

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 reconstruction of Kingston Avenue, between Lyric Avenue and Niagara Falls Blvd, and the installation of new concrete curbs as a special assessment to the benefiting property owners. 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 reconstruct approximately 950 LF of the existing Kingston Avenue pavement, between Lyric Avenue and Niagara Falls Boulevard, including the installation of new concrete curbing as a special assessment to the benefiting property owners.

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 reconstruction and installation of new concrete curbing on Kingston Avenue, and authorizes the Common Council President to sign said Environmental Assessment form.

Ayes: Rizzo, Schwandt, Donovan, Sommer (4)

Nays: None (0)

CARRIED.

IV.2 Engineer

April 26, 2007

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

RE: Gateway Point Park
Project 2005-14
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 landscaping, including plantings, pathways, lighting and the installation of park amenities such as picnic tables and benches for the proposed Gateway Point Park. 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.

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 landscaping improvements to Main Street, and authorizes the Common Council President to sign said Environmental Assessment form.

Ayes: Rizzo, Schwandt, Donovan, Sommer (4)

Nays: None (0)

CARRIED.

V. Water

April 16, 2007

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

Re: Bid for Dry Weather Pumps and Raw Sewage Pumps

Dear Mayor and Common Council:

On Tuesday, March 27, 2007, at 11 AM, bids were received and publicly opened in the City Clerk's Office for supplying the Waste Water Treatment Plant with Pumps.

The following bids were received:

<u>Bidder</u>	<u>Bid</u>
Siewert Equipment Inc.	\$93,585.00

I recommend that Common Council award the bid contract for two Dry Weather Pumps and one 8 MGD Raw Sewage Pumps to Siewert Equipment, 175 Akron St., Rochester, NY 14609 as the as the only bidder. This will be contingent upon approval of the City Attorney.

Sincerely,
Paul J Drof,
Water/Wastewater Superintendent

MOVED by Alderman Donovan **SECONDED** by Alderman Schwandt
That the Common Council hereby awards the bid for two Dry Weather Pumps and one 8 MGD Raw Sewage Pumps to Siewert Equipment, 175 Akron St., Rochester, NY 14609 at their bid of \$93,585.00, subject to the approval of the City Attorney.

Ayes: Rizzo, Schwandt, Donovan, Sommer (4)

Nays: None (0)

CARRIED.

VII.1 Accountant

April 26, 2007

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 1, 2007, 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 Rizzo

SECONDED by Alderman Donovan

That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated May 1, 2007 and further authorizes the Mayor and City Clerk respectively sign and countersign said Warrant:

01	General Fund	\$408,066.63
02	Water Fund	51,650.77
04	Sewer Fund	92,194.00
06	Capital Project Fund	6,760.67
07	Trust & Agency Fund	66.26
08	Community Development	2,445.00
11	General Fund Encumbered	248.09
	Final Total	<u>\$561,431.42</u>

Ayes: Rizzo, Schwandt, Donovan, Sommer

(4)

Nays: None

(0)

CARRIED.

VII.2 Accountant

March 30, 2007

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

Dear Honorable Body:

In accordance with Article V, Division 2, Section 5.023 and Section 2.2 of the Budgetary Transfer Policy, please authorize the City Accountant to make the following transfers of fiscal year 2007 appropriations, based on the request of Department Heads, copy attached:

<u>Control Number</u>	<u>Dollar Amount</u>	<u>From Appropriation Account</u>	<u>Into Appropriation Account</u>
3	19,000.00	1-1620.440 Building & Grounds	1-1210.100 Mayor Personal Services

Very truly yours,
David R. Jakubaszek
City Accountant

MOVED by Alderman Rizzo

SECONDED by Alderman Donovan

That the Common Council hereby authorizes the transfer of \$8,100.00 from Account No. 1-1620.440 Buildings & Grounds into Account No. 1-1210.100 Mayor Personal Services. The Common Council authorizes the Mayor to hire a part-time secretary at the established part-time pay schedule for a maximum of 35 hours per week. Said part-time secretary shall not be entitled to any fringe benefits.

<u>Control Number</u>	<u>Dollar Amount</u>	<u>From Appropriation Account</u>	<u>Into Appropriation Account</u>
3	8,100.00	1-1620.440 Building & Grounds	1-1210.100 Mayor Personal Services

Ayes: Rizzo, Schwandt, Donovan, Sommer (4)
 Nays: None (0)
CARRIED.

IX.1 Public Works

March 29, 2007

Honorable Mayor Soos
 And Common Council
 City Hall, 216 Payne Avenue
 No. Tonawanda, NY 14120

Re: Amendment to City Code
 Section 96 – Vehicle and Traffic

Dear Honorable Body:

I recommend that the Common Council amend Section 96 of the City Code, Vehicle and Traffic, Article VII, Terrace Parking.

The nature of the amendment is to require that permitted terrace parking only be allowed on paved terraces. There have been some complaints recently concerning unsightly terrace conditions where parking under a permit is being done on grass (mud).

