

**THE HONORABLE BODY**  
**Council Chambers**  
**Municipal Building**  
**North Tonawanda, New York 14120**  
**Tuesday, March 18, 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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**STUDENT GOVERNMENT DAY**

Common Council President Brett Sommer introduced the students from the North Tonawanda Senior High School who were elected and appointed to various positions within City Government.

<b>Catherine Duquin</b>	<b>Mayor</b>
<b>Megan Tuzzo</b>	<b>Alderman at Large, Council President</b>
<b>Stephanie Wiechec</b>	<b>Alderman at Large</b>
<b>Alex Martin</b>	<b>1<sup>st</sup> Ward Alderman</b>
<b>Shannon Previte</b>	<b>2<sup>nd</sup> Ward Alderman</b>
<b>Mitchell Jaccarino</b>	<b>3<sup>rd</sup> Ward Alderman</b>
<b>Ryan Szukala</b>	<b>City Attorney</b>
<b>James Hogan</b>	<b>City Judge</b>
<b>Olivia DiPalma</b>	<b>Treasurer</b>
<b>Katey Schultz</b>	<b>Accountant</b>
<b>Jessica Loper</b>	<b>City Assessor</b>
<b>Zhala Othman</b>	<b>Assistant City Attorney</b>
<b>Meghan Malone</b>	<b>Building Inspector/Code Enforcement</b>
<b>Joshua Bonvissuto</b>	<b>City Clerk</b>
<b>Dushyant Karnik</b>	<b>City Engineer</b>
<b>Brianna Sepulveda</b>	<b>Senior Citizen Coordinator</b>
<b>Katie Labushesky</b>	<b>Director of Community Development</b>
<b>Erin Milette</b>	<b>Appointed City Judge</b>

<b>Annamarie Wozniak</b>	<b>Fire Chief</b>
<b>Zachary Niemiec</b>	<b>Mayor’s Administrative Assistant</b>
<b>Colleen Wiechec</b>	<b>Police Chief</b>
<b>Aaron Roy</b>	<b>Superintendent of Public Works</b>
<b>Marissa Kwasniak</b>	<b>Director of Youth, Recreation &amp; Parks</b>
<b>Terhi Ketola</b>	<b>Water Superintendent</b>

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**PROOF OF PUBLICATION PUBLISHED JANUARY 17, 2008**

- 1) Bid – Deerwood Golf Course Electric Cart Garage – Recreation

**PROOF OF PUBLICATION PUBLISHED FEBRUARY 22, 2008**

- 1) Public Hearing – Rezoning of 1307 D’Angelo Drive – City Clerk

**PROOF OF PUBLICATION PUBLISHED FEBRUARY 25, 2008**

- 1) Public Hearing – Wal-Mart Supercenter – City Clerk

**PROOF OF PUBLICATION PUBLISHED MARCH 4, 2008**

- 1) Public Hearing – Wal-Mart Supercenter – City Clerk

**MOVED by Alderman Brick                      SECONDED by Alderman Donovan**  
**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 MARCH 4, 2008**

**MOVED by Alderman Donovan                      SECONDED by Alderman Brick**  
**That the minutes of the regular session held March 4, 2008 be approved as circulated and**  
**filed in the Office of the City Clerk.**  
**CARRIED.**

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**AUDIENCE PARTICIPATION – None**

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**COMMUNICATIONS FROM CITY OFFICIALS**

**I.1     Mayor**

**March 4, 2008**

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

**Re: Appointment to North Tonawanda Board of Assessment Review**

**Dear Honorable Body:**

**Please be advised that I am appointing Thomas A. Brick of 316 Stenzil Street, North Tonawanda, New York to the Board of Assessment Review for a five (5) year term effectively immediately and expiring on September 30, 2012.**

I am also requesting that the City Clerk provide written notification to Mr. Brick of this appointment and arrange for the appropriate oath to be administered to the new appointee.

Thank you for your attention to this matter.

Sincerely,  
Lawrence V. Soos  
Mayor

**MOVED** by Alderman Donovan                      **SECONDED** by Alderman Pasiak  
That the Common Council hereby receives and files the aforementioned communication.  
Ayes: Pasiak, Schwandt, Donovan, Sommer                      (4)  
Nays: None                      (0)  
Abstained: Brick                      (1)  
**CARRIED.**

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**I.2 Mayor**

March 5, 2008

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

**Re: Appointment to Traffic Safety Committee**

**Dear Honorable Body:**

Please be advised that I am appointing Anthony DiBernardo of 1370 Weaver Parkway to the Traffic Safety Committee effective immediately for the remainder of the term of Edward W. Pitz, who recently resigned, said term expiring December 31, 2008.

Thank you for your attention to this matter.

Sincerely,  
Lawrence V. Soos  
Mayor

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

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**I.3 Mayor**

March 13, 2008

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

**RE: Appointment to Traffic Safety Committee**

**Dear Honorable Body:**

Please be advised that I am appointing Peter M. Gondek of 257 Brentwood Drive to the Traffic Safety Committee effective immediately for the remainder of the term of Tina Ryzdik, who has resigned from the committee, said term expiring December 31, 2008.

Thank you for your attention to this matter.

