

**THE HONORABLE BODY**  
**Council Chambers**  
**Municipal Building**  
**North Tonawanda, New York 14120**  
**Tuesday, December 2, 2008**  
**6:00 P.M.**

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

**ROLL CALL**

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

**Absent:**                   **Alderman Pasiak**

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

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**APPROVAL OF THE MINUTES OF THE REGULAR SESSION NOVEMBER 18, 2008**

**MOVED** by Alderman Schwandt                   **SECONDED** by Alderman Brick  
**That the minutes of the regular session held November 18, 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.     Mayor**

**November 25, 2008**

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

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

**It is with great thought and consideration for the success of this body, the Waterfront Commission, that I reappoint Melissa Kenney and Raymond Wesolowski each to three year terms, beginning January 1, 2009 and that will be completed on December 31, 2011.**

**I thank both of these fine individuals for their time and for their service to our community.**

**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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Consistent with state law then, the appropriate motions for today’s action would be to formally lay this Local Law on the table and allow it to remain so in it’s final form for at least seven (7) days prior to adoption.

Very truly yours,  
Shawn P. Nickerson  
City Attorney

**MOVED** by Alderman Schwandt                      **SECONDED** by Alderman Donovan  
That the Common Council hereby approves Local Law No. 2 for 2008 – Establishing Sewer Rates as follows and refers it to the Mayor’s Office to schedule a Public Hearing:

**LOCAL LAW NO. 2 FOR 2008**

**ESTABLISHING SEWER RATES FOR 2009 AND THEREAFTER**

**Section 1.** Section 75-15 of the City Code of the City of North Tonawanda, is hereby amended to read:

**Section 75-15. Establishment of Rates.**

- (a) The sewer rent for 2006 and thereafter is established according to a formula wherein the capital costs for such sanitary sewer system are recovered one hundred percent (100%) from water consumption through the sewer fund, and the costs of operation and maintenance of the sewage treatment system are recovered one hundred percent (100%) from water consumption through the sewer fund.
- (b) Billing schedule; additional charges.
  - (1) A minimum sewer charge of twelve dollars (\$12.00) per quarter is established, and the gallons of consumption used associated with the minimum will be zero.
  - (2) The sewer rent rate for 2009 and thereafter for meter consumption shall be four dollars and fifty cents (\$4.50) per thousand gallons of water consumption and shall be assessed and collected in conformance with the following schedule:

Billing Month  
 June  
 September  
 December  
 March

- (c) The sewer rent rate for 2006 for unmetered consumers shall be at a flat rate charge of ten dollars and ninety-six cents (\$10.96) per equivalent fixture unit per year, to result in the following schedule of charges:

**SEWER FUND FLAT RATE CHARGE  
SCHEDULE FOR 2006**

<u>Type</u>	<u>Equivalent Fixture Unit Charge</u>
Room	10.96
Wash Basin	10.96
Bath or Shower	35.22
Toilet	40.71
Laundry Tub or Washing Machine	28.17

Swimming Pool (permanent)	93.91
Boathouse	46.97
Garden Tap	37.53
Front-foot service charge, per foot, with a maximum of 70 feet	1.95

- (d) A ten percent (10%) surcharge shall be placed on all sewer rent account balances that are due in September and remain unpaid by mid-November of each year, and shall be levied on the subsequent year real property tax bill.
- (e) Multi-dwelling unit homes and apartments that have only one master water meter would be subject to the existing \$12.00 minimum sewer charge, and would receive an additional minimum sewer charge of \$6.00 for each additional dwelling unit which does not have a water meter.

**Section 2.** This Local Law shall take effect immediately upon filing with the Secretary of State and shall apply to the March, 2009, billing and all billings thereafter until otherwise amended.

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

Nays: None (0)

**CARRIED.**

## VII. Accountant

November 26, 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 December 2, 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 Donovan

SECONDED by Alderman Brick

That the Common Council hereby authorizes for payment the current Abstract of Claims dated December 2, 2008 and further authorizes the Mayor and City Clerk to respectively sign and countersign said Warrant:

01	General Fund	\$2,471,102.30
02	Water Fund	\$162,954.37
04	Sewer Fund	\$261,769.24
06	Capital Project Fund	\$356,766.47
07	Trust & Agency Fund	\$31.62
17	Home Rehab Program	<u>\$21,316.00</u>
	Final Total	<u>\$3,273,940.00</u>

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

Nays: None (0)

**CARRIED.**

**XIV. Recreation**

11/24/2008

The Honorable Mayor, Lawrence Soos and Common Council Members  
 City Hall  
 216 Payne Ave.  
 North Tonawanda, New York 14120

Dear Honorable Mayor Soos and Common Council Members  
 Please review and approve the recommended fee increases in Department of Youth,  
 Recreation & Parks 2008 Fee and Charge schedule.

- Deerwood Golf Course Private Cart Seasonal Fee :  
 Increased from \$ 240 00 to \$ 300.00.
- Youth Team (all players must be under 21 years of age)  
 Softball Fee: Increased from \$ 100.00 to \$ 150.00
- Resident Adult Softball Team: Increased from \$ 300.00 to \$ 350.00 per  
 team.
- Non-resident Adult Softball Team Fee: Increased from \$ 400.00 per team  
 to \$ 500.00 per team.

All other fees in the current schedule will remain the same. The revenue generated from  
 the established fees and charges is collected for deposit in the City General Fund.

Sincerely,  
 Jerry Whitehead  
 Director of Youth, Recreation & Parks

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

**XXV. Monthly Reports****.1 Treasurer**

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

**COMMUNICATIONS FROM OTHERS**

A.  
 David J. Burgio

Mayor Lawrence V. Soos  
 216 Payne Avenue  
 North Tonawanda, New York 14120

Dear Mayor and Common Council:

At the meeting with department heads held Nov. 12<sup>th</sup>, 2008 the following is what  
 transpired:



**ADJOURNMENT**

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

**Time of Adjournment: 6:10 P.M.**

**Respectfully submitted,**

**Thomas M. Jaccarino**  
**City Clerk**