



The City must formally request the enactment of these bills in order to permit the sale of the former yacht club as the City does not have the power to enact such legislation, that is, to alienate and convey waterfront property, by local law.

Upon passage of said resolution, the formal Home Rule Request will be forwarded to the respective Home Rule Counsels of the Assembly and Senate. Thank you.

Very truly yours,  
Lawrence V. Soos  
Mayor

**MOVED** by Alderman Rizzo                      **SECONDED** by Alderman Brick  
That the Common Council hereby requests the State Legislature to adopt Assembly Bill 6504 submitted by Assemblyman Robin Schimminger and Senate Bill 3609 submitted by Senator George Maziarz that would permit the City to sell the parcel at 1000 River Road (SBL #181.08-2-34) commonly known as the former Niagara River Yacht Club.

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

Nays: None (0)

**CARRIED.**

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**II.1 Attorney**

March 15, 2007

Honorable Mayor & Common Council  
216 Payne Avenue  
North Tonawanda, New York 14120

Re: Special Assessment District Regarding  
Kingston Avenue

Dear Honorable Body:

It has been determined that Kingston Avenue will be rebuilt to include concrete curbs with underdrain along with replacement of existing items of infrastructure. It has also been determined that the new improvements, that is the concrete curbing and underdrain shall be financed by special assessments.

The procedure for establishing said special assessment district is for the Council to pass a resolution stating its intention to establish said district. Said intention is then published in the official newspaper for two successive weeks and a notice is mailed to each affected property owner. After these notices, the council may move ahead and establish said special assessment districts.

If you concur, please pass the following resolution:

“Be it hereby resolved that the Common Council hereby declares its intention to establish a special assessment district for the purpose of financing the installation of concrete curbs with underdrain and any other related required infrastructure affecting the following parcels: Tax Map Nos.: 176.16-2-18; 176.16-2-19; 176.16-2-20; 176.16-2-21; 176.16-2-22; 176.16-2-23; 176.16-2-24; 176.16-2-25; 176.16-2-26; 176.16-2-27; 176.16-2-28; 176.16-2-40; 176.16-2-41; 176.16-2-42; 176.16-2-43; 176.16-2-44; 176.16-2-45; 176.16-2-46 and 176.16-2-483 Furthermore, the City Clerk is hereby directed to publish said intention in the official newspaper once each week for two successive weeks and to mail a copy of said notice to each affected property owner. Said special assessment district will be voted upon at the regular Common Council meeting to be held on May 15, 2007.”

Very truly yours,  
Robert Sondel  
Assistant City Attorney

**MOVED by Alderman Sommer**

**SECONDED by Alderman Donovan**

Be it hereby resolved that the Common Council hereby declares its intention to establish a special assessment district for the purpose of financing the installation of concrete curbs with underdrain and any other related required infrastructure affecting the following Kingston Avenue parcels: Tax Map Nos.: 176.16-2-18; 176.16-2-19; 176.16-2-20; 176.16-2-21; 176.16-2-22; 176.16-2-23; 176.16-2-24; 176.16-2-25; 176.16-2-26; 176.16-2-27; 176.16-2-28; 176.16-2-40; 176.16-2-41; 176.16-2-42; 176.16-2-43; 176.16-2-44; 176.16-2-45; 176.16-2-46 and 176.16-2-483 Furthermore, the City Clerk is hereby directed to publish said intention in the official newspaper once each week for two successive weeks and to mail a copy of said notice to each affected property owner. Said special assessment district will be voted upon at the regular Common Council meeting to be held on May 15, 2007.

Ayes: Brick, Rizzo, Schwandt, Donovan, Sommer

(5)

Nays: None

(0)

**CARRIED.**

## II.2 Attorney

March 15, 2007

Honorable Mayor & Common Council  
216 Payne Avenue  
North Tonawanda, New York 14120

Re: Special Assessment Districts Regarding  
The Briarwood Subdivision

Dear Honorable Body:

The Briarwood Subdivision has been approved by the Planning Commission and the map has been recorded in the Niagara County Clerk's Office. Now it is time to establish the special assessment districts to finance the improvements that were installed or about to be installed in said subdivision.

