

AUDIENCE PARTICIPATION

Frank Budwey – Spoke against the Walgreens project.

Jerry DiVirgilio, 767 Payne Avenue – Questioned fireworks and the need for more portable restroom facilities at Niawanda Park.

Dan Rivera, 65 6th Avenue – Questioned status of code of ethics, Briarwood Subdivision, Charter Lawsuit and said that the City should demolish all the boathouses at the Weatherbest Slip regardless of the price.

Catherine Churder, Greenwood Circle – Presented letter against the Walgreens Project.

Sonia Dusza, 123 Miller Street – Questioned FOIL request.

Sue Wilke – Spoke about planting native plants, spoke against the Patriot Act.

Debbie Gondek, 257 Brentwood Drive – Wants the wetlands restored and asked how Briarwood development is being paid for.

Keith Craigie, 347 Brentwood Drive – Asked about the liability of the Briarwood Subdivision and praised the garbage totes.

Mike Gondek, 257 Brentwood Drive – Asked about the weekly drop off of bulk materials at the Public Works Garage.

COMMUNICATIONS FROM CITY OFFICIALS

II.1 Attorney

June 19, 2006

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

Re: Proposed Sale of Col. Payne School Building

Dear Honorable Body:

At our recent Common Council workshop session, we discussed the possibility of selling the above-referenced building at auction. As you know, the decision to auction the building must be an act of the Common Council by a ¾'s affirmative vote.

Should your Honorable Body concur, please pass a resolution to auction the Col. Payne School Building, subject to review of all documentation by the City Attorney's office.

If you have any questions, please do not hesitate to contact me.

**Very truly yours,
Shawn P. Nickerson
City Attorney**

**MOVED by Alderman Brick SECONDED by Alderman Schwandt
That the Common Council hereby tables the aforementioned proposed sale of the Col. Payne School Building.
CARRIED.**

IX. Public Works

June 29, 2006

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

**Re: Award of Bid for Three (3) New & Unused Tandem Axle Cab and Chassis
 With 27 Cubic Yard Rear Loading Garbage Packer Bodies Mounted**

Honorable Body:

On Monday, June 5, 2006 bids were received and publicly opened in the City Clerk's Office for three (3) New and Unused Tandem Axle Cab and Chassis with 27 Cubic Yard Rear Loading Garbage Packer Bodies Mounted. We have reviewed the bids and tabulated them as follows:

<u>BIDDER</u>	<u>AMOUNT</u>
Buffalo Truck Center	
With Cyncon Equipment Heil 27 c.y.	\$456,000.00
With Cyncon Equipment Heil 25 c.y.	\$454,500.00
With Joe Johnson Equipment New Way 32 c.y.	\$474,555.00
With Joe Johnson Equipment New Way 25 c.y.	\$469,500.00
With STS Equipment E-Z Pack 31 c.y.	\$462,600.00
With STS Equipment E-Z Pack 25 c.y.	\$456,600.00

I recommend the Common Council award the bid for three (3) New and Unused Tandem Axle Cab and Chassis with 27 Cubic Yard Rear Loading Garbage Packer Bodies Mounted to Buffalo Truck Center, Inc., 271 Dingens Street, Buffalo, New York 14206 at the low bid of \$456,000.00, subject to the approval of the City Attorney.

Very truly yours,
 Gary J. Franklin
 Superintendent Public Works

MOVED by Alderman Brick

SECONDED by Alderman Rizzo

That the Common Council awards the bid for three (3) New and Unused Tandem Axle Cab and Chassis with 27 Cubic Yard Rear Loading Garbage Packer Bodies Mounted to Buffalo Truck Center, Inc., 271 Dingens Street, Buffalo, New York 14206 at the low bid of \$456,000.00, subject to the approval of the City Attorney.

Ayes: Brick, Rizzo, Schwandt (3)

Nays: None (0)

CARRIED.

XXV. Monthly Reports

.1 Treasurer

.3 Police

.2 Treasurer Investments

MOVED by Alderman Rizzo

SECONDED by Alderman Brick

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

CARRIED.

XXXII. Community Development

June 30, 2006

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

Re: Approval of the Downtown Development Plan

Dear Honorable Body:

The Common Council previously authorized Clark Patterson Associates to prepare a development plan for downtown North Tonawanda. The Lumber City Development Corporation oversaw the preparation of the Downtown Development Plan and approved the completed plan at their June 20th meeting. The LCDC Board authorized me to request the City approve the completed plan as well.

Each member of the Council has been provided with a copy of the Plan and I request that this Honorable Body approve the plan to guide future development efforts and to be the first step toward completing a comprehensive plan for the City.

Sincerely,
 James B. Sullivan
 Director of Community Development

MOVED by Alderman Brick

SECONDED by Alderman Rizzo

That the Common Council approves the Downtown Development Plan to guide future development efforts and to be the first step toward completing a comprehensive plan for the City.

