

AUDIENCE PARTICIPATION

Sonia Dusza, 123 Miller Street – Questioned Condominium Ordinance, stated that the City needs a planner, thinks department heads should be at meeting, building inspector is not following duties regarding zoning compliance.

Jerry DiVirgilio, 767 Payne Avenue – Questioned abstract of claims, consortium with Niagara County, questioned need to change comment period.

Anna Rodgers, 110 Broad Street – Asked about the change in the Boathouse Lease agreements.

James Ruszczuk, 237 Tremont Street – Wants to know if he is going to get reimbursed for the waterline work he had done during repaving on his street.

Jim DiBernardo, 711 Fairmont Avenue – Questioned rezoning on Erie Avenue.

Jack Seedorf, 1587 Nash Road – Asked when road repairs were going to be made on Nash Road between Deerfield and Forbes.

Gordy Fritz, 1727 Eddy Drive – Asked about IDA Loans.

COMMUNICATIONS FROM CITY OFFICIALS

I. Mayor

May 1, 2006

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

Dear Common Council:

I am reappointing Walter A. Rozicki of 549 North Ave. North Tonawanda, NY 14120, 695-1088 to the Waterfront Commission. His term of office will begin immediately and will be for 3 years expiring on December 31, 2008.

**Sincerely,
Lawrence V. Soos**

The aforementioned agenda item was withdrawn before the meeting.

II.1 Attorney

April 20, 2006

**Hon. Mayor and Common Council
City Hall, 216 Payne Ave.
North Tonawanda, NY 14120**

**RE: Local Law #2 for 2006 – Providing for the Registration of Certain
Convicted Sex Offenders within the City of North Tonawanda**

Dear Honorable Body:

Attached for your consideration is Local Law No. 2 for 2006, to provide for registration of convicted sex offenders within the City of North Tonawanda. This local law is designed to fill certain gaps in the state law and to provide protections for residents of the City as well as assistance for employers to protect children who may come into proximity with sex offenders in the scope of employment.

As with all local laws, it is necessary that this local law be formally laid on the table for a period of at least 7 days, wherein it must stay in its final form prior to adoption by the Common Council. After such adoption, this local law must be referred to the mayor's office for a public hearing on its provisions. After said public hearing and formal filing with the Secretary of State, this local law will become effective.

Consistent with state law then, the appropriate motion for today's action would be to formally lay this Local Law on the table and allow it to remain so in its final form for at least seven (7) days prior to adoption.

Very Truly Yours,
Shawn P. Nickerson
City Attorney

MOVED by Alderman Sommer

SECONDED by Alderman Brick

That the Common Council hereby adopts Local Law #2 for 2006, §74A of the City Code – Providing for the Registration of Certain Convicted Sex Offenders within the City of North Tonawanda as follows:

Chapter 74A

1. The Common Council of the City of North Tonawanda finds that one of the highest priorities of local government is the protection of the health and safety of its citizens. This is especially true of children and other vulnerable members of society. The Common Council further finds that convicted sex offenders pose a significant continuing risk to society. Moreover as the tragic murder of Jessica Lunsford in Florida in spring, 2005, and other such events have shown, recidivism among convicted sexual offenders is a continuing problem.

Recently, residents of the city have been advised that there are residing in the city of number of convicted sex offenders. At least some of these sex offenders have registered as required by Article 6-C of the Corrections Law of the State of New York, commonly known as Megan's Law. Some of these individuals have been categorized by the state Department of Corrections as Level II sex offenders who have been determined to be of moderate risk of committing another sex crime. Some of these individuals have been categorized as Level III sex offenders who have been determined to be of a high risk to commit another sexual crime. However, the Common Council finds that some sex offenders fail to register or fail to update their registration information when they move from one location to another.

