

**THE HONORABLE BODY  
Council Chambers  
Municipal Building  
North Tonawanda, New York 14120  
Tuesday, March 4, 2008  
7:00 P.M.**

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**REGULAR SESSION CALLED TO ORDER BY PRESIDENT SOMMER**

**ROLL CALL**

**Present: President Sommer  
Aldermen Brick, Pasiak, Schwandt, Donovan**

**Absent: None**

**Also Present: Mayor Lawrence V. Soos  
Attorney Shawn P. Nickerson**

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**PROOF OF PUBLICATION PUBLISHED JANUARY 2, 2008**

- 1) Public Hearing – Telecommunications Tower at 706 Sandra Lane – City Clerk

**PROOF OF PUBLICATION PUBLISHED JANUARY 16 & 18, 2008**

- 1) Bid – Payne Avenue Waterline – Engineer

**MOVED by Alderman Brick                      SECONDED by Alderman Pasiak  
That the Common Council hereby receives and files the aforementioned Proofs of  
Publication.  
CARRIED.**

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**APPROVAL OF THE MINUTES OF THE REGULAR SESSION FEBRUARY 5, 2008**

**MOVED by Alderman Brick                      SECONDED by Alderman Donovan  
That the minutes of the regular session held February 5, 2008 be approved as circulated and  
filed in the Office of the City Clerk.  
CARRIED.**

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**APPROVAL OF THE MINUTES OF THE SPECIAL SESSION FEBRUARY 12, 2008**

**MOVED by Alderman Brick                      SECONDED by Alderman Donovan  
That the minutes of the special session held February 12, 2008 be approved as circulated and  
filed in the Office of the City Clerk.  
CARRIED.**

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**APPROVAL OF THE MINUTES OF THE REGULAR SESSION FEBRUARY 19, 2008**

**MOVED by Alderman Brick                      SECONDED by Alderman Donovan  
That the minutes of the regular session held February 19, 2008 be approved as circulated and  
filed in the Office of the City Clerk.  
CARRIED.**

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**AUDIENCE PARTICIPATION**

**Keith Craigie, 347 Brentwood – Praised the Mayor for appointing Joe Fonzi to the Waterfront Commission.**

**Michele Golding, 23 Rose Circle – Spoke in favor of the rezoning on D'Angelo Drive.**

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**COMMUNICATIONS FROM CITY OFFICIALS**

**I.1 Mayor**

**January 30, 2008**

**North Tonawanda Common Council  
City Hall, 216 Payne Avenue  
North Tonawanda, New York 14120**

**Re: Appointment to North Tonawanda Housing Authority**

**Dear Honorable Body:**

**Please be advised that I am reappointing John Lukasik of 454 Schenck Street, North Tonawanda, New York to the Housing Authority (Nortona Redevelopment Company) for a four (4) year term effective immediately and expiring on January 31, 2012. I am also reappointing Mr. Lukasik as Chairman.**

**Thank you for your attention to this matter.**

**Sincerely,  
Lawrence V. Soos  
Mayor**

**MOVED by Alderman Schwandt                      SECONDED by Alderman Donovan  
That the Common Council hereby receives and files the aforementioned communication.  
CARRIED.**

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**I.2 Mayor**

**February 27, 2008**

**North Tonawanda Common Council  
City Hall, 216 Payne Avenue  
North Tonawanda, New York 14120**

**Re: Appointments to North Tonawanda Waterfront Commission**

**Dear Honorable Body:**

**Please be advised that I am appointing to the North Tonawanda Waterfront Commission, effective immediately, Joe Fonzi of 609 Christiana Street and William Davignon of 154 Jefferson Avenue for four (4) year terms expiring December 31, 2011. They will be replacing Larry Deneff who requested not to be reappointed because of employment obligations and Connie Schmidt who is unable to serve as she no longer resides in North Tonawanda.**

**Thank you for your attention to this matter.**

**Sincerely,  
Lawrence V. Soos  
Mayor**



Please be advised that I have provisionally appointed Mr. Michael Donovan to the position of Assistant Superintendent of Public Works effective February 1, 2008, at the minimum salary step set forth in OPEIU contract Section 6.11.

I have requested the Niagara County Civil Service to schedule a Promotional Examination for the position of Assistant Superintendent of Public Works.

On Mr. Donovan’s behalf I would request the Council grant him a Leave of Absence from his previous position of Dispatcher, until such time as his return to the position or he receives another permanent appointment.

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

**MOVED** by Alderman Pasiak                      **SECONDED** by Alderman Schwandt  
That the Common Council hereby grants Michael Donovan a Leave of Absence from his previous position of Dispatcher, to accept the position provisional appointment as Assistant Superintendent of Public Works, until such time as his return to the position or he receives another permanent appointment.

