



Should your Honorable Body concur, please pass the resolution to approve the sublease of Sprint Spectrum, LLC's interest in the cell towers at 706 Sandra Lane and 126 Elmwood Avenue to Global Signal, Inc., and authorize the Mayor to execute the estoppel certificate (Agreement Regarding Global Lease) as attached. Should you have any questions, please do not hesitate to contact me.

Very truly yours,  
Shawn P. Nickerson  
City Attorney

MOVED by Alderman Soos

SECONDED by Alderman Hempel

That the Common Council hereby approves the sublease of Sprint Spectrum, LLC's interest in the cell towers at 706 Sandra Lane and 126 Elmwood Avenue to Global Signal, Inc., and further, authorizes the Mayor to execute the estoppel certificate (Agreement Regarding Global Lease).  
CARRIED.

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IV.1 Engineer

August 11, 2005

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

RE: Niagara Riverwalk  
Project No. 02-01  
SEQRA - Environmental Assessment

Honorable Body:

In accordance with the New York State Environmental Quality Review Act (SEQRA), the City in its capacity as lead agency, has prepared an environmental assessment of the significance of potential environmental impacts of the full depth construction of 4400 linear feet of asphalt walkway along River Road. This project is considered an unlisted action under SEQRA.

In order for the City to issue a Negative Declaration, Notice of Determination of Non-Significance, the Common Council should act on the following attached resolution.

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

MOVED by Alderman Soos

SECONDED by Alderman Rizzo

WHEREAS, the City of North Tonawanda intends to construct approximately 4400 LF of a new walkway, from Gratwick Riverside Park to Fisherman's Park.

BE IT RESOLVED, that the Common Council has reviewed the Environmental Assessment prepared by the Engineer; and

BE IT RESOLVED, that the Common Council declares that based on the Environmental Assessment which has been prepared, the project is an unlisted action and will not result in any significant adverse impacts, and therefore will not have a significant impact on the environment; and

FURTHER, BE IT RESOLVED that the Common Council hereby issues a Negative Declaration under SEQR Regulations for a new walkway, and authorizes the Common Council President to sign said Environmental Assessment form.

Ayes: Soos, Rizzo, Schwandt, Hempel (4)  
Nays: None (0)  
CARRIED.

## VI.2 Engineer

August 11, 2005

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

RE: Sweeney Street Reconstruction and Storm Sewer Improvements  
Project No. 2005-07  
SEQRA - Environmental Assessment

Honorable Body:

In accordance with the New York State Environmental Quality Review Act (SEQRA), the City in its capacity as lead agency, has prepared an environmental assessment of the significance of potential environmental impacts of the full depth re-construction of 1600 linear feet of roadway on Sweeney Street including new curbing, and storm sewer improvements. This project is considered an unlisted action under SEQRA.

In order for the City to issue a Negative Declaration, Notice of Determination of Non-Significance, the Common Council should act on the following attached resolution.

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

MOVED by Alderman Schwandt                      SECONDED by Alderman Soos  
WHEREAS, the City of North Tonawanda intends to re-construct approximately 1600 LF of Sweeney Street, between Payne Avenue and Oliver Street, including storm sewer improvements.

BE IT RESOLVED, that the Common Council has reviewed the Environmental Assessment prepared by the Engineer; and

BE IT RESOLVED, that the Common Council declares that based on the Environmental Assessment which has been prepared, the project is an unlisted action and will not result in any significant adverse impacts, and therefore will not have a significant impact on the environment; and

FURTHER, BE IT RESOLVED that the Common Council hereby issues a Negative Declaration under SEQR Regulations for the roadway and storm sewer improvements to the Sweeney Street area, and authorizes the Common Council President to sign said Environmental Assessment form.

Ayes: Soos, Rizzo, Schwandt, Hempel (4)

Nays: None (0)

CARRIED.

## VII.1 Accountant

August 11, 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.

08-17-05

Accordingly, please authorize for payment the current Warrant of Claims for Common Council audit, dated August 17, 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 August 17, 2005 and further authorizes the Mayor and City Clerk respectively sign and countersign said Warrant:

01	General Fund	\$273,480.09
02	Water Fund	17,032.88
04	Sewer Fund	62,593.40
06	Capital Projects Fund	175,752.92
07	Trust & Agency Fund	2,443.17
08	Community Development	5,359.43
11	General Fund (Encumbered)	2,699.85
14	Sewer Fund (Encumbered)	491.74
19	Bishop Gibbons Fund	<u>1,750.00</u>
	<b>Final Total</b>	<b><u>\$541,603.48</u></b>

Ayes: Soos, Rizzo, Schwandt, Hempel (4)  
Nays: None (0)  
**CARRIED.**

## VII.2 Accountant

August 11, 2005

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

Dear Honorable Body:

In accordance with language contained in all five municipal union contracts, term life insurance is provided to employees as a fringe benefit.

