

THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, October 21, 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: Mayor Lawrence V. Soos
City Attorney Shawn P. Nickerson

PROOF OF PUBLICATION PUBLISHED SEPTEMBER 6, 2008

- 1) Legal Notice – Rezoning of 184 Sweeney Street – City Clerk

PROOF OF PUBLICATION PUBLISHED SEPTEMBER 10 & 11, 2008

- 1) Bid – Gateway Harbor Signage – City Engineer

PROOF OF PUBLICATION PUBLISHED SEPTEMBER 11 & 12, 2008

- 1) Bid – Gateway Harbor Landscaped Slope Project – City Engineer

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

APPROVAL OF THE MINUTES OF THE REGULAR SESSION OCTOBER 7, 2008

MOVED by Alderman Pasiak **SECONDED by Alderman Brick**
That the minutes of the regular session held October 7, 2008 be approved as circulated and
filed in the Office of the City Clerk.
CARRIED.

AUDIENCE PARTICIPATION

Debbie Gondek, 257 Brentwood Drive – Asked for a copy of the Abstract of Claims.

COMMUNICATIONS FROM CITY OFFICIALS

II. Attorney

October 7, 2008

Hon. Mayor and Common Council
City Hall, 216 Payne Avenue
North Tonawanda, New York 14120

Re: Agreement between NYS Unified Court System and the City of North Tonawanda for Cleaning and Maintenance of Court Facilities – First Year of 5-Year Agreement

Dear Honorable Body:

Attached are the renewal documents for the first year of a new 5-year agreement between the NYS Unified Court System and the City of North Tonawanda, which provide for reimbursement of up to \$59,092 this year for cleaning and maintenance of our court facilities, pursuant to Chapter 686 of the Laws of 1996, as amended to date. The term of this first year extension is 4/1/08 through 3/31/09.

Should your Honorable Body concur, please authorize the Mayor to execute the agreement.

Very truly yours,
Shawn P. Nickerson
City Attorney

MOVED by Alderman Donovan SECONDED by Alderman Brick
That the Common Council hereby authorizes Mayor Soos to sign the renewal documents for the first year of a new 5-year agreement between the NYS Unified Court System and the City of North Tonawanda, which provide for reimbursement of up to \$59,092 this year for cleaning and maintenance of our court facilities, pursuant to Chapter 686 of the Laws of 1996, as amended to date. The term of this first year extension is 4/1/08 through 3/31/09.
Ayes: Brick, Pasiak, Schwandt, Donovan, Sommer (5)
Nays: None (0)
CARRIED.

VII. Accountant

October 16, 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 21, 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 21, 2008 and further authorizes the Mayor and City Clerk to respectively sign and countersign said Warrant:

01	General Fund	\$185,779.28
02	Water Fund	\$10,428.13
04	Sewer Fund	\$11,148.23
06	Capital Project Fund	\$33,431.59
08	Community Development	\$1,314.74
11	General Fund (Encumbered)	\$2,020.98
17	Home Rehab Program	\$36.50
	Final Total	<u>\$244,159.45</u>

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 Treasurer

.2 Police

MOVED by Alderman Pasiak

SECONDED by Alderman Donovan

That the Common Council hereby receives and files the aforementioned monthly reports.

CARRIED.

AUDIENCE PARTICIPATION

Frank Budwey, 2765 Stenzel – Questioned the Mayor on the appraised price of all city property being sought by Wal-Mart. He suggested that three different appraisals be done.

Walter Yaro, 170 Christiana Street – Stated that the city should publicize the charter revision ballot items.

Debbie Gondek, 257 Brentwood Drive – Asked about special assessments on Briarwood Estates.

Keith Craigie, 347 Brentwood – Stated that the Common Council and the Mayor will be pleased with the draft of the Master Plan.

Mike Gondek, 257 Brentwood Drive – Asked why the meetings are at 6:00PM.

ADJOURNMENT

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

Time of Adjournment: 6:45 P.M.

Respectfully submitted,

**Thomas M. Jaccarino
City Clerk**