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

Nays: None (0)

Abstained: Donovan (1)

**CARRIED.**

**IX.2 Public Works**

February 25, 2008

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

**Re: Sweeney Street - Main St. to RR Bridge - Street Lighting**

**Honorable Body:**

Last fall the Department completed installation of new post top street lighting facilities on Sweeney Street between Main Street and the Railroad overpass near Oliver Street. At this time I would request the Council’s authorization to remove the wooden pole street lighting that these new street lights are replacing.

I request that the Common Council authorize National Grid to permanently remove the following existing wood poles and overhead served cobra head street lights:

1. Remove wood pole #145 and 100 watt cobra head luminaire.
2. Remove pole #15.
3. Remove 100 watt cobra head luminaire only on pole #151(pole to stay).
4. Remove pole #162 and 100 watt cobra head luminaire.
5. Remove pole #166.
6. Remove pole #170 and 100 watt cobra head luminaire.

I further request that the Council direct National Grid to remove these street lighting facilities from the City’s Street Lighting Inventory. The cost estimated by National Grid for this work is \$1,038.98. A check in this amount should accompany a copy of this Council authorization to Customer Representative, Ms. Nancy Schott.

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

**MOVED by Alderman Donovan**

**SECONDED by Alderman Brick**

**That the Common Council hereby authorizes National Grid to permanently remove the following existing wood poles and overhead served cobra head street lights:**

1. Remove wood pole #145 and 100 watt cobra head luminaire.
2. Remove pole #15.
3. Remove 100 watt cobra head luminaire only on pole #151(pole to stay).
4. Remove pole #162 and 100 watt cobra head luminaire.
5. Remove pole #166.
6. Remove pole #170 and 100 watt cobra head luminaire.

**Ayes: Brick, Pasiak, Schwandt, Donovan, Sommer**

**(5)**

**Nays: None**

**(0)**

**CARRIED.**

### **IX.3 Public Works**

**February 25, 2008**

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

**Re: Felton Field (Lincoln Ave. Ball Field) light on Pole #185R**

**Honorable Body:**

**Last fall the Recreation Department and Public Works completed the removal of facilities including the ball field lights and press box at Felton Field. At this time I would request the Council's authorization to remove the 250 watt street lighting luminaire and pendant from pole #185R located immediately behind the former press box.**

**I request that the Common Council authorize National Grid to permanently remove the lighting facilities from Pole #185R in Felton Field. I further request that the Council direct National Grid to remove these lighting facilities from the City's Street Lighting Inventory. The cost estimated by National Grid for this work is \$114.41. A check in this amount should accompany a copy of this Council authorization to Customer Representative, Ms. Nancy Schott.**

**Very truly yours,  
Gary J. Franklin  
Superintendent of Public Work**

**MOVED by Alderman Brick**

**SECONDED by Alderman Donovan**

**That the Common Council hereby authorizes National Grid to permanently remove the lighting facilities from Pole #185R in Felton Field and to remove these lighting facilities from the City's Street Lighting Inventory.**

**Ayes: Brick, Pasiak, Schwandt, Donovan, Sommer**

**(5)**

**Nays: None**

**(0)**

**CARRIED.**

### **IX.4 Public Works**

**February 25, 2008**

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

**Re: Felton Field (Lincoln Ave. Ball Field) light on Pole #60-1**

**Honorable Body:**



Sandra Lane	1
Selkirk Dr	11
Thomas Fox Dr East	26
Wayleave Lane	2

I recommend that the Common Council grant National Grid a blanket authorization to replace these steel standards with aluminum standards on an as-needed basis and adjust the street lighting inventory account accordingly and to further direct the City Clerk to send a copy of the Council's resolution to National Grid.

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

MOVED by Alderman Brick

SECONDED by Alderman Pasiak

That the Common Council hereby grants National Grid a blanket authorization to replace the steel standards on the following streets with aluminum standards on an as-needed basis and adjust the street lighting inventory account accordingly:

<u>Street</u>	<u>No. of standards</u>
Belmont Ct East	9
Brentwood Dr	8
Castlebar Dr	9
D'Angelo Dr	18
Deerfield Dr	9
DiMatteo Dr	15
Doebler Dr	7
Fairfield Ave	3
Fairmont Ave	30
Louisa Pkwy	1
Pioneer Dr	2
Remington Dr	13
Robert Dr	27
Sandra Lane	1
Selkirk Dr	11
Thomas Fox Dr East	26
Wayleave Lane	2

Ayes: Brick, Pasiak, Schwandt, Donovan, Sommer

(5)

Nays: None

(0)

CARRIED.

