

THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, October 7, 2008
6:00 P.M.

REGULAR SESSION CALLED TO ORDER BY PRESIDENT SOMMER

ROLL CALL

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

Absent: None

Also Present: Administrative Assistant Jeffrey Mis
Assistant City Attorney Robert Sondel

PROOF OF PUBLICATION PUBLISHED AUGUST 5, 2008

- 1) Legal Notice – 2007 Single Audit – City Accountant

PROOF OF PUBLICATION PUBLISHED AUGUST 9, 2008

- 1) Legal Notice – Drop-Off Center – Public Works

PROOF OF PUBLICATION PUBLISHED AUGUST 13 & 14, 2008

- 1) Bid – Roof Installation at the Norman Keller Building– Public Works

PROOF OF PUBLICATION PUBLISHED AUGUST 20, 2008

- 1) Public Hearing – Proposed William Street Subdivision – City Clerk
2) Public Hearing – Registration of Rental Housing Units – City Clerk

PROOF OF PUBLICATION PUBLISHED AUGUST 23, 2008

- 1) Legal Notice – 2009 Preliminary Budget – City Accountant

MOVED by Alderman Brick **SECONDED by Alderman Pasiak**
To receive and file the aforementioned Proofs of Publication.
CARRIED.

APPROVAL OF THE MINUTES OF THE REGULAR SESSION SEPTEMBER 16, 2008

MOVED by Alderman Schwandt **SECONDED by Alderman Brick**
That the minutes of the regular session held September 16, 2008 be approved as circulated
and filed in the Office of the City Clerk.
CARRIED.

APPROVAL OF THE MINUTES OF THE SPECIAL SESSION SEPTEMBER 23, 2008

MOVED by Alderman Pasiak **SECONDED by Alderman Brick**
That the minutes of the special session held September 23, 2008 be approved as circulated and
filed in the Office of the City Clerk.
CARRIED.

IV.2 Engineer

September 23, 2008

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

Re: Project 2008-15 Gateway Harbor Landscaped Slope Project
Award of Contract

Dear Honorable Body:

On Tuesday, September 23, 2008, five (5) bids from qualified contractors were received for the Gateway Harbor Landscaped Slope Project. The corrected bid results are as follows:

- | | |
|---------------------|-------------|
| • Beau Enterprise | \$36,300.00 |
| • Scott Lawn Yard | \$43,950.00 |
| • Titan Development | \$58,500.00 |
| • L.J. Quiliano | \$76,656.00 |
| • Prill Development | \$92,400.00 |

Accordingly, I respectfully request that the Common Council award the Gateway Harbor Landscaped Slope Project to Beau Enterprise 4250 Williams Road, Ransomville, NY 14131 at their low bid in the amount of \$36,300.00; authorizing the mayor to sign the said contract, subject to review by the City Attorney.

Very truly yours,
Dale W. Marshall, P.E.
City Engineer

MOVED by Alderman Pasiak

SECONDED by Alderman Brick

That the Common Council hereby awards the Gateway Harbor Landscaped Slope Project to Beau Enterprise 4250 Williams Road, Ransomville, NY 14131 at their low bid in the amount of \$36,300.00; authorizing the Mayor to sign the said contract, subject to review by the City Attorney.

Ayes: Brick, Pasiak, Schwandt, Donovan, Sommer

(5)

Nays: None

(0)

CARRIED.

IV.3 Engineer

September 30, 2008

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

RE: Gateway Harbor Signage
Project 2008-17
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 installation of two (2) identical interpretive signs. 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.

VII. Accountant

October 2, 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 October 7, 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 Pasiak

SECONDED by Alderman Brick

That the Common Council hereby authorizes for payment the current Abstract of Claims dated October 7, 2008 and further authorizes the Mayor and City Clerk to respectively sign and countersign said Warrant:

01	General Fund	\$667,599.11
02	Water Fund	\$39,196.74
04	Sewer Fund	\$178,624.15
06	Capital Project Fund	\$497,441.24
07	Trust & Agency Fund	\$1,899.80
08	Community Development	\$6,176.39
11	General Fund (Encumbered)	97.00
	Final Total	<u>\$1,391,034.43</u>

Ayes: Brick, Pasiak, Schwandt, Donovan, Sommer

(5)

Nays: None

(0)

CARRIED.

