

Therefore, should you concur, please extend our current interim process for another sixty (60) days, so as to allow the local law process to be completed. Thank you for your consideration in this matter.

Very truly yours,
Shawn P. Nickerson
City Attorney

MOVED by Alderman Schwandt SECONDED by Alderman Hempel
That the Common Council hereby extends the interim application process for cell towers for an additional sixty (60) days. This extension begins June 16, 2005 and ends August 16, 2005.

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

II.2 Attorney

June 9, 2005

Hon. Mayor and Common Council
City Hall, 216 Payne Avenue
North Tonawanda, New York 14120

RE: Woodstream Park Subdivision – Pro-ration of Property Taxes

Dear Honorable Body:

Per our discussion at a recent workshop session, your Honorable Body indicated that you would be willing to consider pro-rating the property taxes due and owing on the above-referenced parcels from the date of the roadway dedication, that is, March 16, 2005.

Should your Honorable Body concur, please pass a resolution to pro-rate the taxes due on the Woodstream Park subdivision from the date of the roadway dedication, so as to move the project forward, subject to review of all documentation by the City Attorney’s office.

Very truly yours,
Shawn P. Nickerson
City Attorney

MOVED by Alderman Hempel SECONDED by Alderman Sommer
That the Common Council hereby pro-rates the taxes due on the Woodstream Park subdivision from the date of the roadway dedication, subject to review of all documentation by the City Attorney’s office.

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

II.3 Attorney

June 9, 2005

Hon. Mayor and Common Council
City Hall, 216 Payne Avenue
North Tonawanda, New York 14120

RE: Memorandum of Understanding – 2006 Reassessment Project

Dear Honorable Body:

I have reviewed the attached Memorandum of Understanding between the State of New

York Office of Real Property Services and the City of North Tonawanda for the continuation of the assessment improvement process into 2006. The Annual Reassessment Plan for the City of North Tonawanda has been submitted and approved as required by the NYS Office of Real Property Services.

Should your Honorable Body concur, please authorize the Mayor to execute the memorandum as indicated. Thank you for your consideration in this matter.

Very truly yours,
Shawn P. Nickerson
City Attorney

MOVED by Alderman Rizzo

SECONDED by Alderman Soos

That the Common Council hereby authorizes Mayor Burgio to execute the Memorandum of Understanding between the State of New York Office of Real Property Services and the City of North Tonawanda for the continuation of the assessment improvement process into 2006.

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

Nays: None (0)

CARRIED.

V. Water

June 3, 2005

Honorable Mayor David Burgio
And Common Council
City Hall, 216 Payne Ave.
N Tonawanda NY 14120

RE: Water Meters

Dear Mayor and Common Council:

On Wednesday, May 18, 2005, at 11 AM, bids were received and publicly opened in the City Clerk's Office, for supplying the Water Department with Water Meters. The following bids were received:

Bidder	Bid per meter
Ti-Sales	\$34.65 1 yr.
	\$32.96 3 yr.
Badger Meter Inc.	\$25.10 1 yr.
	\$25.10 3 yr.
Ramsco	\$32.75 1 yr.
	\$31.38 3 yr.
Blair Supply (no bid bond)	\$29.00 1 yr.
	\$29.00 3 yr.
Vellano Bros	\$27.45 1 yr.
	\$27.45 3 yr.
EJP	\$35.00 1 yr.
	\$36.00 3 yr.

I recommend the Common Council award the bid contract for Water Meters to Badger Meter Inc. 4545 W. Brown Deer Rd., Milwaukee, WI 53224, at their low bid of \$25.10 for three years.

The bid contract award is subject to the approval of the City Attorney.

Sincerely,
Paul J. Drof,
Superintendent Water/Wastewater

MOVED by Alderman Soos

SECONDED by Alderman Rizzo

That the Common Council hereby awards the contract for Water Meters to Badger Meter Inc. 4545 W. Brown Deer Rd., Milwaukee, WI 53224, at their low bid of \$25.10 for three years subject to the approval of the City Attorney.