Sincerely,  
Lawrence V. Soos  
Mayor

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

**V. Water**

March 7, 2008

Mayor Lawrence V. Soos  
and the Common Council  
216 Payne Avenue  
North Tonawanda, NY 14120

**Re: 858 Harding Avenue**

**Honorable Body:**

Thomas Sinatra, Jr. of 858 Harding Avenue has requested that this property be exempt from paying sewer charges at this address.

The property is used by Sinatra Landscaping LLC and a city water meter was installed at this address on 11/1/07. Upon inspection at that time no sanitary service was present and/or functional. The water is being used for business purposes and does not contribute to sanitary flows.

I recommend upon review and concurrence of the Plumbing Inspector and City Engineer that only water charges be applied to this account.

Respectfully submitted,  
Paul J. Drof, Superintendent  
N. Tonawanda Water Works

**MOVED** by Alderman Brick                      **SECONDED** by Alderman Donovan  
That the Common Council hereby directs the Water Department to exempt Thomas Sinatra, Jr. of 858 Harding Avenue from paying sewer charges at this address.  
**Ayes:** Brick, Pasiak, Schwandt, Donovan, Sommer                      (5)  
**Nays:** None                      (0)  
**CARRIED.**

**VII.1 Accountant**

March 13, 2008

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 March 18, 2008, 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 dated March 18, 2008 and further authorizes the Mayor and City Clerk to respectively sign and countersign said Warrant:

01	General Fund	\$277,131.35
02	Water Fund	26,487.87
04	Sewer Fund	58,558.09
06	Capital Project Fund	60,736.37
07	Trust & Agency Fund	985.45
08	Community Development	106,054.51
11	General Fund (Encumbered)	2,014.41
17	Home Rehabilitation Program	475.00
	<b>Final Total</b>	<b><u>\$532,443.05</u></b>

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

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## VII.2 Accountant

March 13, 2008

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

Dear Honorable Body:

In accordance with the adopted City of North Tonawanda 2008 Capital Improvements Budget, with modifications, please find a serial bond resolution in the aggregate amount of \$2,270,000, from our Bond Counsel, Harris Beach LLP.

The original adopted 2007 Capital Budget, copy attached, provided for the bonding of \$1,878,000 for capital projects. Based on a review at the Council Workshop Session on February 26, 2008, modifications in the amount of \$392,000 were made to the original budget, as follows:

Tremont Reconstruction	Decrease	\$160,000, project abandon, federal share not available.
Digital Recorder Police	Decrease	\$15,000, to be funded under 2006 bond.
Street Resurfacing	Increase	\$220,000, funding for Payne Avenue, entire street resurfacing.
Payne Waterline	Increase	\$52,000, insufficient funding in adopted budget.
Keller Building Roof	Increase	\$250,000, new projects, not in adopted budget.
William Street	Increase	\$45,000, new projects, not in adopted budget.

Accordingly, please have this resolution adopted by a two-thirds vote and have it published in the official newspaper of the City, together with the legal notice of estoppel.

Very truly yours,  
David R. Jakubaszek  
City Accountant

**MOVED** by Alderman Donovan                      **SECONDED** by Alderman Schwandt  
At a Meeting of the Common Council of the City of North Tonawanda, in the County of  
Niagara, New York, held at City Hall, 216 Payne Avenue, North Tonawanda, New York on  
March 18, 2008

**PRESENT:**    Brett M. Sommer, President  
                  Nancy Donovan, Alderman  
                  Dennis Pasiak, Alderman  
                  Kevin J. Brick Jr., Alderman  
                  Catherine G. Schwandt, Alderman-at-Large

**ABSENT:**     None

The following resolution was offered by Alderman Donovan who moved its adoption,  
seconded by Alderman Schwandt, to-wit:

**BOND RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF NORTH  
TONAWANDA, NIAGARA COUNTY, NEW YORK (THE "CITY") AUTHORIZING  
THE ISSUANCE OF \$2,270,000 IN SERIAL BONDS OF THE CITY TO FINANCE  
VARIOUS PUBLIC IMPROVEMENTS**

**WHEREAS**, the Common Council of the City of North Tonawanda (the "City") proposes to  
authorize the issuance of \$2,270,000 in serial bonds of the City to finance various public  
improvements and purposes, as described herein; and

**WHEREAS**, all conditions precedent to the financing of the projects hereinafter described,  
including compliance with the provisions of the State Environmental Quality Review Act  
(collectively, "SEQRA"), have been performed and therefore no further action need be  
taken by the Common Council under SEQRA as a pre-condition to the adoption of this  
resolution; and

**NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF NORTH  
TONAWANDA, NIAGARA COUNTY, NEW YORK HEREBY RESOLVES** (by the  
affirmative vote of not less than two-thirds of all the members of such body), **AS  
FOLLOWS:**

**SECTION 1.** The City is hereby authorized to issue \$57,000 principal amount of serial  
bonds pursuant to the provisions of Local Finance Law, constituting Chapter 33-a of the  
Consolidated Laws of the State of New York (the "Law") to finance the estimated cost of  
acquiring two replacement police patrol vehicles. It is hereby determined that the  
maximum estimated cost of the aforementioned specific objects or purposes is \$57,000, said  
amount is hereby appropriated therefor and the plan for the financing thereof shall consist  
of the issuance of \$57,000 in serial bonds of the City authorized to be issued pursuant to  
this section, or bond anticipation notes issued in anticipation of such serial bonds. It is  
hereby determined that the period of probable usefulness for the aforementioned specific  
objects or purposes is three (3) years, pursuant to subdivision a.77. of Section 11.00 of the  
Law.