Based on the recent high number of death claims an increase in premium was anticipated. I received a response from seven carriers, five who declined to provide us a quotation. Our current carrier, The Guardian, has provided us with a quotation of 44 cents per \$1,000 of coverage, an increase of 3 cents over the current rate of 41 cents per \$1,000. The estimated monthly premium will be \$1,993.64, which is within our budget.

Accordingly, I recommend that the Common Council award the Group Term Life Insurance coverage to The Guardian, at their guaranteed rate bid of 44 cents per \$1,000 coverage, for a two year period, commencing in August 2005.

Very truly yours,  
David R. Jakubaszek  
City Accountant

MOVED by Alderman Hempel                      **SECONDED** by Alderman Soos  
That the Common Council hereby awards the Group Term Life Insurance coverage to The Guardian, at their guaranteed rate bid of 44 cents per \$1,000 coverage, for a two year period, commencing in August 2005.  
Ayes: Soos, Rizzo, Schwandt, Hempel (4)  
Nays: None (0)  
**CARRIED.**

**VII.3 Accountant**

**August 11, 2005**

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

**Dear Honorable Body:**

**In accordance with General Municipal Law, as amended by Chapter 376 of the Laws of 1988, I have attached a copy of the City of North Tonawanda Single Audit Report and a copy of the Basic Financial Statements, for the fiscal year ended December 31, 2004. The City Clerk will publish a legal notice in the newspaper stating that these reports are available to the public.**

**The auditor's opinion is that the General Purpose Financial Statements present fairly, in all material respects, the respective financial position of the governmental activities and each major fund of the City of North Tonawanda as of December 31, 2004, and the respective changes in financial position thereof, and the budgetary comparison for the General Fund for the year ended in conformity with accounting principles generally accepted in the United States of America.**

**Copies of the audits will be mailed to the appropriate Federal and State Agencies.**

**If you have any questions on these documents, please feel free to contact me.**

**Very truly yours,  
David R. Jakubaszek  
City Accountant**

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

**XI. Fire**

**TO: Mayor David Burgio**

**FROM: Fire Chief Gregory R. Frank**

**DATE: August 1, 2005**

**SUBJECT: Appointment**

**In accordance with the Charter of the City of North Tonawanda and by the authority vested in me by Section 3.002e of said Charter, I make the following appointment effective August 15, 2005.**

**Mr. Timothy A. Berecz  
792 Ruie Road  
North Tonawanda, New York**

**has been appointed to the position of Firefighter/fire Driver in the City of North Tonawanda Fire Department.**

**I request the use of the City Hall Common Council Chambers for a swearing in ceremony at 10:00 AM on Monday, August 15, 2005.**

**Gregory R. Frank  
Fire Chief**

**08-17-05**



information as quickly as possible.

I was pleased that I was able to secure these funds for the City of North Tonawanda.

Sincerely,  
George D. Maziarz  
Senator, 62<sup>nd</sup> District

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

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**D.**  
Molly Michalski

July 26, 2005

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

Dear Dave:

I am writing today to request permission to hold a Block Party on Louisa Pkwy on September 3, 2005. We would like to block both ends of the street at Pinewoods and also Niagara. We plan to hold this party beginning at 4:00 pm and ending at 12:00 midnight.

Also, would it be possible to have a Fire and/or Police Department exhibition and if so, who would I contact to set that up?

If you have any questions you can reach me at the above address, and of course you and Donna are more than welcome to attend if you so desire.

Thank you in advance.

Very truly yours,  
Molly Michalski

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

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**MOVED** by Alderman Soos                      **SECONDED** by Alderman Schwandt  
That the Common Council hereby directs the Department of Public Works to install a "Children at Play" sign on Orchard Place at Division Street.  
**CARRIED.**

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#### ADJOURNMENT

**MOVED** by Alderman Schwandt                      **SECONDED** by Alderman Hempel  
That this regular session of the Common Council be and hereby is adjourned.  
**CARRIED.**

Time of Adjournment: 5:13 P.M.

Respectfully submitted,

Thomas M. Jaccarino  
City Clerk

08-17-05