

COMMUNICATIONS FROM CITY OFFICIALS

IV.1 Engineer

March 22, 2005

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

**Re: Project 98-05, Roblin Steel Brownfield Site Remediation, Contract 2
Change Order 1 and Final Payment Approval**

Honorable Body:

Your approval of Change Order No. 1 for the Roblin Brownfield Site Remediation Project, Contract 2 and final payment is hereby requested.

Change Order No. 1 represents credits related to final quantities and additions to the contract that were necessary to complete the work. The following is a summary of the change order work:

• Under Slab Concrete Demolition and Crushing	\$158,729.00
• Lead Abatement and Fence Restoration	\$16,025.00
• Fence Decorative Capping Replacement	\$2,850.00
• East Avenue Drainage Control	\$3,692.00
• Credit on Final Quantities	<u>(\$196,697.67)</u>
Total Net Amount	(\$15,401.67)

I therefore respectfully request that the Common Council approve Change Order No.1 and the final payment, decreasing the contract amount with Cambria Contracting, Inc. by the sum of \$15,401.67; from \$1,186,725.00; to the revised final contract amount of \$1,171,323.33, and that the Mayor be authorized to sign said change order subject to review by the City Attorney.

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

MOVED by Alderman Rizzo

SECONDED by Alderman Soos

That the Common Council hereby approves Change Order No.1 for the Roblin Brownfield Site Remediation Project, and the final payment, decreasing the contract amount with Cambria Contracting, Inc. by the sum of \$15,401.67; from \$1,186,725.00; to the revised final contract amount of \$1,171,323.33, and further authorizes the Mayor to sign said change order subject to review by the City Attorney.

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

Nays: None (0)

CARRIED.

IV.2 Engineer

March 23, 2005

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

**Re: Project 03-05, Miller Street Reconstruction
Change Order No. 1 and Final Payment Approval**

Honorable Body:

Your approval of Change Order No. 1 for the Miller Street Reconstruction Project is hereby requested.

Change Order No. 1 represents additional costs based on final measured quantities and additions to the contract that were necessary to complete the work. The following is a summary of the change order work:

• Installation of 20 inch Butterfly Valve at Wheatfield Street	\$12,000.00
• Joint Restraints per Water Dept.	\$4,572.06
• Plant 14 New Street Trees	\$4,060.00
• Tapping Sleeve and Valve	\$862.00
• Add for Final Quantities Installed	<u>\$13,404.00</u>
Total Net Amount	\$34,898.06

I therefore respectfully request that the Common Council approve Change Order No.1, increasing the contract amount with Yarussi Construction, Inc. by the sum of \$34,898.06; from \$368,876.00; to the revised final contract amount of \$403,774.06, and that the Mayor be authorized to sign said change order subject to review by the City Attorney.

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

MOVED by Alderman Soos

SECONDED by Alderman Hempel

That the Common Council hereby approves Change Order No.1, the Miller Street Reconstruction Project, increasing the contract amount with Yarussi Construction, Inc. by the sum of \$34,898.06; from \$368,876.00; to the revised final contract amount of \$403,774.06, and authorizes the Mayor to sign said change order subject to review by the City Attorney.

Ayes: Soos, Rizzo, Schwandt, Hempel, Sommer

(5)

Nays: None

(0)

CARRIED.

IV.3 Engineer

March 28, 2005

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

**Re: Project 2005-01, Briarwood Subdivision Public Improvements
Award of Inspection Services Contract**

Dear Honorable Body:

On February 16, 2005, the Common Council awarded the contract to construct the Briarwood Subdivision Public Improvements as a special assessment in the amount of \$700,000 to be borne by the developers. As part of the project, it is the city's requirement that the improvements be inspected, tested and certified by a New York State Licensed Professional Engineer, including the preparation of as-built record plans.

Accordingly, I respectfully request that the Common Council authorize the Mayor to sign the attached inspection agreement with Apex Consulting Surveying and Engineering Services, P.C., 102 East Avenue, Lockport, New York 14094, in the amount of \$17,000 for the Briarwoods Subdivision Public Improvements, all subject to review by the City Attorney.