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

Nays: None (0)

CARRIED.

VII.1 Accountant

June 9, 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 June 15, 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 Rizzo

That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated June 15, 2005 and further authorizes the Mayor and City Clerk respectively sign and countersign said Warrant:

01	General Fund	\$137,187.89
02	Water Fund	7,443.82
04	Sewer Fund	10,943.49
06	Capital Projects Fund	204,763.78
07	Trust & Agency Fund	688.97
08	Community Development	150.00
	Final Total	<u>\$361,177.95</u>

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

Nays: None (0)

CARRIED.

VII.2 Accountant

June 9, 2005

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

Dear Honorable Body:

Please be advised that I sent out a Request for Proposal for the professional service of Bond Council for the city of North Tonawanda, on May 5, 2005, to five firms.

I received a formal proposal from three of those firms and have evaluated each of them. Based on my evaluation, all three firms are qualified to do the work of bond counsel. I have tabulated the costs associated with each type of issue, as follows:

<u>Type of Issue</u>	<u>Harris Beach</u>	<u>Hawkins Delafield</u>	<u>Orrick</u>
Bond Anticipation Note:	\$2,100.00	\$2,500.00	\$3,100.00
Serial Bond:	5,100.00	5,750.00	4,500.00
Revenue Anticipation Note:	<u>1,300.00</u>	<u>1,400.00</u>	<u>1,000.00</u>
Total (comparison only):	<u>\$8,500.00</u>	<u>\$9,650.00</u>	<u>\$8,600.00</u>

Accordingly, pass a resolution engaging the services of one of the above firms as bond counsel for the city of North Tonawanda.

Very truly yours,
David R. Jakubaszek
City Accountant

MOVED by Alderman Soos

SECONDED by Alderman Rizzo

That the Common Council hereby awards professional service of Bond Council for the City of North Tonawanda to Harris Beach PLLC, 99 Garnsey Road, Pittsford, NY 14534 at their low bid of \$8,500.00 subject to review of the City Attorney.

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

Nays: None (0)

CARRIED.

X. Police

May 26, 2005

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

Dear Honorable Body,

I am requesting the authority to hire 2 police officers for my department to fill vacancies caused by increased security needs of the court system. The positions would be reimbursed by the New York State Court System.

This issue was discussed at a recent workshop session, and as directed, I requested information from the City Accountant to confirm the feasibility of hiring. He did concur that officers could be hired. I would be hiring available transfers from other police departments, thus reducing training time and expense.

Thank you for your consideration in this matter.

Respectfully submitted,
Randy D. Szukala
Chief of Police

MOVED by Alderman Schwandt

SECONDED by Alderman Hempel

That the Common Council hereby authorizes Police Chief Randy Szukala to hire two (2) police officers for the North Tonawanda Police Department to fill vacancies caused by

increased security needs of the court system. The positions will be reimbursed by the New York State Court System.

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

Nays: None (0)

CARRIED.

XXV. Monthly Reports

.1 Vital Statistics

.2 Senior Citizens

MOVED by Alderman Rizzo

SECONDED by Alderman Sommer

That the Common Council hereby receives and files the aforementioned Monthly Reports.

CARRIED.

XXXII.

Community Development

June 9, 2005

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

Re: Acquisition of Parcel of Land Located at Roblin Steel Site

Dear Honorable Body:

Per the discussion at previous workshop meetings, IDEK, LLC (doing business as Aquasol Corporation) is desirous of acquiring a parcel of land, constituting 3.73 acres, located at the northeast corner of the former Roblin Steel site. The price presented to the company was five thousand dollars (\$5,000.00) per acre or a total price of eighteen thousand six hundred and fifty dollars (\$18,650.00).

IDEK, LLC has contacted this office and requested that the acquisition process be initiated. If you are in concurrence with this matter, I respectfully request that this Honorable Body authorize the City Attorney to initiate the finalization of the sale and purchase of this property contingent on the following conditions:

- 1) That the physical development of the land meets all planning, zoning and building inspection requirements, and;
- 2) That the City Engineer is in receipt of a certification by the New York State Department of Environmental Conservation regarding the remediation of the site.

