to the violation. Any action to enforce this subsection shall be brought by the City Attorney. This civil remedy shall be in addition to and not in lieu of any criminal prosecution and penalty.

Section 12. Appeals

Any person aggrieved by a decision of the Historic Preservation Commission relating to hardship or a certificate of appropriateness may, within 15 days of the decision, file a written application with the City Court for review of the decision.

I hereby certify that the following Resolution was adopted at a Meeting of the Common Council held on January 19, 2005.

WHEREAS, the New York General Municipal Law grants the City of North Tonawanda authority to enact local laws, regulations, special conditions, or restrictions for the protection, enhancement, perpetuation and use of places, districts, sits, buildings, structures, works of art and other objects having special character or specialized historic or other aesthetic interests or value; and

WHEREAS, the Planning Board of the City of North Tonawanda has recommended that the attached be adopted by the Common Council of the City of North Tonawanda;

NOW THEREFORE BE IT RESOLVED, by the Common Council of the City of North Tonawanda, New York, that it hereby enacts and adopts as a new Chapter 51C of the Codified Ordinances of the City of North Tonawanda, entitled "Historic Preservation Regulations," the material attached hereto and labeled Exhibit A.

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

Nays: None (0)

CARRIED.

II.2 Attorney

January 13, 2005

Honorable Mayor and Common Council
North Tonawanda City Hall
216 Payne Avenue
North Tonawanda, NY 14120

Re: Taxicab Ordinance Amendments

Dear Mayor Burgio and Common Council:

This letter is in regard to fee amendments to the above ordinance. As you recall, there was a request from CBR Taxi to increase allowable fare rates. Such an increase would equal permitted fares in Niagara Falls and Buffalo.

Accordingly, I request the following amendments to the ordinance:

86-12. Rates and charges.

- A. No person shall charge a greater sum for the use of a taxicab than in accordance with the following rates:

Council audit, dated January 19, 2005, and further authorize the Mayor and City Clerk to respectively sign and countersign said Warrant.

Very truly yours,
David R. Jakubaszek
City Accountant

MOVED by Alderman Hempel **SECONDED** by Alderman Schwandt
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated January 19, 2005 and further authorizes the Mayor and City Clerk respectively sign and countersign said Warrant:

01	General Fund	\$266,396.43
02	Water Fund	19,372.59
04	Sewer Fund	20,971.72
06	Capital Projects Fund	271,605.44
07	Trust & Agency Fund	6,437.22
08	Community Development	1,472.70
09	Capital Gratwick Park Remediation	3,510.05
19	Bishop Gibbons Fund	600.00
	Final Total	<u>\$590,366.15</u>

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

XIV. Recreation

1/13/2005

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

Dear Honorable Mayor Burgio and Common Council Members

Please review and approve the attached 2005 Fee and Charge schedule for the Department of Youth, Recreation & Parks.

The revenue generated from the established fees and charges is collected for deposit as designated on the fee schedule.

Thank you.

Sincerely,
Jerry Whitehead
Director of Youth, Recreation & Parks

MOVED by Alderman Hempel **SECONDED** by Alderman Schwandt
That the Common Council hereby approves the 2005 Fee and Charge schedule for the Department of Youth, Recreation and Parks as follows:

2005 FEE AND CHARGE SCHEDULE

Department of Youth, Recreation, Parks & Senior Citizens

PROGRAM	2005 Fee
ADULT AND YOUTH SPORT LEAGUES AND RELATED FEES	
A. Softball Leagues (charge per season)	
1. Adult Slow pitch	\$300 per team
2. Coed Slow pitch	\$300 per team

3.	Men's Fast pitch (2 ump)	\$500 per team
4.	Youth (18-21) Team Fee	\$100 per team
5.	Non-Resident Team Fee	\$400 per team
6.	City Youth Softball League \$ 30 per Individual (* The City Youth Basketball League is a T & A Fund 07.7140.101 donation.)	
B.	<u>Volleyball Leagues</u> (charge per season)	
1.	Adult	\$175 per team
2.	Coed	\$125 per team
3.	Youth (18-21)	\$ 75 per team
4.	Non-Resident Team Fee	\$ 200 per team
C.	<u>Basketball League</u> (charge per season)	
1.	Men	\$300 per team
2.	Youth (18-21)	\$100 per team
3.	Non-Resident Team Fee	\$400 per team
D.	<u>Other League Charges</u>	
1.	Protest Fee	\$20 each incident
E.	<u>Tennis Lessons</u>	
1.	Resident	\$ 10.00
2.	Non-resident	\$ 25.00
F.	<u>Open Non-league Programs</u>	\$ 20.00 / Year
G.	<u>Travel Team Field Use Fee</u>	\$ 100.00 / Year
CLASSES, INSTRUCTION PROGRAMS AND SPECIAL EVENT FEES		
E.	<u>Instructional Classes</u>	
1.	NT Lumberjills - School Year	\$30 per session
	Lumberjills - Summer	\$8 per session
2.	Little People Recreation - School Year	\$20 per session
	Non-resident	\$25 per session
F.	<u>Start Smart Program</u>	
* Start Smart Funds require deposit into Trust and Agency Fund Rec. Programs 07.7140.307. The deposited funds cover the cost of equipment that each participant is allowed to keep.		
1.	Sport Development Class	\$ 30 Resident \$ 40 Non-resident
	Golf Program	\$ 30 Resident \$ 40 Non-resident
	Baseball, Basketball, Soccer	\$ 45 Resident \$ 55 Non-resident
G.	Body Conditioning Class	\$ 2.50 Per Class Resident \$ 3.00 Per Class Non-resident
H.	Breakfast with Santa	\$ 4.00 Adult \$ 2.00 Child 4 to 12 Age 3 and under Free of Charge