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

MOVED by Alderman Sommer SECONDED by Alderman Schwandt
 That the Common Council hereby authorizes the Mayor to sign the inspection agreement with Apex Consulting Surveying and Engineering Services, P.C., 102 East Avenue, Lockport, New York 14094, in the amount of \$17,000 for the Briarwoods Subdivision Public Improvements, all subject to review by the City Attorney.
 Ayes: Soos, Rizzo, Schwandt, Hempel, Sommer (5)
 Nays: None (0)
CARRIED.

VII. Accountant

March 31, 2005

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

Dear Honorable Body:

In accordance with Article V, Division 1, Section 5.002 and 5.003 of the 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 April 6, 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 Schwandt SECONDED by Alderman Hempel
 That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated April 6, 2005 and further authorizes the Mayor and City Clerk respectively sign and countersign said Warrant:

01	General Fund	\$372,982.87
02	Water Fund	58,947.96
04	Sewer Fund	185,147.01
06	Capital Projects Fund	206,458.66
07	Trust & Agency Fund	3,856.98
11	General Fund (Enc)	7,457.18
14	Sewer Fund (Enc)	1,093.93
16	Action Grant Urban Dev	26,405.00
	Final Total	<u>\$862,349.59</u>

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

VII.2 Accountant

March 31, 2005

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 fiscal year 2005 appropriations, based on the requests of Department Heads:

<u>Control Number</u>	<u>Dollar Amount</u>	<u>From Appropriation Account</u>	<u>Into Appropriation Account</u>
1	16,500.00	1-1990.400 Contingent Account	1-1355.480 Operations
2	41,000.00	1-1355.100 Assessor Personal	1-1355.480 Operations

Very truly yours,
David R. Jakubaszek
City Accountant

MOVED by Alderman Sommer

SECONDED by Alderman Hempel

That the Common Council hereby authorizes the City Accountant to make the following transfers of fiscal year 2005 appropriations, based on the requests of Department Heads:

<u>Control Number</u>	<u>Dollar Amount</u>	<u>From Appropriation Account</u>	<u>Into Appropriation Account</u>
1	16,500.00	1-1990.400 Contingent Account	1-1355.480 Operations
2	41,000.00	1-1355.100 Assessor Personal	1-1355.480 Operations

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

IX.1 Public Works

March 31, 2005

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

Re: Award of Bid for Tire Disposal

Dear Honorable Body:

On Wednesday, March 9, 2005, bids were received and publicly opened in the City Clerk's office for Tire Disposal. My office has reviewed the bids submitted and tabulated them as follows:

<u>BIDDERS</u>	<u>AMOUNT</u>
Modern Recycling Inc.	
Delivered to Bidder's Site	\$ 75.00/ton
Picked Up at DPW	\$ 95.00/ton
Huron Recovery of New York, Inc.	
Delivered to Bidder's Site	\$ 89.25/ton
Picked Up at DPW	\$ 98.25/ton

We know both bidders to be reputable providers of this service. Modern placed a minimum load requirement on its bid for pick up at DPW. After questioning, Modern has stipulated to me in writing that they will honor their price bid regardless of the minimum load requirement.

I recommend that the Council award the bid for Tire Disposal to Modern Recycling, Inc., 4746 Model City Road, P. O. Box 209, Model City, New York 14107-0209 at their low bid of \$75.00/ton delivered, \$95.00/ton pick up, subject to the approval of the City Attorney.

Very truly yours,
Gary J. Franklin
Superintendent Public Works

MOVED by Alderman Rizzo **SECONDED** by Alderman Soos
That the Common Council hereby awards the bid for Tire Disposal to Modern Recycling, Inc., 4746 Model City Road, P. O. Box 209, Model City, New York 14107-0209 at their low bid of \$75.00/ton delivered, \$95.00/ton pick up, subject to the approval of the City Attorney.

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

Nays: None (0)

CARRIED.

IX.2 Public Works

March 31, 2005

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

Re: Award of Bid for Road Building Materials

Dear Honorable Body:

On Tuesday, March 22, 2005, bids were received and publicly opened in the City Clerk's Office for Road Building Materials. My office has reviewed the bids submitted and tabulated them as follows:

<u>BIDDERS</u>	<u>AMOUNT</u>
Lafarge	\$279,257.50

I recommend that the Council award the bid for Road Building Materials to Lafarge North America, 270 Northpointe Parkway Suite 100, Amherst, NY 14228, at their bid of \$279,257.50, subject to the approval of the City Attorney.