The Common Council finds that the protection of the victims and potential victims of sexual offenders in North Tonawanda is a matter of unique local concern not fully and adequately addressed by state law. The Common Council finds that the disclosures required and the limitations contained herein will protect the citizens of North Tonawanda and will provide to employers who contract with North Tonawanda information that will assist these employers in protecting children who may come into proximity with a sex offender in the scope of employment.

The Common Council finds that the City of North Tonawanda has not assessed and cannot assess the risk of recidivism of any particular sex offender or class of sex offenders and has made no determination of dangerousness of any particular sex offender or class of sex offenders. Rather, the council finds that this local law is remedial in nature and designed to fill certain gaps in state law as well as to provide protections for residents of the city who receive certain services from the city. The council further finds this local law to be the most narrowly tailored means of fulfilling its compelling interest in the safety of its citizens. Finally, the council does not intend for any person to use the information required by this chapter to harm or injure any registrant under the law.

74A-2. DEFINITIONS.

ADULT – Any person 17 years of age or older.

CHILD or **CHILDREN** – Persons under 17 years of age. The singular and plural shall include one another. If the applicable statute defining a crime against a child refers to a child younger than 18, the younger age shall control.

DAY CARE – Any lawful form of care for a child, as defined by Federal and State law and regulation, for less than twenty-four hours per day.

DEPARTMENT OF CORRECTIONS – New York State Department of Corrections.

EMPLOYER – Any individual, partnership, association, corporation, business trust, legal representative or organized group of persons paying wages or any form of compensation to any person for services that directly or indirectly benefit the individual, partnership, association, corporation, business trust, legal representative or organized group of persons.

EXTENDED STAY ESTABLISHMENT – Any hotel, motel, rooming house, inn, rooming unit, bed and breakfast, residence in, country inn, motor court, R-V park or motor lodge that lets or provides any space for occupancy by any person. Any place of business that provides services or utilities to motor-homes, recreational vehicles, trucks with campers or any other motor vehicle in which an individual does or may sleep overnight is an **EXTENDED STAY ESTABLISHMENT** under this chapter.

HIS – His or her.

HOMELESS ADULT – Any adult who has been in the City of North Tonawanda for more than 24 hours or intends to be in the city for more than 24 hours without residence or place of lodging.

HOMELESS SHELTER – Any structure that provides temporary housing to a homeless adult.

INTERNET – An interactive computer service or system or an information service, system or access software provider that provides or enables computer access by multiple users to a computer server and includes, but is not limited to, an information service, system or access software provider that provides access to a network system commonly known as the Internet, or any comparable system or service and also includes, but is not limited to, a World Wide Web page, newsgroup, message board, mailing list, or chat area on any interactive computer service or system or other on-line service. The NTPD website shall mean any Internet site made available by the NTPD to the public, including any link to the website of the City of North Tonawanda.

NTPD – The North Tonawanda Police Department.

OUTSIDE NEW YORK – Anywhere outside the geographical borders of the state of New York or any federal enclave, Indian trust lands or reservations located inside the geographical borders of New York.

REGISTRANT – Any person required to register under this chapter.

REGISTRATION YEAR – Any year from the date of first registration under this chapter.

RESIDENT – Any person who (1) lives in the City of North Tonawanda in any apartment or home, (2) has a usual place of abode in the City, (3) is domiciled in the City or (4) temporarily present in the City and staying at a homeless shelter or an extended stay establishment.

RESPONSIBLE ADULT – An adult who is not a sex offender.

SCHOOL – A licensed or accredited public, charter, private or religious school that offers instruction to students in pre-school through any grade up to grade twelve.

SEX OFFENDER – Shall have the same meaning as the term is defined in Sec. 168-a(1) of the Corrections Law of the State of New York.

SEX OFFENSE – Shall have the same meaning as that term is defined in Sec. 168-a(2) of the Corrections Law of the State of New York.

SEX OFFENDER VIOLATION – A violation of any law defined as a sex offense of the Corrections Law of the State of New York.

74A-3. REGISTRATION REQUIREMENTS FOR SEX OFFENDERS.

