

Should your Honorable Body concur, please pass a resolution for the Mayor to sign the Self-Insured Workers' Compensation Administrative Agreement attached. Should you have any questions, please do not hesitate to contact me.

Very truly yours,
Shawn P. Nickerson
City Attorney

MOVED by Alderman Sommer **SECONDED** by Alderman Brick
That the Common Council hereby authorizes the Mayor to sign the Self-Insured Workers' Compensation Administrative Renewal Agreement between the City of North Tonawanda and FCS Administrators, Inc. for Self-Insured Workers' Compensation Claim Services.

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

Nays: None (0)

CARRIED.

VII.1 Accountant

May 31, 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 June 5, 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 Schwandt **SECONDED** by Alderman Brick
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated June 5, 2007 and further authorizes the Mayor and City Clerk respectively sign and countersign said Warrant:

01	General Fund	\$431,159.21
02	Water Fund	53,761.34
04	Sewer Fund	100,520.68
06	Capital Project Fund	82,270.85
07	Trust & Agency Fund	10,612.90
08	Community Development	219.99
11	General Fund Encumbered	<u>1,870.73</u>
	Final Total	<u>\$680,415.70</u>

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

Nays: None (0)

CARRIED.

VII.2

Accountant

May 10, 2007

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

Dear Honorable Body:

Please be advised that the New York State minimum wage increased to \$7.15 per hour. In accordance with this increase, the common council should modify the cities Part Time Wage Schedule to be in compliance with the minimum wage and to attract quality employees to work for the city.

I have coordinated the proposed schedule with the Department Heads from Recreation, Public Works, Water and Wastewater. It should be noted that some recreation employees are exempt from the minimum wage. The last time this schedule was adjusted was January 1, 2006.

Accordingly, please review and adopt the attached Part Time Wage Schedule, retroactive to May 1, 2007.

Very truly yours,
David R. Jakubaszek
City Accountant

MOVED by Alderman Sommer **SECONDED** by Alderman Brick
That the Common Council hereby adopts the Part Time Wage Schedule, retroactive to May 1, 2007 as follows:

PART TIME EMPLOYEES, WORK UNLIMITED HOURS, A SEASON OF THE YEAR:

<u>POSITION</u>	<u>FIRST STEP</u>	<u>SECOND STEP</u>	<u>THIRD STEP</u>
Laborer * Lifeguard * Crossing Guard *	\$6.75	7.25	7.75
Leader Chief Lifeguard Head Crossing Guard	\$7.50	8.00	8.50
Supervisor **	\$9.00	9.50	10.00

* Positions Under age 18 starts at first step
Over age 18 starts at second step

** Supervisor Pool Supervisor add \$.50 to rate because of additional qualifications.

Years: Step increase takes affect on rehiring for the same position in years two and three.

Promotion: Employees start at the first pay step resulting in increase when moving into higher positions.

Minimum Wage: NYS minimum wage is \$7.15, effective 1/1/07. Recreation employees are exempt.

PART TIME EMPLOYEES, WORK LIMITED HOURS, ALL YEAR:

<u>POSITION</u>	<u>FIRST STEP</u>	<u>SECOND STEP</u>	<u>THIRD STEP</u>
Clerk	\$ 9.00	9.50	10.00
Engineering Technician			
Microfilm Operator			
Police Matron*			
Ordinance Officer	\$11.95	12.35	12.75
Plumbing Inspector	\$13.00	13.40	13.80

*plus \$100.00 per week

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

VIII.1 Assessor

Date: May 7, 2007
 To: Honorable Common Council
 Re: Resolution for Triennial Reassessment

I have attached a draft resolution and letter to New York State Office of Real Property Services for your review.

Below, I have also given the cost and payment breakdown for the 2009 citywide update of all assessments.

You will note that I have attempted to limit the cost to the aid received from New York State for such a project.

Supplement to Resolution for Triennial Reassessment:

Total Maintenance Aid from NYS to assist the Assessor's Office in maintaining equity from Year 2000 to year 2006.....	\$427,440
Paid to GAR for 2000-06.....	\$362,000
Maintenance Aid from State not used by GAR or Assessor's Office..	\$65,440
2009 Maintenance Aid from State...	\$65,000
Maximum cost for GAR assistance covered by Maintenance Aid.....	\$130,440

If you have any questions please contact me.

Regards,
 Flora D. Carozzolo
 Assessor

MOVED by Alderman Rizzo

SECONDED by Alderman Brick

Whereas, the City of North Tonawanda had undergone the revaluation of all real properties within the City in 2001 and has maintained the 100% full valuation from 2001-2006, and is currently at 93% of market value for the 2007 assessment roll, The Common

Council agrees with the recommendation of the City Assessor that we should again strive for 100% of market value by participating in a Triennial Assessment Program and conduct an update project of all properties for the 2009 Assessment Roll.