**SECTION 2.** The City is hereby authorized to issue \$420,000 principal amount of serial  
bonds pursuant to the provisions of the Law to finance the estimated cost of reconstructing  
and repaving certain portions of certain streets throughout the City, including the  
construction or reconstruction of sidewalks, curbs, gutters, drainage, landscaping and  
grading. It is hereby determined that the maximum estimated cost of the aforementioned  
specific object or purpose is \$820,000, said amount is hereby appropriated therefor and the  
plan for the financing thereof shall consist of (i) the expenditure of \$400,000 in grant  
monies to be received by the City from the New York State CHIPS program, and (ii) the  
issuance of \$420,000 in serial bonds of the City authorized to be issued pursuant to this  
resolution or bond anticipation notes issued in anticipation of such bonds. It is hereby  
determined that the period of probable usefulness for the aforementioned specific object or  
purpose is fifteen (15) years, pursuant to subdivision a.20.(c) of Section 11.00 of the Law.

**SECTION 3.** The City is hereby authorized to issue \$40,000 principal amount of serial  
bonds pursuant to the provisions of the Law to finance the estimated cost of renovating an  
existing drive-through vehicle wash system located at 758 Erie Avenue for use the City's

Department of Public Works. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$40,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of \$40,000 in serial bonds of the City authorized to be issued pursuant to this section, or bond anticipation notes issued in anticipation of such serial bonds. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is ten (10) years, pursuant to subdivision a.12(a)(3). of Section 11.00 of the Law.

**SECTION 4.** The City is hereby authorized to issue \$260,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of the reconstruction and replacement of sanitary sewer lines on certain portions of Clair Avenue; including equipment, machinery, apparatus, appurtenances and incidental improvements. It is hereby determined that the maximum estimated cost of the aforementioned specific objects or purposes is \$260,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of \$260,000 in serial bonds of the City authorized to be issued pursuant to this section, or bond anticipation notes issued in anticipation of such serial bonds. It is hereby determined that the period of probable usefulness for the aforementioned specific objects or purposes is forty (40) years, pursuant to subdivision a.4 of Section 11.00 of the Law.

**SECTION 5.** The City is hereby authorized to issue \$38,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of purchasing 15,000 recycling bins for dwelling and commercial units within the City's recycling program. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$75,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the expenditure of \$37,000 in grant monies to be received by the City from the New York State Local Resource Reuse and Recovery Grants program, and (ii) the issuance of \$38,000 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is five (5) years, pursuant to subdivision a.32. of Section 11.00 of the Law.

**SECTION 6.** The City is hereby authorized to issue \$30,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of certain renovations and improvements to an existing park shelter owned by the City (known as the Pinewoods Park Shelter) located at the corner of Schenck Street and Niagara Street, including the replacement of the roof with a new steel roof. It is hereby determined that the maximum estimated cost of the aforementioned specific objects or purposes is \$30,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of \$30,000 in serial bonds of the City authorized to be issued pursuant to this section, or bond anticipation notes issued in anticipation of such serial bonds. It is hereby determined that the period of probable usefulness for the aforementioned specific objects or purposes is ten (10) years, pursuant to subdivision a.12(a)(3) of Section 11.00 of the Law.

**SECTION 7.** The City is hereby authorized to issue \$95,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of constructing and equipping a cart garage and ticket office at Deerwood Golf Court, including related equipment, machinery, apparatus, appurtenances and incidental improvements. It is hereby determined that the maximum estimated cost of the aforementioned specific objects or purposes is \$95,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of \$95,000 in serial bonds of the City authorized to be issued pursuant to this section, or bond anticipation notes issued in anticipation of such serial bonds. It is hereby determined that the period of probable usefulness for the aforementioned specific objects or purposes is fifteen (15) years, pursuant to subdivision a.54. of Section 11.00 of the Law.

**SECTION 8.** The City is hereby authorized to issue \$21,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of acquiring one pickup truck for use by the City's Water Department. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$21,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of \$21,000 in serial bonds of the City authorized to be issued pursuant to this section, or bond anticipation notes issued in anticipation of such serial bonds. It is

hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is ten (10) years, pursuant to subdivision a.28. of Section 11.00 of the Law.

**SECTION 9.** The City is hereby authorized to issue \$656,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of constructing and installing the following upgrades and improvements to the City's water distribution system located at Erie Avenue North: (1) the replacement along Payne Avenue between Walck and Meadow of approximately 2,200 linear feet of 12-inch diameter water main, and (2) the replacement of approximately 1,000 square linear feet of 12-inch diameter water main and, in each case, including water mains, valves, hydrants, curbstops, equipment, machinery, apparatus, appurtenances and incidental improvements. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$656,000 said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of \$656,000 in serial bonds of the City authorized to be issued pursuant to this section or bond anticipation notes issued in anticipation of such bonds. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is forty (40) years, pursuant to subdivisions a.1. of Section 11.00 of the Law.