(A). Sex offenders who reside in the City of North Tonawanda and who are required to register with the Department of Corrections pursuant to Article 6-C of the Corrections Law of the State of New York must register with the North Tonawanda Police Department.

(B). A sex offender must register with the North Tonawanda Police Department within ten days after being released from incarceration, or ten days from the date of sentencing if not incarcerated for a sex offender violation. A registrant under this section must provide the North Tonawanda Police Department with the following information:

- (1). His legal name, any other names or aliases he has used or is using and any new names he has applied for in the last year.
- (2). His date of birth.
- (3). His social security number.
- (4). His current address, the address of any other residences he owns or the address of any other real property he owns or leases and the address of any other locations or places of lodging where the sex offender intends to stay or does in fact stay for more than three consecutive days at any time or an aggregate of ten or more days in a registration year. Homeless shelters and extended stay establishments must be included in the disclosure required pursuant to this paragraph. Pursuant to this paragraph, the registrant must provide a description and location of any and all rented or owned spaces to which the registrant claims a right to privacy or a right to exclude others including but not limited to storage buildings.
- (5). His place of employment and the name and telephone number of a contact person who knows his location at any and all times during employment hours or other times he performs work in the scope of his employment duties.
- (6). His driver's license number and the license plate number, vehicle identification number and description by make and model of all vehicles registered to him, owned by him, driven by him during employment or otherwise available to him with regularity by consent from another.
- (7). A list of any and all sex offense violations of which he has been convicted or to which he has entered a plea of guilty.

(C). As an alternative to the registration information to be gathered in Paragraph B above, the North Tonawanda Police Department may rely on such information as is gathered and provided by the State of New York to the City of North Tonawanda pursuant to Article 6-C of the Corrections Law of the State of New York.

74A-4. – REGISTRANT REGULATIONS.

(A). Any sex offender who provides inaccurate information to the NTPD commits a separate violation of this chapter.

(B). In the event of any change in registration information or addition of new information that would have been required in the initial or subsequent registration other than a change of address or employment governed by paragraphs (c) or (d) below, the registrant must notify the NTPD and provide new valid information within ten days after the change.

(C). A sex offender who is required to register under this chapter and elects to change the address of any place of lodging including but not limited to a residence, extended stay establishment or homeless shelter, must notify the NTPD of the prospective change within ten days after the change occurs.

(D). A sex offender who is required to register under this chapter and changes his place of employment, must notify the NTPD ten days after the voluntary change. Sex offenders must provide the name and telephone number of a new contact person within ten days of the time new work begins.

(E). When a sex offender registers under this chapter, NTPD may take and retain their photograph and a set of fingerprints. Additionally, NTPD may record and retain the person's shoe size, a DNA sample, dental imprints and a description of tattoos, scars and other identifying features that would assist in identifying the sex offender, as determined by the NTPD. As an alternative, the NTPD may rely on DNA and other identifying information on data bases provided by the State of New York.

(F). Following the initial registration, registrants, except homeless adults, are required to annually renew the registration annually, as arranged by the NTPD. Homeless adults residing from time to time in homeless shelters must verify registration data in writing every 90 days as long as they are in town on a form provided by the NTPD. Sex offenders who have been convicted of two or more sex offenses must register for life.

74A-5. NOTIFICATION.

NTPD shall maintain a local registry of sex offenders registered under this chapter. The City of North Tonawanda will maintain a data base of sex offenders distinct from any registry of sex offenders maintained by the State of New York. Registration under any registration program maintained by the State of New York does not exempt a sex offender from registration under this chapter. The City of North Tonawanda will make available and disseminate sex offender registration information as authorized by New York law.

74A-6. GENERAL PROVISIONS AND OFFENSES.

(A). **Address Verification Checks.** NTPD may conduct address verification checks to substantiate that registrants are living where they claim to live. The check shall verify that the registrant in fact lives at the claimed address. If the NTPD is unable to verify the address, the registrant may be prosecuted pursuant to this chapter and Corrections Law §168. NTPD may contact and interview any person living or located near the claimed address. The provisions of this paragraph are in addition to any other lawful investigation NTPD may undertake.