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XVI. City Clerk

February 29, 2008

Honorable Mayor and Common Council  
 216 Payne Avenue  
 North Tonawanda, NY 14120

Dear Honorable Body:

At a Common Council Workshop Session of February 26, 2008, you requested me to submit the following resolution for your consideration:

Be it resolved that all requests for professional service contracts should be presented to the Mayor and Common Council for their consideration at a regular meeting of the Common Council. Justification for said contracts should be provided in writing along with the request.

Be it further resolved that all professional service contracts dealing with city infrastructure should be forwarded to the City Engineer for approval. The City Engineer will then

forward the request with justification to the Mayor and Common Council for their approval at a regular meeting of the Common Council.

Should your honorable body concur with the resolution, it would be appropriate to approve it contingent upon the approval of the City Attorney.

Sincerely yours,  
Thomas M. Jaccarino

**MOVED by Alderman Donovan                      SECONDED by Alderman Brick**  
Be it resolved that all requests for professional service contracts should be presented to the Mayor and Common Council for their consideration at a regular meeting of the Common Council. Justification for said contracts should be provided in writing along with the request.

Be it further resolved that all professional service contracts dealing with city infrastructure should be forwarded to the City Engineer for approval. The City Engineer will then forward the request with justification to the Mayor and Common Council for their approval at a regular meeting of the Common Council.

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

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**COMMUNICATIONS FROM OTHERS**

A.  
Dom Polski

North Tonawanda City Clerk  
City Hall  
216 Payne Avenue  
North Tonawanda, NY 14120

Dom Polski Club will be celebrating our annual Dyngus Day party at 576 Oliver St. on March 24<sup>th</sup>, 2008.

We are asking that the North Tonawanda signal department hang our Dyngus Day banner across Oliver Street in front of our building.

It can be hung any day from now until March 12<sup>th</sup>. It can be removed on Tuesday, March 25<sup>th</sup> or Wednesday, March 26<sup>th</sup>. Please have the Department contact Joe Bukoskey to make the arrangements. He can be reached at 693-6529. I can be reached at 912-6623.

Thank you for your consideration in this matter.

Roberta Pfeil  
President Dom Polski Club

**MOVED by Alderman Schwandt                      SECONDED by Alderman Brick**  
That the Common Council hereby authorizes the Department of Public Works to hang and then remove a banner across Oliver Street in front of Dom Polski as requested.  
**CARRIED.**

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**LATE COMMUNICATION**

**MOVED by Alderman Sommer                      SECONDED by Alderman Schwandt**  
To bring the following communication to the floor.  
Ayes: Brick, Rizzo, Schwandt, Donovan, Sommer (5)  
Nays: None (0)  
**CARRIED.**

#1.  
City Clerk

March 4, 2008

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

Dear Honorable Body:

At a public hearing held on March 4, 2008 regarding the rezoning of property commonly known as 1307 D'Angelo Drive no one spoke positively or negatively. It would be appropriate now to vote on the rezoning from an R-2 to a C-2.

Sincerely,  
Thomas M. Jaccarino  
City Clerk

MOVED by Alderman Schwandt                      SECONDED by Alderman Donovan  
That the Common Council hereby approves the rezoning of 1307 D'Angelo Drive from an R-2 to a C-2.  
Ayes: Brick, Rizzo, Schwandt, Donovan, Sommer                      (5)  
Nays: None                      (0)  
CARRIED.

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**AUDIENCE PARTICIPATION**

Mary Kate Fonzi, 609 Christiana Street – Thanked Mayor and Common Council for the appointment of Joe Fonzi to the Waterfront Commission and Praised Dennis Pasiak for his diligence in looking into the Waterline Contract.

Ken Lockett, 256 Meadow Drive – Inquired about Walgreens.

Tom Konopka, 1261 Bowen Ct – Asked the City to raise the Veteran's exemption to \$120,000 from \$80,000.

Mark Jones, 140 18<sup>th</sup> Avenue – Questioned the rezoning of Walgreens.

Debbie Gondek, 257 Brentwood Drive – Praised Dennis Pasiak for looking into the Waterline Contract, questioned the cost of the consultant used for the project.

Bill Fritzke, 197 18<sup>th</sup> Avenue – Wanted to know why Greenwood Circle wasn't rezoned for the Walgreens.

Frank Budwey 2765 Stenzil Avenue – Questioned the Planning Commission's procedures regarding Public Hearings.

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**ADJOURNMENT**

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

Time of Adjournment: 8:10P.M.

Respectfully submitted,

Thomas M. Jaccarino  
City Clerk