**SECTION 10.** The City is hereby authorized to issue \$50,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of certain improvements to the electric system of the City's water treatment plant located at 1 Archer Street, consisting of the rebuilding of four (4) 1,600-volt breakers and five (5) 225-volt breakers in the main motor control center. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$50,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of \$50,000 in serial bonds of the City authorized to be issued pursuant to this section, or bond anticipation notes issued in anticipation of such serial bonds. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is forty (40) years, pursuant to subdivision a.1. of Section 11.00 of the Law.

**SECTION 11.** The City is hereby authorized to issue \$40,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of certain improvements to the City's water treatment plant located at 1 Archer Street, consisting of the replacement of three (3) Ross valves and the replacement of the vacuum system needed to prime the pumps for use by the City's Water Department. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$40,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of \$40,000 in serial bonds of the City authorized to be issued pursuant to this section, or bond anticipation notes issued in anticipation of such serial bonds. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is forty (40) years, pursuant to subdivision a.1. of Section 11.00 of the Law.

**SECTION 12.** The City is hereby authorized to issue \$50,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of certain improvements to the City's water treatment plant located at 1 Archer Street, consisting of the replacement and rebuilding of four (4) mixers to improve water clarity; including in each case related and ancillary equipment. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$50,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of \$50,000 in serial bonds of the City authorized to be issued pursuant to this section or bond anticipation notes issued in anticipation of such bonds. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is forty (40) years, pursuant to subdivision a.1. of Section 11.00 of the Law.

**SECTION 13.** The City is hereby authorized to issue \$20,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of improvements to the wastewater treatment plant located at 830 River Road, consisting of the replacement of activated carbon; including related and ancillary equipment. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$20,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of \$20,000 in serial bonds of the City authorized to be issued pursuant to this section or bond anticipation notes issued in anticipation of such

bonds. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is thirty (30) years, pursuant to subdivision a.4. of Section 11.00. of the Law.

**SECTION 14.** The City is hereby authorized to issue \$175,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of improvements to the wastewater treatment plant located at 830 River Road, consisting of the draining, cleaning and repairing, and rebuilding and improving of the primary digester and heating system, including related and ancillary equipment. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$175,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of \$175,000 in serial bonds of the City authorized to be issued pursuant to this section or bond anticipation notes issued in anticipation of such bonds. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is thirty (30) years, pursuant to subdivision a.4. of Section 11.00. of the Law.

**SECTION 15.** The City is hereby authorized to issue \$23,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of acquiring one 4x4 pickup truck and associated equipment for use by the City's Wastewater Department, and ancillary and related equipment. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$23,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of \$23,000 in serial bonds of the City authorized to be issued pursuant to this section, or bond anticipation notes issued in anticipation of such serial bonds. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is ten (10) years, pursuant to subdivision a.28. of Section 11.00 of the Law.

**SECTION 16.** The City is hereby authorized to issue \$250,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of certain renovations to an office building located at 500 Wheatfield Street (the Normal Keller Building), consisting of the replacement of the roof, including related and ancillary improvements and equipment. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$250,000 said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of \$250,000 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such serial bonds. It is hereby determined that the period of probable usefulness of the aforementioned specific object or purpose is twenty-five (25) years, pursuant to subdivisions a.12(a)(1) of the Law.

**SECTION 17.** The City is hereby authorized to issue \$45,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of constructing a 200 lineal foot portion of asphalt roadway on Williams Street from Witmer Road to Homestead Drive (access road), with concrete curbing and related improvements. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$45,000 said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of the issuance of \$45,000 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such serial bonds. It is hereby determined that the period of probable usefulness of the aforementioned specific object or purpose is ten (10) years, pursuant to subdivisions a.20(b) of the Law.

**SECTION 18.** Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any bond anticipation notes issued in anticipation thereof, pursuant to subdivisions d.3(a) (in the case of bonds issued for the objects or purposes described in Sections 8, 9, 10, 11 and 12 hereof), d.3(l) (in the case of bonds issued for the objects or purposes described in Section 4, 13 and 14 hereof), d.5 (in the case of bonds issued for the objects or purposes described in Section 5 hereof) and Section d.9 (in the case of bonds issued for the objects or purposes described in Sections 1, 2, 3, 6, 7, 15, 16 an 17 hereof) of Section 107.00 of the Law.

**SECTION 19.** The temporary use of available funds of the City, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. This resolution shall constitute a declaration of official intent to reimburse the expenditures as part of the projects described herein with

the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulation Section 1.150-2.

**SECTION 20.** Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the City, payable as to both principal and interest by a general tax upon all the real property within the City without legal or constitutional limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year. Further, in connection with bonds and bond anticipation notes issued under the authority of Sections x and x hereof, the power to issue and sell bonds or bond anticipation notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Law is hereby delegated to the Supervisor. Such notes shall be of such terms, form and content as may be prescribed by said Supervisor consistent with the provisions of the Local Finance Law.