VII.2 Accountant

October 2, 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 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 2008 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>
4	4,300.00	1-3120.250 Weapons / Guns	1-3120.480 Operations

Very truly yours,
David R. Jakubaszek
City Accountant

MOVED by Alderman Donovan SECONDED by Alderman Schwandt
That the Common Council hereby authorizes the City Accountant to make the following budget amendment of fiscal year 2008 revenues and appropriations, based on the requests of Department Heads:

<u>Control Number</u>	<u>Dollar Amount</u>	<u>From Appropriation Account</u>	<u>Into Appropriation Account</u>
4	4,300.00	1-3120.250 Weapons / Guns	1-3120.480 Operations

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

Nays: None (0)

CARRIED.

IX. Public Works

October 2, 2008

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

Re: Traffic Department Requests

Honorable Body:

Please find below a number of requests from the Traffic department for your consideration:

1. "15 Minute Parking" signs in front of 228 Zimmerman Street to facilitate customer parking.
2. Remove all School Zone signs and markings for OLC (North Tonawanda Catholic) due to the fact that all classes have been transferred to the Ascension campus.
3. Remove traffic signal and install stop sign at the intersection of Pioneer Drive and Nash Road. The signal was installed to aid a blind couple who lived on Pioneer that have since passed away. With the relatively close proximity of the traffic signal at the Wurlitzer Drive & Nash Road intersection, exiting Pioneer Drive onto Nash Road should pose no problems.

Feel free to contact me if you have any questions.

Very truly yours,
Thomas Tussing
Traffic Division Supervisor

MOVED by Alderman Donovan SECONDED by Alderman Brick
That the Common Council hereby directs the Department of Public Works to install "15 Minute Parking" signs in front of 228 Zimmerman Street to facilitate customer parking; remove all School Zone signs and markings for OLC School (North Tonawanda Catholic) and remove traffic signal and install stop sign at the intersection of Pioneer Drive and Nash Road.

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

Nays: None (0)

CARRIED.

The following item was pulled before the meeting.

XVI. City Clerk

October 3, 2008

Common Council
216 Payne Avenue
North Tonawanda, NY 14120

Dear Honorable Body:

At the regular session of the North Tonawanda Planning Commission dated July 7, 2008, a resolution was passed recommending the rezoning of property commonly known as 236 Zimmerman Street from an M1 classification to an R2 classification.

A public hearing was held August 19, 2008 regarding this rezoning. It would now be appropriate to take action on the rezoning.

Very truly yours,
Thomas M. Jaccarino
City Clerk

XXV. Monthly Reports

.1 Vital Statistics

MOVED by Alderman Pasiak **SECONDED** by Alderman Brick
That the Common Council hereby receives and files the aforementioned monthly reports.
CARRIED.

COMMUNICATIONS FROM OTHERS

A.
Dr. & Mrs. Maurice Dewey

September 23, 2008

Mayor Larry Soos
City Hall
216 Payne Avenue
North Tonawanda, NY 14120

Dear Mayor Soos:

We would like to invite you and Linda to a Block Party "Oktoberfest" event that is scheduled for October 11, from 5:00 – 11:00pm. In addition to our normal smorgasbord of food and beverages, we are going to have various children's activities including a cookie, brownie and cake baking contest and a costume competition. Further, excellent entertainment will be provided by Sugar and Jazz, featuring wonderful music from the Big Band era, conducted by Frank Larango.

In order to ensure this party be as safe as it will be fun, we ask that you agree to allow the North Tonawanda police and DPW to set up road barricades on Christiana Street between the streets of Bryant and Falconer. Thank you for your consideration in this matter and we hope to see you on the 11th.

Respectfully,
Dr. and Mrs. Maurice Dewey

10-07-08

ADJOURNMENT

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

Time of Adjournment: 6:34 P.M.

Respectfully submitted,

Thomas M. Jaccarino
City Clerk