My recommendation is that Section 96, Article VII, paragraph 60, sub-paragraph A, “Hardship Permits” be amended by adding the following:

- (6) Terrace Parking pursuant to a hardship permit shall only be allowed upon paved terraces. Any construction work within rights of way shall conform to the requirements of Section 81, Streets, Articles V and VI.

Subject to the review of the City Attorney.

Very truly yours,
 Gary J. Franklin
 Superintendent

MOVED by Alderman Rizzo **SECONDED** by Alderman Donovan
 That the Common Council hereby approves the following amendment to Section 96, Article VII, paragraph 60, sub-paragraph A of the City Code of the City of North Tonawanda, New York, Entitled “Hardship Permits”, subject to review by the City Attorney:

- (6) Terrace Parking pursuant to a hardship permit shall only be allowed upon paved terraces. Any construction work within rights of way shall conform to the requirements of Section 81, Streets, Articles V and VI.

Ayes: Rizzo, Schwandt, Donovan, Sommer (4)
 Nays: None (0)
CARRIED.

IX.2 Public Works

April 17, 2007

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

Re: Award of Bid for
 Road Building Materials

Dear Honorable Body:

On Thursday, April 12, 2007 bids were received and publicly opened in the City Clerk's office for Road Building Materials. My office has reviewed the bids submitted and tabulated them as follows:

<u>BIDDERS</u>	<u>AMOUNT</u>
Lafarge North America	\$332,597.50

I recommend that the Council award the bid for Road Building Materials to Lafarge North America, 270 Northpointe Parkway Suite 100, Amherst, NY 14228, at their bid of \$332,597.50, subject to the approval of the City Attorney.

Very truly yours,
 Gary J. Franklin
 Superintendent Public Works

MOVED by Alderman Sommer SECONDED by Alderman Schwandt
 That the Common Council hereby awards the bid for Road Building Materials to Lafarge North America, 270 Northpointe Parkway Suite 100, Amherst, NY 14228, at their bid of \$332,597.50, subject to the approval of the City Attorney.
 Ayes: Rizzo, Schwandt, Donovan, Sommer (4)
 Nays: None (0)
 CARRIED.

IX.3 Public Works

April 17, 2007

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

Re: Award of Bid for
 Bituminous Materials

Dear Honorable Body:

On Thursday, April 12, 2007 bids were received and publicly opened in the City Clerk's office for Bituminous Materials. My office has reviewed the bids submitted and tabulated them as follows:

<u>BIDDERS</u>	<u>AMOUNT</u>
Midland Asphalt	\$35,322.75

I recommend that the Council award the bid for Bituminous Materials to Midland Asphalt Materials Inc., 640 Young Street/P. O. Box 388, Tonawanda, NY 14151-0388 at their low bid of \$35,322.75, 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 Bituminous Materials to Midland Asphalt Materials Inc., 640 Young Street/P. O. Box 388, Tonawanda, NY 14151-0388 at their low bid of \$35,322.75, subject to the approval of the City Attorney.
 Ayes: Rizzo, Schwandt, Donovan, Sommer (4)
 Nays: None (0)
CARRIED.

IX.4 Public Works

April 23, 2007

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

Re: Award of Bid for
 Vibratory Roller Rental

Dear Honorable Body:

On Thursday, April 12, 2007 bids were received and publicly opened in the City Clerk's office for vibratory roller rental. My office has reviewed the bids submitted and tabulated them as follows:

<u>BIDDERS</u>	<u>AMOUNT</u>
Admar Supply Co., Inc.	\$2,800/month
Monroe Tractor	\$2,790/month

I recommend that the Council award the bid for vibratory roller rental to Monroe Tractor, 5035 Genesee Street, Buffalo, NY 14225, at their bid of \$2,790.00 a month, subject to the approval of the City Attorney.

Very truly yours,
 Gary J. Franklin
 Superintendent of Public Works

MOVED by Alderman Rizzo **SECONDED** by Alderman Donovan
 That the Common Council hereby awards the bid for vibratory roller rental to Monroe Tractor, 5035 Genesee Street, Buffalo, NY 14225, at their bid of \$2,790.00 a month, subject to the approval of the City Attorney.
 Ayes: Rizzo, Schwandt, Donovan, Sommer (4)
 Nays: None (0)
CARRIED.

XIX. Building Inspector

To: Mayor and Common Council Date: April 3, 2007
 From: Cosimo R. Capozzi Re: Weed Cutting Contract
 Building Inspector

Attached please find copies of bid proposals received by this department for brush and weed cutting of private property for the 2007 season.

We received six (6) requests for bid quotations to local landscaping contractors. Requests were sent on February 27, 2007 with an April 2, 2007 deadline for response.

COMMUNICATIONS FROM OTHERS

A.
NT Catholic
Consolidated School

April 17, 2007

Mr. Lawrence Soos
Mayor of North Tonawanda
216 Payne Avenue
North Tonawanda, New York 14120

Dear Mr. Mayor:

On June 15th, 16th and 17th, 2007, North Tonawanda Catholic School will hold its 13th annual Carnival on the grounds of St. Albert the Great Church, Niagara Falls Blvd. All proceeds from this Carnival will be used for the support of our school.