Be it resolved, that the Common Council of the City of North Tonawanda, New York, requests State assistance, specifically from the Office of Real Property Services to oversee an update project to maintain a uniform standard of assessment in accordance with Section 305 of the Real Property Tax Law;

And it is further resolved to request assistance from GAR Appraisals to assist in:

Valuation Modeling, Production and Testing
Public Relations and Education
Commercial County-wide Sales Verification
Co-ordination of Printing Assessment Notices and Cross References

With the Assessor's office responsible for:

Residential Sales Verification
Field Review
Smoothing of values
Informal Hearings Process
Printing and Mailing of Assessment Notices

And further be it resolved, that the Mayor is hereby authorized and directed to expend the necessary funds for the preparation of said plan and the establishment and maintenance of the Triennial Assessment Program.

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

Nays: None (0)

CARRIED.

VIII.2 Assessor

Date: May 15, 2007

To: Honorable Common Council

Re: Adjustment to Board of Assessment Review Stipends

This memo is to notify you that due to the change in procedures in the Assessor's Office regarding Grievance Processing which alleviates many grievances, the Board of Assessment Review has requested a compensation adjustment.

After researching, it appears that most city boards receive an average of \$60 per meeting, and only if attended.

The Board members have also requested an increase for their secretary to \$14.00 per hour.

As I have enough funds in my budget to make the adjustment, I would suggest that the 4 members receive \$60/meeting and \$70 for Grievance Night. I would also suggest that the Chairperson receive \$70/meeting and \$80 for Grievance Night and their secretary receive \$14.00 per hour.

In years when we do not do a city wide reassessment the average number of meetings would be 4; a re-organizational meeting, Grievance Night and two executive board meetings to render decisions.

Regards,
Flora D. Carozzolo
Assessor

06-05-07

WHEREAS, North Tonawanda Development staff has had numerous discussions with several not-for-profit and for-profit developers who have indicated they would not have the capacity to rehabilitate the building and/or would not realize a return on the investment required to redevelop the building; and

WHEREAS, Anthony Kissling has been working with City Officials and City development staff since 2004 to identify opportunities for the renovation, rehabilitation, and redevelopment of the building to reinvigorate the downtown waterfront district; and

WHEREAS, Anthony Kissling has proposed to rehabilitate the building for mixed-use purposes to develop 51 high-tech work-live business incubators for start-up or initial stage entrepreneurs and will provide on-site business amenities including “wired-building” internet services, telecommunications and conference/video conferencing services, conference room and photocopying/faxing services, and will also provide professional business advisory services to tenants, on-site, in partnership with the Niagara County Small Business Development Center; and

WHEREAS, business incubators can play a pivotal role in developing and commercializing new innovations by helping to ensure emerging companies have resources at-hand to succeed and can play a roll in facilitating local economic development once such successful ventures out-grow such initial use of an incubator facility; and

WHEREAS, the City of North Tonawanda has secured \$1,000,000 of grant money on behalf of Anthony Kissling’s project through the New York State Restore NY program; and

WHEREAS, the City of North Tonawanda has secured \$100,000 of Community Development Block Grant funds in direct support the project; and

WHEREAS, the \$1.1 million dollars in grant funds will need to be returned to the respective funding sources if not used for Anthony Kissling’s proposed project at 184 Sweeney Street; and

WHEREAS, the City has secured an additional \$209,375 in grant funds through the New York State Canal Corporation and New York State Office of Parks Recreation and Historic Preservation for improvements to the waterfront and docking facilities directly in front of the project in hopes of spurring redevelopment at 184 Sweeney Street, and

WHEREAS, Anthony Kissling is desirous of remediating environmental conditions at the project site and is desirous of redeveloping the project site in partnership with the various state and local agencies that are supplying grant money and business incubator services to incubator tenants; and

WHEREAS, Anthony Kissling requires real property tax stability and predictability to ensure the success of this project; and

WHEREAS, Anthony Kissling has approached the Mayor of the City of North Tonawanda, the Common Council, and the North Tonawanda City School District to obtain approval in an effort to stabilize real property taxes with respect to the existing improvements located at 184 Sweeney Street for a 15 year period and to provide consent with respect to a request to exempt the proposed improvements from real property taxes for the same 15 year period; and

WHEREAS, provided the Mayor, the City Council, and the School District consent to such a real property tax payment proposal, Anthony Kissling, on behalf of an entity formed or to be formed, will apply to the Niagara County Industrial Development Agency (NCIDA) for a deviated PILOT, reflective of the real property tax concept as expressed above, that would enable him to personally invest \$15 million dollars into the project; and

WHEREAS, the Lumber City Development Corporation approved a resolution in support of the PILOT application, as described above, at its May 15th meeting of the Board of Directors; and

WHEREAS, the Lumber City Development Corporation has further requested a resolution of support from the North Tonawanda Common Council; and

WHEREAS, the Common Council, at its May 29, 2007 work session, indicated unanimous support for the project and the real property tax payment proposal.