(B). **Sex Offender Location.** After the effective date of this chapter, sex offenders shall not newly occupy any real property, acquire any real property by lease or otherwise or establish a place of lodging within one-quarter of a mile radius of a school, day care center, playground or park.

(C). Within five days from the effective date of this chapter, a sex offender employed by an employer located in the City of North Tonawanda shall notify his current employer that he is a registered sex offender. At the time a sex offender applies or receives an offer of employment by an employer where the sex offender will be working substantially within the City of North Tonawanda, the sex offender shall notify the employer that he is a registered sex offender. All sex offenders shall provide the employer or prospective employer with the current conditions of probation in writing including, if applicable, any conditions of probation that require the sex offender to stay away from vulnerable populations or conditions the sex offender's contact with vulnerable populations.

74A-7. IMMUNITY.

Nothing in this chapter creates or shall create a cause of action against the City of North Tonawanda not already authorized under existing law. Without limitation, the city is not liable to any person harmed who claims that notice under this chapter may have prevented the harm.

74A-8. PENALTY.

Each violation of this chapter by a sexual offender shall be punishable by a fine of \$250.00 and/or fifteen (15) days in jail. Each day that a registrant should have registered or supplemented his registration, but failed to do so, shall constitute a separate offense. It is

the intent of the common council that violations of this chapter should not be treated by the courts a lesser included offenses that merge into a violation of Article 6-C of the Corrections Law of the State of New York. The city shall also be entitled to injunctive relief to enforce the provisions of this chapter.

Section 2: Effective date. This local law shall take effect after filing with the Secretary of State as required by Section 27 of the Municipal Home Rule Law.

And further, refers Local Law #2 for 2006 to the Mayor to hold a public hearing.

Ayes: Brick, Rizzo, Schwandt, Donovan, Sommer (5)
Nays: None (0)
CARRIED.

II.2 Attorney

May 4, 2006

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

Re: Sale of Niagara River Yacht Club

Dear Honorable Body:

In accordance with our recent work shop discussion regarding the sale of the Yacht Club, your Honorable Body indicated that it would consider the buyer's request to reduce the bid deposit to \$50,000, and hold the funds in an interest-bearing account until such time as the transaction(s) are able to be concluded.

If your Honorable Body concurs, please pass a resolution to reduce the bid deposit from \$100,000 to \$50,000 and hold the funds in an interest-bearing account, subject to further review by the City Attorney. Should you have any questions, please do not hesitate to contact me.

Very truly yours,
Shawn P. Nickerson
City Attorney

MOVED by Alderman Rizzo SECONDED by Alderman Schwandt
That the Common Council hereby reduces the bid deposit for the sale of the Niagara River Yacht Club from \$100,000 to \$50,000 and the funds will be held in an interest-bearing account, subject to further review by the City Attorney.

Ayes: Brick, Rizzo, Schwandt, Donovan, Sommer (5)
Nays: None (0)
CARRIED.

IV.1 Engineer

May 10, 2006

Honorable Lawrence V. Soos, Mayor
and Common Council Members
City Hall
North Tonawanda, New York 14120

Re: Project 2005-16, Gateway Harbor Canal Dredging
Authorization to Sign Dredge Disposal Agreement

Dear Honorable Body:

As you are aware, the dredging of Gateway Harbor has commenced.

I respectfully request that the Common Council authorize the Mayor to sign the enclosed Agreement between the Department of the Army and the City of North Tonawanda for the disposal of material in the Confined Dredge Material Disposal Facility at Buffalo Harbor, New York, subject to review and authorization by the City Attorney.