In conjunction with the Carnival, we will be holding our 11th annual Jamie LaBarbera, 5K Run for Education and Fun Walk. The race was renamed last year in honor of Jamie who died in a tragic car accident in 2003. The Race and Fun Walk will begin at 9:30am on the 16th. It will start at the corner of Lyric and Majestic Lane, proceed to Erie Avenue to Wurlitzer Dr. to Vanderbilt Avenue to Deerfield Drive to Ohio Street to Niagara Falls Blvd. and back to the Church. With your permission, we plan to close off the street next to the church, which I believe is now Melody Lane.

We are asking the city for help so that we can make the weekend a huge success. These are as follows:

- Permission to use the city streets for the race and fun walk on Saturday June 16th.
- Permission to hold the parade on June 15th which will form in the street by the Coach USA building and proceed out onto Wurlitzer Dr. to Erie Avenue to Lyric and into the parking lot of the church.
- A trash packer and approximately 12 trash cans that can be used to move the trash to the packer.
- Portable stage for the outdoor entertainment.
- Some snow fence and stakes.
- Permission and assistance to place a banner over Payne Avenue.
- Street cones to protect the runners and kids in the parade.
- Police assistance for traffic control for the parade that begins at 6:00pm on June 15th and assistance for the 5K Run and Fun Walk that begins at 09:30am on June 16th.
- No parking signs and road barricades.

We would like to take this opportunity to again thank the City for its great support in the past years, as we know we can count on you again for your support this year. If you should have any questions, please contact Lawrence J. Pfalzer, Jr. at 692-6906 or Russ Trippe (Race Director) at 731-3078.

Sincerely,
Lawrence J. Pfalzer, Jr.
Chairperson

MOVED by Alderman Donovan SECONDED by Alderman Sommer Rizzo
That the Common Council hereby grants the requests of the North Tonawanda Catholic School for its 13th annual Carnival on the grounds of St. Albert the Great Church, Niagara Falls Blvd. June 15th, 16th and 17th, 2007 as follows:

- Permission to use the city streets for the race and fun walk on Saturday, June 16th.
- Permission to hold the parade on June 16th which will form in the street by the Coach USA building and proceed out onto Wurlitzer Dr. to Erie Avenue to Lyric and into the parking lot of the church.
- A trash packer and approximately 12 trash cans that can be used to move the trash to the packer.
- Portable stage for the outdoor entertainment.
- Some snow fencing and stakes.
- Permission and assistance to place a banner over Payne Avenue.
- Street cones to protect the runners and kids in the parade.
- Police assistance for traffic control for the parade that begins at 6:00pm on June 15th and assistance for the 5K Run and Fun Walk that begins at 11:00am on June 16th.
- No parking signs and road barricades.

Ayes: Rizzo, Schwandt, Donovan, Sommer (4)
 Nays: None (0)
CARRIED.

B.
Randy Klyczek

April 16, 2007

To Whom It May Concern:

I Randy Klyczek would like to be a Commissioner of Deeds in the City of North Tonawanda.

Randy Klyczek
 28 Jesella Dr. N.
 North Tonawanda, NY 14120

MOVED by Alderman Rizzo **SECONDED** by Alderman Sommer
 That the Common Council hereby appoints Randy Klyczek, 28 Jesella Dr. N., North Tonawanda, NY 14120 as a Commissioner of Deeds for the City of North Tonawanda effective May 2, 2007 expiring May 1, 2009.
CARRIED.

C.
Grace Lutheran Church

April 20, 2007

N. Tonawanda City Mayor
 City Hall
 Payne Ave
 N. Tonawanda, NY 14120

To Whom It May Concern:

Grace Lutheran Church (corner of Payne and Robinson) is having a Chiavetta Chicken BBQ on May 5, 2007. We would like to block off Market Street so we can have a drive thru. Could the barriers be dropped off either on Friday on the front lawn of the church or Saturday morning before 9am.

If you have any questions please contact me on my cell phone 523-1027 or the church at 693-2420.

We greatly appreciate your help in this.

Dick O'Neill, 1438 Sherwood Avenue – Had questions regarding Sherwood Avenue special assessments.

Keith Craigie, 347 Brentwood Avenue – Questioned special assessments regarding Briarwood.

Sue Wilke, 329 Miller Street – Spoke against Wal-Mart.

David Burgio, 1879 Sweeney Street – Questioned tax agreement regarding Dr. Huggs.

Jerry DiVirgilio, 767 Payne Avenue – Praised Debby Gondek and said that Alderman Sommer's comments were out of line.

Greg Schnitzer, 429 Wheatfield Street – Questioned relocation of Basketball Court at Colonel Payne School.

Mark Houghton, 795 Nash Road – Questioned sale of Colonel Payne School.

Sonia Dusza, 123 Miller Street – Questioned responsiveness of Common Council.

Mike Gondek, 257 Brentwood Drive – Took exception with Council President Sommer's comments regarding his wife.

ADJOURNMENT

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

Time of Adjournment: 8:48P.M.

Respectfully submitted,

**Thomas M. Jaccarino
City Clerk**