The procedure is for the Council to pass a resolution stating its intention to establish said district. Said intention is then published in the official newspaper for two successive weeks and a notice is mailed to each affected property owner. After these notices, the council may move ahead and establish said special assessment districts.

If you concur, please pass the following two resolutions:

1. Be it hereby resolved that the Common Council hereby declares its intention to establish a special assessment district for the purpose of financing the installation of sanitary sewers, storm water sewers, water mains, paving a curbing and any other required infrastructure affecting the following parcels: Tax Map Nos.: 182.20-2-77; 182.20-2-78; 182.20-2-79; 182.20-2-80; 182.20-2-81; 182.20-2-82; 182.20-2-83; 182.20-2-84; 182.20-2-85; 182.20-2-86; 182.20-2-87; 182.20-2-88; 182.20-2-89; 182.20-2-90; 182.20-2-91; 182.20-2-92; 182.20-2-93; 182.20-2-94; 182.20-2-95; 182.20-2-96; 185.08-4-64; 185.08-4-65; 185.08-4-66; and 185.08-4-67. Furthermore, the City Clerk is hereby directed to publish said intention in the official newspaper once each week for two successive weeks and to mail a copy of said notice to each affected property owner. Said special assessment district will be voted upon at the regular Common Council meeting to be held on April 17, 2007.

2. Be it hereby resolved that the Common Council hereby declares its intention to establish a special assessment district for the purpose of financing the installation of sanitary sewers, storm sewers, water mains and any other required infrastructure affecting the following parcels: Tax Map Nos.: 182.20-2-76 and 182.20-2-4.12, as those parcels may be subdivided for the Briarwood Drive right-of-way, to include all portions of those parcels which shall abut the proposed Briarwood Drive right-of-way. Furthermore, the City Clerk is hereby directed to publish said intention in the official newspaper once each week for two successive weeks and to mail a copy of said notice to each affected property owner. Said special assessment district will be voted upon at the regular Common Council meeting to be held on April 17, 2007.





**B.**  
**Sandra DeBan**

**April 3, 2007**

**City of North Tonawanda  
Common Council  
216 Payne Avenue  
North Tonawanda, NY 14120**

**To Whom It May Concern:**

**I am requesting a Zoning Variance be issued for 190 Vandervoort St. It is currently zoned R-C and I would like the building to be zoned C-1.**

**My intention is to use the building as a chapel for wedding ceremonies, photographs and any other uses in accordance with the above events. Also, my intention is to provide space adjacent to the chapel for private celebrations after such events mentioned above, including food either prepared onsite or by caterers.**

**Sincerely,  
Sandra DeBan  
54 Midway Ave.  
Buffalo, NY 14215  
716-836-7833**

**MOVED by Alderman Sommer                      SECONDED by Alderman Brick  
That the Common Council hereby refers the aforementioned rezoning request to the City  
Planning Commission.  
CARRIED.**

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**AUDIENCE PARTICIPATION**

**Debbie Gondek, 257 Brentwood Drive – Stated that there is a series of questions not answered regarding the Briarwood Subdivision.**

**Sonia Dusza, 123 Miller Street – Asked if the City advertised in the Planning Journal regarding the Master Plan and stated that there is a conflict of interest with the consultant regarding Wal-Mart.**

**Mike Gondek, 257 Brentwood Drive – Asked how much there is in the budget for road repair. Asked about boarded up houses at 107 Zimmerman Street and at East Robinson and Zimmerman Streets and about the status of the RV Park.**

**Dave Burgio, 1879 Sweeney Street – City’s shared cost for the Briarwood Subdivision was known three years ago.**

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**ADJOURNMENT**

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

**Time of Adjournment: 7:47 P.M.**

**Respectfully submitted,**

**Thomas M. Jaccarino  
City Clerk**