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

MOVED by Alderman Sommer **SECONDED** by Alderman Brick
That the Common Council hereby authorizes the Mayor to sign the Agreement between the Department of the Army and the City of North Tonawanda for the disposal of material in the Confined Dredge Material Disposal Facility at Buffalo Harbor, New York, subject to review and authorization by the City Attorney.
Ayes: Brick, Rizzo, Schwandt, Donovan, Sommer (5)
Nays: None (0)
CARRIED.

IV.2

May 11, 2006

Honorable Larry V. Soos, Mayor
and Common Council Members
City Hall
North Tonawanda, New York 14120

**RE: Old Falls Boulevard Reconstruction and Infrastructure Improvements
Project No. 2006-01
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 reconstruction of 3000 linear feet of asphalt pavement and sanitary sewer replacement on Old Falls Boulevard between Niagara Falls Boulevard and Louisa Street, including 300 linear feet on Lockport Avenue. 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 Donovan **SECONDED** by Alderman Sommer
WHEREAS, the City of North Tonawanda intends to re-construct approximately 3000 LF of pavement and sanitary sewers on Old Falls Boulevard, between Niagara Falls Boulevard and Louisa Street, including 300 linear feet on Lockport Avenue.

BE IT RESOLVED, that the Common Council has reviewed the Environmental Assessment prepared by the City 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 as Lead Agency hereby issues a Negative Declaration under SEQR Regulations for the roadway and sanitary sewer replacement on Old Falls Boulevard, and authorizes the Common Council President to sign said Environmental Assessment form.

Ayes: Brick, Rizzo, Schwandt, Donovan, Sommer (5)

Nays: None (0)

CARRIED.

IV.3

May 11, 2006

**Honorable Larry V. Soos, Mayor
and Common Council Members
City Hall
North Tonawanda, New York 14120**

**RE: Deerwood Golf Course Irrigation Improvements
Project No. 2005-03(2002-04)
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 replacement of existing Deerwood Golf Course irrigation pump station and intake located on Old Falls Boulevard. This 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 Donovan SECONDED by Alderman Schwandt
WHEREAS, the City of North Tonawanda intends to replace the existing Deerwood Golf Course pump station and intake located on Sweeney Street.**

BE IT RESOLVED, that the Common Council has reviewed the Environmental Assessment prepared by the City 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 replacement of the existing Deerwood Golf Course pump station and intake and authorizes the Common Council President to sign said Environmental Assessment form.

Ayes: Brick, Rizzo, Schwandt, Donovan, Sommer (5)

Nays: None (0)

CARRIED.

VII. Accountant

May 11, 2006

Honorable Lawrence V. Soos, 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 May 17, 2006, 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 Brick
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated May 17, 2006 and further authorizes the Mayor and City Clerk respectively sign and countersign said Warrant:

01	General Fund	\$413,993.52
02	Water Fund	44,215.93
04	Sewer Fund	57,338.69
06	Capital Project Fund	268,957.35
07	Trust & Agency Fund	2,416.08
08	Community Development	230,532.29
11	General Fund Encumbered	<u>408.00</u>
	Final Total	<u>\$1,017,861.86</u>

Ayes: Brick, Rizzo, Schwandt, Donovan, Sommer (5)
Nays: None (0)
CARRIED.

IX.1 Public Works

May 9, 2006

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

Re: Bid Award
One New & Unused Latest Model Ford F-550 XLT Truck Cab & Chassis
With Utility Body and Aerial Platform

Honorable Body:

On Monday, April 24, 2006 bids were received and publicly opened in the City Clerk's Office for the above captioned bid. We have reviewed the bids and tabulated them as follows:

<u>BIDDER</u>	<u>AMOUNT</u>
West-Herr Ford	#1 - \$87,985.00
	#2 - \$86,737.00

I recommend the Common Council award the bid for, one (1) New and Unused Latest Model Ford F-550 XL Truck Cab & Chassis with Utility Body and Aerial Platform to West-Herr Ford at the low bid of \$86,737.00, subject to the approval of the City Attorney.