**Sincerely,
James B. Sullivan
Director of Community Development**

MOVED by Alderman Rizzo

SECONDED by Alderman Soos

That the Common Council hereby authorizes the City Attorney to initiate the finalization of the sale and purchase of a parcel of land, constituting 3.73 acres, located at the northeast corner of the former Roblin Steel site for five thousand dollars (\$5,000.00) per acre or a total price of eighteen thousand six hundred and fifty dollars (\$18,650.00) contingent on the following conditions:

- 1) That the physical development of the land meets all planning, zoning and building inspection requirements, and;

Canal Fest of the Tonawanda's Inc is requesting permission from the City of North Tonawanda to hold the 23rd annual festival from Sunday, July 17 – Sunday, July 24, 2004. We are seeking permission to use certain city facilities and streets including manpower from certain city departments. Included with this letter are our requests for the year 2005. There are no new requests this year that bear special attention. At your earliest convenience, please contact me for any clarification before issuance of the Mayor's Permit.

As discussed in previous meetings, payment to the city of twelve thousand dollars (\$12,000), plus any usage fee for the city's mobile music stage, would follow no later than two (2) weeks after the closing of Canal Fest on July 24th. Insurance requirements are the same as previous years and will be provided upon authorization of this request. Letters to the city department heads requesting a common or separate coordination meeting can be scheduled by your office and at your convenience.

Canal Fest looks forward to another successful event for our membership and the Twin Cities. North Tonawanda has always contributed to this success and we hope to maintain our good working relationship for many years to come.

Thank you for your time and consideration of our requests.

Respectfully,
Lawrence M. Deneff, President
Canal Fest of the Tonawandas Inc.
695-5100 cell

MOVED by Alderman Sommer

SECONDED by Alderman Rizzo

That the Common Council hereby grants Canal Fest of the Tonawanda's Inc., permission to hold their 23rd Annual Canal Festival from Sunday, July 17th - Sunday, July 24th, 2005, and further, receives and files the Mayor's approval of the following requests:

1. Canal Fest will be held July 17th through July 24th, 2005.
2. The use of Gateway Park on Sweeney St. between Main Street and Webster Street for the purpose of setting up tents by our members and for the use of entertainment. The beer tent may go up as soon as Thursday, July 14th with all tents to be removed no later than the eve of Monday, July 25th.
3. Barricades to be placed for closing of the renaissance Bridge by 5:00pm on Friday, July 15th and at other locations as necessary. Water connections at the Pavilion and other locations across Sweeney will be required at this time also.
4. RE-REVISED FOR 2005. Because of the extra burden on everyone involved, the street dance on the opening Sunday and held on Webster Street will now be moved back down to our regular music stage on Sweeney Street. The city stage WILL NOT be required on Sunday, July 17th, as we have requested the past 2 years.
5. BIKE CRUISE. Bike Cruise on Webster St on Friday, July 22nd. American Harley-Davidson is sponsoring this 2nd Annual Bike Cruise. Because of the sponsor's previous commitment, our original Monday was moved to a Friday. The City stage will again be requested and placed in front of the Riviera Theater with the direction of our cruise committee chairman. Usage of Webster Street from Sweeney to Goundry St and Tremont from Webster to Main St (only one side) at 5:00 pm on Friday, July 22nd for the Twin Cities Bike Cruise & Show. "No Parking After" signage to be placed accordingly to close the street by 5:00pm.
6. Parade. Webster Street from Sweeney to Goundry St for the parade on Tuesday, July 19th with Webster Street being posted for vehicle removal by an agreed time before the parade. The city grandstand will also be required in front of the Riviera Theater.
7. SuperCruise. Webster Street from Sweeney to Goundry St. and Tremont from Webster to Main St at 5:00 pm on Wednesday, July 20th for the Twin Cities SuperCruise Car Show. "No parking after" signage to be placed accordingly to close the street after 4:00pm.