Ayes: Brick, Rizzo, Schwandt

(3)

Nays: None

(0)

CARRIED.

COMMUNICATIONS FROM OTHERS

A.

Cathleen White

Dear Mayor Soos:

My name is Cathleen White, I want to block off part of the alley between Falconer/Bryant. I want to block off the part by 198 Falconer where I live. I want to have a graduation party for my son on July 22. The Bryant entrance will be open. There will be little kids there and I want to make sure no one gets hurt.

Thanks,
 Cathleen White
 198 Falconer Street
 North Tonawanda, NY 14120
 (716)990-3348

MOVED by Alderman Brick

SECONDED by Alderman Schwandt

That the Common Council hereby approves the request to block off part of the alley between Falconer/Bryant near 198 Falconer. The Bryant Street entrance will remain open.
 CARRIED.

B.
Renee M. Notaro

June 22, 2006

Dear Mayor Soos,

I am writing in regards to Stenzil Sts 2nd annual block party. We had a great time last year, and hope that this year is even better. I am requesting your permission to have Stenzil Street blocked off on Saturday, July 22 2006 from Oliver Street to Riverview. All noise ordinances will be followed. I thank you in advance.

**Sincerely,
 Renee M. Notaro
 63 Stenzil St.**

**MOVED by Alderman Rizzo SECONDED by Alderman Brick
 That the Common Council hereby grants permission to Renee M. Notaro to have Stenzil Street blocked off on Saturday, July 22 2006 from Oliver Street to Riverview.
 CARRIED.**

C.
Canal Fest

June 10, 2006

**Honorable Mayor Lawrence Soos
 North Tonawanda City Hall
 216 Payne Avenue
 North Tonawanda, NY 14120**

Dear Mayor Soos,

Canal Fest of the Tonawanda's Inc is requesting permission from the City of North Tonawanda to hold the 24th annual festival from Sunday, July 16 – Sunday, July 23, 2006. 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 2006. 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 fourteen thousand dollars (\$14,000), 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 23rd. 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 Schwandt

SECONDED by Alderman Rizzo

That the Common Council hereby grants Canal Fest of the Tonawanda's Inc., permission to hold their 24th Annual Canal Festival from Sunday, July 16th – Sunday, July 23rd, 2006 and further approves the following requests:

1. Canal Fest will be held July 16th through July 23rd, 2006.
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 13th with all tents to be removed no later than the eve of Monday, July 24th.
3. Barricades to be placed for closing of the renaissance Bridge by 5:00pm on Friday, July 14th and at other locations as necessary. Water connections at the Pavilion and other locations across Sweeney will be required at this time also.
4. **TEEN STREET DANCE.** Teen Street Dance on Webster St. on Friday, July 21st. This 1st annual event will hopefully become a yearly success for the youth of the Tonawandas. The city stage will again be requested and placed in front of the Riviera Theater with the direction of our site set-up committee. Three bands are on the schedule to begin approximately at 6:30pm and continue no later than 10:00pm. Usage of Webster Street from Tremont St. to Goundry St. at 6:00pm on Friday, July 21st for the Teen Street Dance. "No parking after" signage to be placed accordingly to close the street by 5:00pm.
5. **Parade.** Webster Street from Sweeney to Goundry St for the parade on Tuesday, July 18th 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.
6. **SuperCruise.** Webster Street from Sweeney to Goundry St. and Tremont from Webster to Main St at 5:00 pm on Wednesday, July 19th for the Twin Cities SuperCruise Car Show. "No parking after" signage to be placed accordingly to close the street after 4:00pm.
7. **Diaper Derby.** Tremont Street between Webster and Main Streets for the use of the Diaper Derby on Thursday, July 20th. Street closed accordingly. Coordination of this event is handled by the Y.W.C.A. of the Tonawandas.
8. **Tim Frank 4 Mile Run.** Sweeney Street between Main Street and approximately Mayor's Park for the use of the 4 Mile Run, coordinated by the Boy's and Girl's Club of the Tonawandas on Thursday, July 20th with Sweeney closed of accordingly for a race start 7:00pm. Starting point will be on Sweeney at the Elks Lodge. **NEW LOCATION THIS YEAR.**
9. **Craft Show.** The use of the east side of Webster Street for the purpose of setting up tents and for the partial use of the Craft Show.
10. **Craft Show.** Webster Street between Sweeney and Goundry for the use of our 2-day Craft Show to be held on Saturday and Sunday, July 22nd and 23rd.
11. **Craft Show.** Tremont Street between Webster and Main Streets for the use of our 2-day Craft Show to be held on Saturday and Sunday, July 22nd and 23rd.
12. **Craft Show.** Main Street from the Elks driveway to Goundry Street for the use of our 2-day Craft Show to be held on Saturday and Sunday, July 22nd and 23rd.
13. The scheduling of manpower from the D.P.W., Water Department, Parks and Recreation, Fire Department and Police Department plus material and services that were supplied by these departments in previous years.
14. **Nightly closing of Webster Street between Tremont and Sweeney as requested in the past.**
Support from the Police Department with crowd control and also in keeping animals, bike riders, skate boarders, roller bladders, etc. out of the campus area for safety concerns.
Support from the Fire Department in manning our First Aid tent during the 8 days.