Very truly yours,
 Gary J. Franklin
 Superintendent Public Works

MOVED by Alderman Rizzo **SECONDED** by Alderman Schwandt
 That the Common Council hereby awards the bid for, one (1) New and Unused Latest Model Ford F-550 XL Truck Cab & Chassis with Utility Body and Aerial Platform to West-Herr Ford at the low bid of \$86,737.00, subject to the approval of the City Attorney.
 Ayes: Brick, Rizzo, Schwandt, Donovan, Sommer (5)
 Nays: None (0)
CARRIED.

IX.2 Public Works

May 11, 2006

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

Re: Award of Bid – Lighting Poles, Luminaires & Accessories

Dear Honorable Body:

On Wednesday, April 19, 2006, bids were received and publicly opened in the City Clerk’s office for New and Unused Street Lighting Poles, Luminaires and accessories

We have reviewed these bids and tabulated them as follows:

<u>BIDDER</u>	<u>AMOUNT</u>
GE Supply	\$36,567.25
Shanor Electric Supply	\$37,120.00
WESCO Distribution	\$37,140.00
Graybar Electric	\$37,290.00
Davis Electric	\$37,337.05

We recommend that the bid for New and Unused Street Lighting Poles, Luminaires and Accessories be awarded to GE Supply, 332 Walden Avenue, Depew, NY 14043, at their low bid of \$36,567.25, subject to the approval of the City Attorney.

Very truly yours,
 Gary J. Franklin
 Superintendent Public Works

MOVED by Alderman Donovan **SECONDED** by Alderman Rizzo
 That the Common Council hereby awards the bid for New and Unused Street Lighting Poles, Luminaires and Accessories to GE Supply, 332 Walden Avenue, Depew, NY 14043, at their low bid of \$36,567.25, subject to the approval of the City Attorney.
 Ayes: Brick, Rizzo, Schwandt, Donovan, Sommer (5)
 Nays: None (0)
CARRIED.

I have attached the expression of interest letter from H Sichertman & Company for your review.

I appreciate your consideration in this matter. If you have any questions, please contact me at extension 517.

Sincerely
James B. Sullivan

MOVED by Alderman Schwandt **SECONDED** by Alderman Sommer
That the Common Council hereby authorizes the Mayor to sign an extension of the existing contract, with revised rates with H. Sichertman & Company, Inc. through the end of 2006, subject to review by the City Attorney. The costs of these services will be paid from Community Development Block Grant funds.

Ayes: Brick, Rizzo, Schwandt, Donovan, Sommer (5)
Nays: None (0)
CARRIED.

XXXII.2 Community Development

May 11, 2006

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

Dear Honorable Body:

The Department of Community Development is requesting authorization for the Mayor to sign and submit an Economic Development grant application for to the Governor’s Office of Small Cities. The funds would be passed through the Lumber City Development Corporation for the purposes of providing term loan to Wurlitzer Water Works, repayable to the LCDC.

This submission will be contingent upon holding a required public hearing for citizen input.

Wurlitzer Water Works is a newly created company closely related to Audubon Machinery Corporation, who already enjoys a successful track record of development and growth in North Tonawanda. Wurlitzer Water Works is projecting the creation of 20-30 new jobs within the next three years.

I appreciate your consideration in this matter. If you have any questions, please contact me at extension 517.

Sincerely,
James B. Sullivan

MOVED by Alderman Donovan **SECONDED** by Alderman Schwandt
That the Common Council hereby authorizes the Mayor to sign and submit an Economic Development grant application to the Governor’s Office of Small Cities. The funds will be passed through the Lumber City Development Corporation for the purposes of providing term loan to Wurlitzer Water Works, repayable to the LCDC and further authorizes the City Clerk to schedule a public hearing for Wednesday, May 31, 2006 at 5:00PM.

Ayes: Brick, Rizzo, Schwandt, Donovan, Sommer (5)
Nays: None (0)
CARRIED.