Very truly yours,
Gary J. Franklin
Superintendent Public Works

BIDDERS

Monroe Tractor & Implement Co., Inc.

AMOUNT

\$2,900.00/month

I recommend that the Council award the bid for Vibratory Roller Rental to Monroe Tractor, P. O. Box 370, Henrietta, NY 14467, at their bid of \$2,900.00 per month, subject to the approval of the City Attorney.

Very truly yours,
 Gary J. Franklin
 Superintendent Public Works

MOVED by Alderman Hempel

SECONDED by Alderman Rizzo

That the Common Council hereby awards the bid for Vibratory Roller Rental to Monroe Tractor, P. O. Box 370, Henrietta, NY 14467, at their bid of \$2,900.00 per month, subject to the approval of the City Attorney.

Ayes: Soos, Rizzo, Schwandt, Hempel, Sommer

(5)

Nays: None

(0)

CARRIED.

XXV. Monthly Reports

- | | | | |
|----|-----------------|----|-----------------------|
| .1 | City Clerk | .4 | Treasurer Investments |
| .2 | Senior Citizens | .5 | Vital Statistics |
| .3 | Treasurer | | |

MOVED by Alderman Rizzo

SECONDED by Alderman Sommer

That the Common Council hereby receives and files the aforementioned monthly reports.

CARRIED.

XXXII. Community Development

March 31, 2005

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

Re: 2005 Community Development Block Grant Application

Dear Honorable Body:

The City, through its Community Development Department, is desirous of submitting a grant application for the 2005 Community Development Block Grant Program to the New York State Governor's Office for Small Cities.

Upon a thorough review and facilitation of two (2) public hearings, the Department is proposing to request grant funds for the reconstruction of the infrastructure of Tremont Street from Payne Avenue to Vandervoort Street. This work would include the replacement of the water main and storm and sanitary sewer lines, and reconstruction of the road. The grant application is in the amount of \$400,000.00. As you are aware, the replacement of aging infrastructure has been and continues to be a major community priority and an essential component to North Tonawanda's neighborhood preservation initiatives.

At this time, I am requesting authorization by the Mayor and Common Council to submit this application on behalf of the City of North Tonawanda.

Sincerely,
 James B. Sullivan
 Director of Community Development

MOVED by Alderman Hempel

SECONDED by Alderman Schwandt

That the Common Council authorizes the Community Development Department to submit a grant application for the 2005 Community Development Block Grant Program to the New York State Governor's Office for Small Cities to request grant funds for the reconstruction of the infrastructure of Tremont Street from Payne Avenue to Vandervoort Street. This work would include the replacement of the water main and storm and sanitary sewer lines, and reconstruction of the road. The grant application is in the amount of \$400,000.00 and is subject to the review of the city Attorney.

Ayes: Soos, Rizzo, Schwandt, Hempel, Sommer

(5)

Nays: None

(0)

CARRIED.

COMMUNICATIONS FROM OTHERS

A.

Brett M. Sommer

Kelly Taylor

March 24, 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. Thank you.

Sincerely,

Brett M. Sommer

Kelly Taylor

MOVED by Alderman Hempel

SECONDED by Alderman Schwandt

That the Common Council appoints Brett M. Sommer, 1254 Greenbrier Lane and Kelly Taylor, 383 Miller Street as Commissioners of Deeds for the City of North Tonawanda for a term beginning April 7, 2005 and expiring April 6, 2007.

Ayes: Soos, Rizzo, Schwandt, Hempel

(4)

Nays: None

(0)

Abstained: Sommer

(1)

CARRIED.

ADJOURNMENT

MOVED by Alderman Rizzo

SECONDED by Alderman Soos

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

Ayes: Soos, Rizzo, Schwandt, Hempel, Sommer

(5)

Nays: None

(0)

CARRIED.

Time of Adjournment: 6:13 P.M.

Respectfully submitted,

**Thomas M. Jaccarino
City Clerk**