Support from the Water Department in the water hookup at the Fire Training Tower the amusements mobile living quarters.

Support from the Parks and Recreation Department in daily cleanup and to supply us with the following: trash cans, garbage bags, bleachers for the parade and a reviewing stand for the parade judges. We are also requesting more garbage containers for the Friday night Teen Street Dance and Saturday/Sunday Craft Show.

15. Dock space for two 36' boats at the west end of the Gateway Pavilion for Lawrence Deneff and Ray Wesolowski. Event sponsor boats will raft off of these two boats as was done last year.
16. Anything else I may have missed as was provided in previous years.

Condition upon the City of North Tonawanda receiving compensation equitable to the amount paid to the City of Tonawanda by Canal Fest, Inc. for the year 2006.

Ayes: Soos, Rizzo, Schwandt (3)
 Nays: None (0)
CARRIED.

D.
Scott & Peggy Dirmyer

June 27, 2006

City of North Tonawanda
 Attn: Tom Jaccarino, City Clerk
 Payne Avenue
 North Tonawanda, NY 14120

Dear Mr. Jaccarino:

We would like to acquire a small slip of land that is adjacent to our property at 585 Chestnut Street, North Tonawanda. We have been maintaining it since we moved into our home 14 years ago and would like to add it on to our lot. There are no neighbors on that side of our property as we are on a corner and that side borders Spruce Street. Attached is a copy of our survey marked to show this small slip of land. Please advise if the City will agree to transfer ownership of this small slip of land to us.

Thank you for your kind attention.

Very truly yours,
 Scott W. Dirmyer
 Peggy S. Dirmyer

MOVED by Alderman Rizzo **SECONDED** by Alderman Schwandt
 That the Common Council hereby refers the aforementioned request to pertinent Department Heads for their comments.
 Ayes: Brick, Rizzo, Schwandt (3)
 Nays: None (0)
CARRIED.

E.
Ronald & Margaret Jamulla

June 26, 2006

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

RE: Landlocked Parcels #'s 35, 36, 37, 38 in North Tonawanda, New York

MOVED by Alderman Schwandt

SECONDED by Alderman Brick

That the Common Council hereby authorizes City Clerk Thomas Jaccarino to schedule a public hearing for Wednesday, August 2, 2006 at 5:00 PM regarding abandoning the alleyway adjoining land parcels 291200 185.38-1-4 and 291200 185.38-1-5, owned by K & W Realty Partners, LLC and 75 Main Street LLC, respectively and further refers the aforementioned request to pertinent Department Heads for their comments.

Ayes: Brick, Rizzo, Schwandt

(3)

Nays: None

(0)

CARRIED.

G.

Vanderbilt Properties

June 19, 2006

Attn: Mayor and Common Council
City of North Tonawanda
216 Payne Avenue
North Tonawanda, New York 14120

Dear Mayor and Common Council:

Vanderbilt Properties would like to acquire a small parcel of vacant land at 1308 Walck Rd. which is owned by the City of North Tonawanda. The parcel is 4.6 acres with 228 ft. of frontage on Walck Rd. The parcel is located just west of the ball diamond across from Deerwood Golf Course. I am enclosing a Landata Property Information sheet and a copy of the corresponding tax map of the parcel.

I would like to know how I can present the City of North Tonawanda with a purchase offer for the 4.6 acres on Walck Rd. I intend to construct an active adult lifestyle community which would occupy the 4.6 acre parcel that the City owns and the adjoining 19 acres that we are in the process of purchasing from the School Board.

I will look forward to your response. Thank you for your attention in this matter.

Sincerely,
David Stapleton, Pres.

MOVED by Alderman Rizzo

SECONDED by Alderman Schwandt

That the Common Council hereby refers the aforementioned request to pertinent Department Heads for their comments.

Ayes: Brick, Rizzo, Schwandt

(3)

Nays: None

(0)

CARRIED.

MOVED by Alderman Rizzo

SECONDED by Alderman Schwandt

That the Common Council is in favor of developing the Weatherbest Slip area and further refers the development of such property to the LCDC contingent upon the approval of the City Attorney.

Ayes: Brick, Rizzo, Schwandt

(3)

Nays: None

(0)

CARRIED.

ADJOURNMENT

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

Time of Adjournment: 6:42 P.M.

Respectfully submitted,

Thomas M. Jaccarino
City Clerk