**SECTION 21.** Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations, and of Section 21.00, Section 50.00, Section 54.90, Sections 56.00 through 60.00, Section 62.10 and Section 63.00 of the Law, the powers and duties of the Common Council relative to authorizing bond anticipation notes and prescribing the terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the City Treasurer, the chief fiscal officer of the City.

**SECTION 22.** The City Treasurer is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for Federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

**SECTION 23.** The intent of this resolution is to give the City Treasurer sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Common Council.

**SECTION 24.** The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money; or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

- (c) such obligations are authorized in violation of the provisions of the constitution.

**SECTION 25.** This resolution shall take effect immediately and the City Clerk is hereby authorized and directed to publish the foregoing resolution in full, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the official newspaper(s) of the City (a) for such publication, and (b) for the publication of the notice of sale in connection with any bonds issued pursuant to this resolution.

The following vote was taken and recorded in the public or open session of said meeting:

AYES: Alderman Brick, Pasiak, Schwandt, Donovan, Sommer (5)  
 NAYS: None (0)

This resolution shall take effect immediately.

STATE OF NEW YORK )  
 COUNTY OF NIAGARA ) S.S.:

I, the undersigned Clerk of the City of North Tonawanda, DO HEREBY CERTIFY as follows:

1. A regular meeting of the Common Council of the City of North Tonawanda, Niagara, County, State of New York, was held on March 18, 2008, and Minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Board.
2. I have compared the attached Extract with said Minutes so recorded and said Extract is a true copy of said Minutes and of the whole thereof insofar as said Minutes relate to matters referred to in said Extracts.
3. Said Minutes correctly state the time when said Meeting was convened and the place where such Meeting was held and the members of said Board who attended said Meeting.
4. Public Notice of the time and place of said Meeting was duly posted and duly given to the public and the news media in accordance with the Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, and that all members of said Board had due notice of said Meeting and that the Meeting was in all respects duly held and a quorum was present and acted throughout.

IN WITNESS WHEREOF, I have hereunto set my hand and have hereunto affixed the corporate seal of the City of North Tonawanda this 18<sup>th</sup> day of March, 2008.

Thomas M. Jaccarino  
 City Clerk

#### ESTOPPEL NOTICE

The resolution, a summary of which is published herewith, has been adopted on the 18<sup>th</sup> day of March, 2008, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the City of North Tonawanda, Niagara County, New York is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the constitution.

Thomas M. Jaccarino  
 City Clerk

#### SUMMARY OF BOND RESOLUTION

The resolution is entitled "BOND RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF NORTH TONAWANDA, NIAGARA COUNTY, NEW YORK (THE "CITY") AUTHORIZING THE ISSUANCE OF \$2,270,000 IN SERIAL BONDS OF THE CITY TO FINANCE VARIOUS PUBLIC IMPROVEMENTS"

1. Pursuant to the resolution, the City is authorized to issue \$57,000 principal amount of serial bonds pursuant to the provisions of Local Finance Law (the "Law") to finance the estimated cost of acquiring two replacement police patrol vehicles. The resolution determined that the maximum estimated cost of the aforementioned specific objects or purposes is \$57,000, that such amount is appropriated therefor and the plan thereof shall consist of the issuance of \$57,000 in serial bonds of the City authorized to be issued

pursuant to this section, or bond anticipation notes issued in anticipation of such serial bonds. The resolution determined that the period of probable usefulness for the aforementioned specific objects or purposes is three (3) years, pursuant to subdivision a.77. of Section 11.00 of the Law.

2. Pursuant to the resolution, the City authorized to issue \$420,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of reconstructing and repaving certain portions of certain streets throughout the City, including the construction or reconstruction of sidewalks, curbs, gutters, drainage, landscaping and grading. The resolution determined that the maximum estimated cost of the aforementioned specific object or purpose is \$820,000, said amount is appropriated therefor and the plan for the financing thereof shall consist of (i) the expenditure of \$400,000 in grant monies to be received by the City from the New York State CHIPS program, and (ii) the issuance of \$420,000 in serial bonds of the City authorized to be issued pursuant to the resolution or bond anticipation notes issued in anticipation of such bonds. The resolution determined that the period of probable usefulness for the aforementioned specific object or purpose is fifteen (15) years, pursuant to subdivision a.20.(c) of Section 11.00 of the Law.

3. Pursuant to the resolution, the City authorized to issue \$40,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of renovating an existing drive-through vehicle wash system located at 758 Erie Avenue for use the City's Department of Public Works. The resolution determined that the maximum estimated cost of the aforementioned specific object or purpose is \$40,000, that such amount is appropriated therefor and the plan thereof shall consist of the issuance of \$40,000 in serial bonds of the City authorized to be issued pursuant to this section, or bond anticipation notes issued in anticipation of such serial bonds. The resolution determined that the period of probable usefulness for the aforementioned specific object or purpose is ten (10) years, pursuant to subdivision a.12(a)(3). of Section 11.00 of the Law.

4. Pursuant to the resolution, the City authorized to issue \$260,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of the reconstruction and replacement of sanitary sewer lines on certain portions of Clair Avenue, including equipment, machinery, apparatus, appurtenances and incidental improvements. The resolution determined that the maximum estimated cost of the aforementioned specific objects or purposes is \$260,000, that such amount is appropriated therefor and the plan thereof shall consist of the issuance of \$260,000 in serial bonds of the City authorized to be issued pursuant to this section, or bond anticipation notes issued in anticipation of such serial bonds. The resolution determined that the period of probable usefulness for the aforementioned specific objects or purposes is forty (40) years, pursuant to subdivision a.4 of Section 11.00 of the Law.