XXXII.3 Community Development

May 11, 2006

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

Dear Honorable Body:

The Department of Community Development is requesting authorization for the Mayor to sign and submit an Economic Development grant application for to the Governor’s Office of Small Cities. The funds would be passed through the Lumber City Development Corporation for the purposes of providing term loan to Miller Hardwood repayable to the LCDC.

This submission will be contingent upon holding a required public hearing for citizen input.

Miller Hardwood has committed to investing over \$2 million to reconstruct a portion of the North Tonawanda facility that was recently destroyed in a fire. With the reconstruction, the company plans to be able to restore employment to the pre-fire levels. Additionally the company plans to add a saw mill that will require the creation of ten new jobs within the next three years.

I appreciate your consideration in this matter. If you have any questions, please contact me at extension 517.

Sincerely,
James B. Sullivan

MOVED by Alderman Rizzo

SECONDED by Alderman Schwandt

That the Common Council hereby authorizes the Mayor to sign and submit an Economic Development grant application to the Governor’s Office of Small Cities. The funds will be passed through the Lumber City Development Corporation for the purposes of providing term loan to Miller Hardwood repayable to the LCDC and Further authorizes the City Clerk to schedule a public hearing for Wednesday, May 31, 2006 at 5:00PM.

Ayes: Brick, Rizzo, Schwandt, Donovan, Sommer

(5)

Nays: None

(0)

CARRIED.

XXXII.4 Community Development

May 11, 2006

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

Dear Honorable Body:

The Department of Community Development is requesting authorization for the Mayor to sign and submit an Economic Development grant application for to the Governor’s Office of Small Cities. The funds would be passed through the Lumber City Development Corporation for the purposes of providing term loan to Synergy Tooling Systems, Inc. repayable to the LCDC.

This submission will be contingent upon holding a required public hearing for citizen input.

Synergy Tooling Systems has committed to investing approximately \$1.9 million to expand the current 10,000 square foot facility on Wurlitzer Drive. Additionally, the company estimates the creation of 10 jobs over the next three years, on top of bringing their current workforce back to the City of North Tonawanda.

I appreciate your consideration in this matter. If you have any questions, please contact me at extension 517.

Sincerely,
James B. Sullivan

MOVED by Alderman Schwandt **SECONDED** by Alderman Sommer
That the Common Council hereby authorizes the Mayor to sign and submit an Economic Development grant application to the Governor’s Office of Small Cities. The funds will be passed through the Lumber City Development Corporation for the purposes of providing term loan to Synergy Tooling Systems, Inc. repayable to the LCDC and further authorizes the City Clerk to schedule a public hearing for Wednesday, May 31, 2006 at 5:00PM.

Ayes: Brick, Rizzo, Schwandt, Donovan, Sommer (5)

Nays: None (0)

CARRIED.

COMMUNICATIONS FROM OTHERS

A.
Carrousel Museum

May 7, 2006

Mayor Lawrence Soos
City Hall
North Tonawanda, NY 14120

Dear Mayor Soos:

As per our agreement with the City, I am notifying you that the Carrousel Museum will be presenting a Renaissance Festival in the Linear Park adjacent to the museum on Saturday, June 3, 2006 from 11:00AM – 7:00PM.

We are also requesting City assistance, as in the past, with the following:

- ✓ Use of Felton Field for the day – the portion outside the ballpark. Part of this space will be needed for parking and demonstrations as last year.
- ✓ Since there will be events in Felton Field, people will be crossing back and forth across Thompson Street. We believe it will be a safer situation if Thompson Street is blocked off at Vandervoort and at Lincoln Avenue, as we did last year.
- ✓ The use of 6-8 city picnic tables and 4-6 trash receptacles.
- ✓ City DPW workers to install and take down a large banner across Payne Ave. at the Lowery School location from May 16th – June 5th.
- ✓ Fencing to close in the linear park from Thompson to Lincoln, and in Felton Field as last year.

Thank you for your continuing support for the museum.

Yours truly,
Charles Proefrock, President