NOW THEREFORE, be it resolved as follows:

Section 1. The Common Council hereby finds and determines that remediating the environmental conditions and rehabilitating the historic building into a mixed-use business incubator at 184 Sweeney Street will create approximately 51 to 100 new jobs, will stimulate job creation and economic development initiatives in the City, and restore waterfront access and enjoyment for residents of and visitors to the City.

Section 2. The Common Council hereby resolves to support the real property tax payment proposal and hereby consents to a request by Anthony Kissling to support, in advance, to provide for a 100% abatement of the real property taxes related to the proposed improvements, to be described in PILOT Agreement between the NCIDA and Anthony Kissling, as described herein for a 15 year period.

Section 3. The Common Council hereby requests the NCIDA to support the proposed project and its pre-approval of the real property tax proposal as described herein in consideration of an anticipated application to be made by Anthony Kissling to the NCIDA for a PILOT Agreement with respect to this proposed project consistent with the terms of the real property tax proposal as described herein.

Section 4. This resolution shall take effect immediately.

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

COMMUNICATIONS FROM OTHERS

A.
Active Hose Company #2 - Re: Exemption Petition:
Thomas Pazik – 35 Years

MOVED by Alderman Schwandt SECONDED by Alderman Brick
To issue an exemption certificate to Thomas Pazik – 35 Years.
CARRIED.

B.
Anthony DiBernardo
Mark Houghton
Rick F. Giardino
Kevin J. Brick, Jr.
Joseph A. Rich
Daniel G. Andrey
Timothy Makai
Joseph Calamita

May 2007

North Tonawanda Common Council
216 Payne Avenue
North Tonawanda, New York 14120

Dear Honorable Body:

We are requesting to be reappointed as a Commissioner of Deeds for the City of North Tonawanda.

Thank you.

Anthony DiBernardo
1370 Weaver Pkwy.
N. Tonawanda, NY 14120

Mark Houghton
795 Nash Road
N. Tonawanda, NY 14120

Rick F. Giardino
296 Belmont Ct. West
N. Tonawanda, NY 14120

Kevin J. Brick, Jr.
246 Niagara Street
N. Tonawanda, NY 14120

Joseph A. Rich
287 Wheatfield Street
N. Tonawanda, NY 14120

Daniel G. Andrey
861 Sweeney Street
N. Tonawanda, NY 14120

Timothy Makai
115 Christiana Street
N. Tonawanda, NY 14120

Joseph Calamita
260 Oliver Street
N. Tonawanda, NY 14120

MOVED by Alderman Sommer

SECONDED by Alderman Schwandt

That the Common Council hereby appoints Anthony DiBernardo, 1370 Weaver Pkwy, N. Tonawanda, NY 14120; Mark Houghton, 795 Nash Road, N. Tonawanda, NY 14120; Rick F. Giardino, 296 Belmont Ct. West, N. Tonawanda, NY 14120; Kevin J. Brick, Jr., 246 Niagara Street, N. Tonawanda, NY; Joseph A. Rich, 287 Wheatfield Street, N. Tonawanda, NY 14120; Daniel G. Andrey, 861 Sweeney Street, N. Tonawanda, NY 14120; Timothy Makai, 115 Christiana Street, N. Tonawanda, NY 14120; Joseph Calamita, 260 Oliver Street, N. Tonawanda, NY 14120 as Commissioners of Deeds for the City of North Tonawanda effective June 6, 2007 expiring June 5, 2009.

CARRIED.

AUDIENCE PARTICIPATION

Cathy Kern, 1248 Greenbrier Lane – Asked about testing and remedial work at Wal-Mart.

Gordon Fritz, 1727 Eddy Drive – Asked about the railroad crossing at Walck Road; when potholes are going to be fixed and stated that 350 houses are for sale in the City.

Sonia Dusza, 123 Miller Street – Stated that she is against the Remington Rand project.

Mike Gondek, 257 Brentwood Drive – Asked if the Colonel Payne property was transferred to new owner yet; stated that the milling and paving of Orchard Place is a waste of money; inquired about the relicensing of the Power Authority and that Remington Rand project is a good one.

ADJOURNMENT

MOVED by Alderman Rizzo

SECONDED by Alderman Brick

That this regular session of the Common Council be and hereby is adjourned.

CARRIED.

Time of Adjournment: 6:35 P.M.

Respectfully submitted,

Thomas M. Jaccarino
City Clerk