5. Pursuant to the resolution, the City authorized to issue \$38,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of purchasing 15,000 recycling bins for dwelling and commercial units within the City's recycling program. The resolution determined that the maximum estimated cost of the aforementioned specific object or purpose is \$75,000, that such amount is appropriated and the plan for the financing shall consist of (i) the expenditure of \$37,000 in grant monies to be received by the City from the New York State Local Resource Reuse and Recovery Grants program, and (ii) the issuance of \$38,000 in serial bonds of the City authorized to be issued pursuant to the resolution or bond anticipation notes issued in anticipation of such bonds. The resolution determined that the period of probable usefulness for the aforementioned specific object or purpose is five (5) years, pursuant to subdivision a.32. of Section 11.00 of the Law.

6. Pursuant to the resolution, the City authorized to issue \$30,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of certain renovations and improvements to an existing park shelter owned by the City (known as the Pinewoods Park Shelter) located at the corner of Schenck Street and Niagara Street, including the replacement of the roof with a new steel roof. The resolution determined that the maximum estimated cost of the aforementioned specific objects or purposes is \$30,000, that such amount is appropriated therefor and the plan thereof shall consist of the issuance of \$30,000 in serial bonds of the City authorized to be issued pursuant to this section, or bond anticipation notes issued in anticipation of such serial bonds. The resolution determined that the period of probable usefulness for the aforementioned specific objects or purposes is ten (10) years, pursuant to subdivision a.12(a)(3) of Section 11.00 of the Law.

7. Pursuant to the resolution, the City authorized to issue \$95,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of constructing and equipping a cart garage and ticket office at Deerwood Golf Court, including related equipment, machinery, apparatus, appurtenances and incidental improvements. The resolution determined that the maximum estimated cost of the aforementioned specific objects or purposes is \$95,000, that such amount is appropriated therefor and the plan thereof shall consist of the issuance of \$95,000 in serial bonds of the City authorized to be issued pursuant to this section, or bond anticipation notes issued in anticipation of such serial bonds. The resolution determined that the period of probable usefulness for the aforementioned specific objects or purposes is fifteen (15) years, pursuant to subdivision a.54. of Section 11.00 of the Law.

8. Pursuant to the resolution, the City authorized to issue \$21,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of acquiring one pickup truck for use by the City's Water Department. The resolution determined that the maximum estimated cost of the aforementioned specific object or purpose is \$21,000, that such amount is appropriated therefor and the plan thereof shall consist of the issuance of \$21,000 in serial bonds of the City authorized to be issued pursuant to this section, or bond anticipation notes issued in anticipation of such serial bonds. The resolution determined that the period of probable usefulness for the aforementioned specific object or purpose is ten (10) years, pursuant to subdivision a.28. of Section 11.00 of the Law.

9. Pursuant to the resolution, the City authorized to issue \$656,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of constructing and installing the following upgrades and improvements to the City's water distribution system located at Erie Avenue North: (1) the replacement along Payne Avenue between Walck and Meadow of approximately 2,200 linear feet of 12-inch diameter water main, and (2) the replacement of approximately 1,000 square linear feet of 12-inch diameter water main and, in each case, including water mains, valves, hydrants, curbstops, equipment, machinery, apparatus, appurtenances and incidental improvements. The resolution determined that the maximum estimated cost of the aforementioned specific object or purpose is \$656,000, that such amount is appropriated therefor and the plan thereof shall consist of the issuance of \$656,000 in serial bonds of the City authorized to be issued pursuant to this section or bond anticipation notes issued in anticipation of such bonds. The resolution determined that the period of probable usefulness for the aforementioned specific object or purpose is forty (40) years, pursuant to subdivisions a.1. of Section 11.00 of the Law.

10. Pursuant to the resolution, the City authorized to issue \$50,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of certain improvements to the electric system of the City's water treatment plant located at 1 Archer Street, consisting of the rebuilding of four (4) 1,600-volt breakers and five (5) 225-volt breakers in the main motor control center. The resolution determined that the maximum estimated cost of the aforementioned specific object or purpose is \$50,000, that such amount is appropriated therefor and the plan thereof shall consist of the issuance of \$50,000 in serial bonds of the City authorized to be issued pursuant to this section, or bond anticipation notes issued in anticipation of such serial bonds. The resolution determined that the period of probable usefulness for the aforementioned specific object or purpose is forty (40) years, pursuant to subdivision a.1. of Section 11.00 of the Law.

11. Pursuant to the resolution, the City authorized to issue \$40,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of certain improvements to the City's water treatment plant located at 1 Archer Street, consisting of the replacement of three (3) Ross valves and the replacement of the vacuum system needed to prime the pumps for use by the City's Water Department. The resolution determined that the maximum estimated cost of the aforementioned specific object or purpose is \$40,000, that such amount is appropriated therefor and the plan thereof shall consist of the issuance of \$40,000 in serial bonds of the City authorized to be issued pursuant to this section, or bond anticipation notes issued in anticipation of such serial bonds. The resolution determined that the period of probable usefulness for the aforementioned specific object or purpose is forty (40) years, pursuant to subdivision a.1. of Section 11.00 of the Law.