PARK PAVILIONS & BOAT TRAILER PERMITS, BOTANICAL GARDENS GAZEBO RENTALS, TREE PLANTING PROGRAM CHARGES

PROGRAM	FEE
* Park Shelter Rental is available to Residents of North Tonawanda Only.	
Park Pavilion Rental Charge	
1. Event Charge	\$300
*A Large event requiring additional garbage pick up, park preparation, clean up, security or staffing levels.	
2. Fisherman's Park (#1 & #2 without kitchens)	
Resident	\$50
Band Shell (Fisherman's)	
Park * Includes 1 shelter	
Resident	\$75
Non-resident	\$100
3. Pinewoods & Mayors #3 (With Large Pavilions & Kitchen)	\$60
Pinewoods #2 and Mayors 1 & 2 Without Kitchens	\$50
Gratwick Park Shelter	\$ 50
4. Private use of the Performance Trailer	\$ 500
B. <u>Tree Charge</u>	
Buy-A-Tree	50 tree
C. <u>Gazebo Permit</u> (Wedding pictures etc. at the Botanical Gardens)	
Booking Fee	\$20 Resident \$40 Non-resident
D. <u>Boat Launch Permit</u> (Service Drive, Botanical Gardens and Gratwick Park)	\$30

SENIOR CITIZENS PROGRAM FEE & CHARGES

PROGRAM	FEE
A. <u>Senior Citizens Program Charges</u>	
1. Newsletter/annual fee/ 12 issues	\$3.00 per year
2. Medical Van - <u>Suggested donation</u> City of North Tonawanda	\$2/use
Van transportation outside city limits	\$ 4.00

Memorial Pool
SUMMER SWIMMING POOL PROGRAM

PROGRAM	2005 FEE
B. <u>Swimming Charges</u>	
1. Daily Swim Pass (Resident)	\$.50
2. Daily Swim Pass (Non-resident)	\$ 2.00
C. <u>Swimming Lessons</u>	
1. Youth Swim Lessons (Resident only) (Summer)	\$ 25.00
2. Non-resident	\$ 50.00

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

XXV. Monthly Reports

.1 Police	.4 Treasurer (Investments)
.2 Senior Citizens	.5 Vital Statistics
.3 Treasurer	

MOVED by Alderman Rizzo **SECONDED by Alderman Schwandt**
 That the Common Council hereby receives and files the aforementioned monthly reports.
CARRIED.

XXVII. Annual Reports

.1 Police	.2 Senior Citizens
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MOVED by Alderman Schwandt **SECONDED by Alderman Hempel**
 That the Common Council hereby receives and files the aforementioned annual reports.
CARRIED.

COMMUNICATIONS FROM OTHERS

A.

Columbia Hook & Ladder - Re: Exemption Petition:

Mark J. Brodfuehrer – 25 years

Re: Statement of Volunteer Fireman:

Matthew P. Busch

MOVED by Alderman Rizzo **SECONDED by Alderman Schwandt**
 To issue a 25-year exemption certificate to Mark J. Brodfuehrer and add the name of
 Matthew P. Busch to the City Fire Rolls.
CARRIED.

18

B.

Rescue Fire Co. - Re: Remove from Fire Rolls:

Ralph Ronan
Thomas Lawler
Thomas Kendziora

MOVED by Alderman Sommer SECONDED by Alderman Schwandt
To remove Ralph Ronan, Thomas Lawler and Thomas Kendziora from the City Fire Rolls.
CARRIED.

C.

Catherine P. Gambino

January 14, 2005

North Tonawanda Common Council
216 Payne Avenue
North Tonawanda, New York 14120

Dear Honorable Body:

I am requesting to be reappointed as a Commissioner of Deeds for the City of North Tonawanda. My current term expires January 31, 2005.

Thank you.

Sincerely,
Catherine P. Gambino
1381 Vanderbilt Avenue
North Tonawanda, NY 14120

MOVED by Alderman Sommer SECONDED by Alderman Rizzo
That the Common Council hereby appoints Catherine P. Gambino, 1381 Vanderbilt Avenue, North Tonawanda, NY 14120, as a Commissioner of Deeds for the City of North Tonawanda for a term beginning February 1, 2005 and ending January 31, 2007.
CARRIED.

LATE COMMUNICATIONS

MOVED by Alderman Rizzo SECONDED by Alderman Sommer
To bring the following communications to the floor.
Ayes: Soos, Rizzo, Schwandt, Hempel, Sommer (5)
Nays: None (0)
CARRIED.

MOVED by Alderman Rizzo SECONDED by Alderman Soos
That the Common Council hereby directs the Department of Public Works to remove a "Handicap Parking" sign in front of 87 Linwood Avenue.
Ayes: Soos, Rizzo, Schwandt, Hempel, Sommer (5)
Nays: None (0)
CARRIED.

MOVED by Alderman Hempel SECONDED by Alderman Rizzo
That the Common Council hereby waives the residency requirement for the position of Economic Development Coordinator and further authorizes the transfer of \$7,800 from appropriation account 1-8020.480 Operations into 1-8020.100 Personal Services.
Ayes: Soos, Rizzo, Schwandt, Hempel, Sommer (5)
Nays: None (0)
CARRIED.

ADJOURNMENT

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

Time of Adjournment: 6:10P.M.

Respectfully submitted,

Thomas M. Jaccarino
City Clerk