12. Pursuant to the resolution, the City authorized to issue \$50,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of certain improvements to the City's water treatment plant located at 1 Archer Street, consisting of the replacement and rebuilding of four (4) mixers to improve water clarity; including in each case related and ancillary equipment. The resolution determined that the maximum estimated cost of the aforementioned specific object or purpose is \$50,000, that such amount is appropriated therefor and the plan thereof shall consist of the issuance of \$50,000 in serial bonds of the City authorized to be issued pursuant to this section or bond anticipation notes issued in anticipation of such bonds. The resolution determined that the period of probable usefulness for the aforementioned specific object or purpose is forty (40) years, pursuant to subdivision a.1. of Section 11.00 of the Law.

13. Pursuant to the resolution, the City authorized to issue \$20,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of improvements to the wastewater treatment plant located at 830 River Road, consisting of the replacement of activated carbon; including related and ancillary equipment. The resolution determined that the maximum estimated cost of the aforementioned specific object or purpose is \$20,000, that such amount is appropriated therefor and the plan thereof shall consist of the issuance of \$20,000 in serial bonds of the City authorized to be issued pursuant to this section or bond anticipation notes issued in anticipation of such bonds. The resolution determined that the period of probable usefulness for the aforementioned specific object or purpose is thirty (30) years, pursuant to subdivision a.4. of Section 11.00. of the Law.

14. Pursuant to the resolution, the City authorized to issue \$175,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of improvements to the wastewater treatment plant located at 830 River Road, consisting of the draining, cleaning and repairing, and rebuilding and improving of the primary digester and heating system, including related and ancillary equipment. The resolution determined that the maximum estimated cost of the aforementioned specific object or purpose is \$175,000, that such amount is appropriated therefor and the plan thereof shall consist of the issuance of \$175,000 in serial bonds of the City authorized to be issued pursuant to this section or bond anticipation notes issued in anticipation of such bonds. The resolution determined that the period of probable usefulness for the aforementioned specific object or purpose is thirty (30) years, pursuant to subdivision a.4. of Section 11.00. of the Law.

15. Pursuant to the resolution, the City authorized to issue \$23,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of acquiring one 4x4 pickup truck and associated equipment for use by the City's Wastewater Department, and ancillary and related equipment. The resolution determined that the maximum estimated cost of the aforementioned specific object or purpose is \$23,000, that such amount is appropriated therefor and the plan thereof shall consist of the issuance of \$23,000 in serial bonds of the City authorized to be issued pursuant to this section, or bond anticipation notes issued in anticipation of such serial bonds. The resolution determined that the period of probable usefulness for the aforementioned specific object or purpose is ten (10) years, pursuant to subdivision a.28. of Section 11.00 of the Law.

16. Pursuant to the resolution, the City authorized to issue \$250,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of certain renovations to an office building located at 500 Wheatfield Street (the Normal Keller Building), consisting of the replacement of the roof, including related and ancillary improvements and equipment. The resolution determined that the maximum estimated cost of the aforementioned specific object or purpose is \$250,000, that such amount is appropriated therefor and the plan thereof shall consist of the issuance of \$250,000 in serial bonds of the City authorized to be issued pursuant to the resolution or bond anticipation notes issued in anticipation of such serial bonds. The resolution determined that the period of probable usefulness of the aforementioned specific object or purpose is twenty-five (25) years, pursuant to subdivisions a.12(a)(1) of the Law.

17. Pursuant to the resolution, the City authorized to issue \$45,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of constructing a 200 lineal foot portion of asphalt roadway on Williams Street from Witmer Road to Homestead Drive (access road), with concrete curbing and related improvements. The resolution determined that the maximum estimated cost of the aforementioned specific object or purpose is \$45,000, that such amount is appropriated therefor and the plan

thereof shall consist of the issuance of \$45,000 in serial bonds of the City authorized to be issued pursuant to the resolution or bond anticipation notes issued in anticipation of such serial bonds. The resolution determined that the period of probable usefulness of the aforementioned specific object or purpose is ten (10) years, pursuant to subdivisions a.20(b) of the Law

18. Subject to the provisions of the resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations, and of Sections 21.00, 50.00, 54.90, 56.00 through 60.00, 62.10 and Section 63.00 of the Law, the powers and duties of the Common Council relative to authorizing bond anticipation notes and prescribing the terms, form and contents as to the sale and issuance of bonds authorized by the resolution, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are delegated to the City Treasurer, the chief fiscal officer of the City.

The resolution summarized herein shall be available for public inspection during normal business hours at the offices of the City Clerk located at 216 Payne Avenue, North Tonawanda, New York 14120.

**CARRIED.**

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## IX. Public Works

February 29, 2008

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

**Re: Conversion of Remaining Mercury Vapor (MV) Street Lighting to High Pressure Sodium (HPS) Lighting**

Honorable Body:

I've been meeting with Niagara Mohawk and now National Grid for a number of years now to finalize the City's street lighting conversion from MV lamps to HPS lamps. National Grid has agreed to complete these conversions for the remaining 142-100 watt MV lamps and 195-175 watt MV lamps on our inventory.

I am recommending that the 100 watt MV lamps be replaced with 70 watt HPS lamps. The 70 watt HPS lamp produces 2,100 more lumens of light than the 100 watt MV lamp. I am also recommending that the 175 MV lamps be replaced with 100 watt HPS lamps. The 100 watt HPS lamp produces 900 more lumens of light than the 175 watt MV lamps. Besides more light to be gained by the conversion, the 70 watt HPS lamp has a lower ballast wattage of 51 watts than the 100 watt MV ballast and the 100 watt HPS lamp has a lower ballast wattage of 91 watts than the 175 watt MV ballast. This yields the annual estimate of savings of \$5,281.31 when these conversions are completed.

I recommend that the Common Council grant National Grid a blanket authorization to replace the remaining 142-100 watt mercury vapor lamps and luminaires with 70 watt high pressure sodium lamps and luminaires and also to replace the remaining 195-175 watt mercury vapor lamps and luminaires with 100-watt high pressure sodium lamps and luminaires 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 Pasiak

SECONDED by Alderman Brick

That the Common Council hereby grants National Grid a blanket authorization to replace the City's remaining 142-100 watt mercury vapor lamps and luminaires with 70 watt high pressure sodium lamps and luminaires and also to replace the remaining 195-175 watt



**XXXII. Community Development**

March 11, 2008

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

Re: NYS Small Cities Community Development  
 Block Grant Program (#822C0120-06) and  
 the NYS Division for Housing and  
 Community Renewal (SHARS I.D.  
 #20073200).

As you may be aware, the city has received funding for the above noted programs. As with past programs, the Community Development Department will require the services of a housing consultant to facilitate the rehabilitation programs. The work includes income verification, inspections, work write-ups, plans and specifications for the rehabilitation work.

The Community Development Department advertised for those services and received only one proposal from Belmont Shelter Corporation received on 12/20/07. The cost for those services is budgeted within each grant, consequently, the grant funds will be used to pay for the Program Delivery Services.

I am respectfully requesting that the Mayor and the Common Council, upon review and approval by the City Attorney, approve those contracts.

Sincerely,  
 James B. Sullivan  
 Director

**MOVED** by Alderman Sommer                      **SECONDED** by Alderman Schwandt  
 That the Common Council hereby approves the contract with Belmont Shelter Corporation, to facilitate the rehabilitation programs for the NYS Small Cities Community Development Block Grant Program (#822C0120-06) and the NYS Division for Housing and Community Renewal (SHARS I.D. #20073200) subject to review and approval by the City Attorney.

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

Nays: None (0)

**CARRIED.**

**COMMUNICATIONS FROM OTHERS**

A.  
 Lumber City Development Corp.

March 12, 2008

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

Dear Honorable Body:

The Lumber City Development Corporation is desirous of submitting an application for funding to the New York State Main Street Program, administered by the New York Housing Trust Fund Corporation. The LCDC would administer the proposed \$200,000 grant program designed to provide matching façade grants for downtown property owners, a matching grant for interior building renovation, and funds to support the redevelopment of the "Teddy Bear Building" as the Gateway Harbor Inn and Restaurant.

I am requesting a resolution in support of the grant application as it is fully consistent with the City's 2006 Downtown Strategic Redevelopment Plan.

I appreciate your consideration in this matter. If you have any questions, please contact me at extension 517.

Sincerely  
James B. Sullivan

**MOVED** by Alderman Schwandt                      **SECONDED** by Alderman Brick  
**WHEREAS**, the City of North Tonawanda approved the Downtown Strategic Redevelopment Plan in 2006; and

**WHEREAS**, the New York State Main Street Program is offering a grant funding opportunity for not-for-profit organizations, and

**WHEREAS**, the Lumber City Development Corporation is a not-for-profit organization charged with development and revitalization in the City of North Tonawanda, and

**WHEREAS**, the Lumber City Development Corporation Board of Directors has approved a resolution to apply for New York Main Street funding in the amount of \$200,000, and

**WHEREAS**, the proposed application has been determined by the Lumber City Development Corporation Board of Directors to further the City's 2006 Strategic Redevelopment Plan,

**NOW, THEREFORE, BE IT RESOLVED** that the City of North Tonawanda will support the Lumber City Development Corporation application to the New York Housing Trust Fund Corporation for funding in the amount of \$200,000 through the 2008 New York Main Street Program.

**Ayes:** Brick, Pasiak, Schwandt, Donovan, Sommer (5)

**Nays:** None (0)

**CARRIED.**

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**AUDIENCE PARTICIPATION**

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

**Jack Toth, 445 Homestead Drive – Asked that the City raise the Veteran's tax exemption.**

**Sarah Hansgate, North Tonawanda High School – Thanked the City Officials and Students for participating in Student Government Day.**

**Jerry Whitehead, Recreation Director – Praised Sarah Hansgate and Al Kornacki for all their help in making Student Government Day a success.**

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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: 7:45P.M.**

**Respectfully submitted,**

**Thomas M. Jaccarino  
City Clerk**