

THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, March 17, 2009
7:00P.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
Attorney Shawn P. Nickerson

STUDENT GOVERNMENT DAY

Juliane Harmon	Mayor
Ben Bunker	Alderman at Large, Council President
Joanna Fretthold	Alderman at Large
Colleen Wiechec	1st Ward Alderman
Dan Brandel	2nd Ward Alderman
Olivia DiPalma	3rd Ward Alderman
Vincent Libroia	City Attorney
Jason Paton	Assistant City Attorney
Jennie McFarland	Assistant City Attorney
Matthew Jones	City Judge
Jeff Zellner	Treasurer
Andrew Howell	Accountant
Zach Niemiec	City Assessor
Abby Sommer	Deputy City Clerk
Dan Patterson	City Engineer
Katie Labushesky	Senior Citizen Coordinator
Devan Omahen	Director of Community Development
James DeVoe	Appointed City Judge
Sara Basior	Fire Chief

- * **William M. Manth-Assistant Director**
415 Linwood Avenue, North Tonawanda, NY - (716) 695-6433
- * **Thomas Pendleton-Deputy Director**
323 Linwood Avenue, North Tonawanda, NY - (716) 693-5671
- * **Kevin W. Hodgson-Deputy Director**
67 Jesella Drive, North Tonawanda, NY - (716) 694-0622

Mr. Doucette, Mr. Manth, and Mr. Pendleton are part of a quality emergency management team. I am also adding Mr. Hodgson as a Deputy Director. He is a resident who served at the Niagara Falls Air Base as Assistant Fire Chief and has the expertise and the desire to assist this department. He will be a valuable addition. In speaking with the Fire Chief, I recommend that the \$500.00 stipend for the Deputy Director position now be split between both deputies.

Accordingly, I am also requesting that the City Clerk arrange for the appropriate oath to be administered to the new appointees. Thank you.

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.

I.2 Mayor

March 12, 2009

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

Re: Appointments to North Tonawanda Environmental Committee

Dear Honorable Body:

Please be advised that I am appointing the following individuals to the North Tonawanda Environmental Committee as three (3) of the members terms had expired as of December 31, 2008. After my office spoke with Mary Kate Fonzi, Committee Chairman, we were informed that Alison Endl and Amy Fisk are not seeking reappointment, although Ray Gang is still interested in serving. Accordingly, I am reappointing Mr. Gang and making two (2) other appointments to fill the positions being vacated by Ms. Endl and Ms. Fisk. I do appreciate the service to this committee that both Ms. Endl and Ms. Fisk have provided over the years.

The appointments are as follows:

Robert McClung, 167 Stenzil Street, North Tonawanda – Three (3) year term, expiring 12/31/11.

Brian Patrick Murphy, 1845 Sweeney Street, North Tonawanda – Three (3) year, term expiring 12/31/11.

Ray Gang, 577 Wurlitzer Drive, North Tonawanda – Three (3) year, term expiring 12/31/11.

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.

II. Attorney

February 10, 2009

Honorable Mayor & Common Council
216 Payne Avenue
North Tonawanda, New York 14120

Re: Tentative Agreement between the City and PBA

Dear Honorable Body:

The City bargaining committee and PBA negotiators met on four occasions from September 8, 2008 through October 17, 2008 and on three occasions with PERB mediator Gregory Poland from February 12, 2009 through March 9, 2009. We have reached a tentative agreement which would require ratification by the Common Council. Below is a list of items that would be changed by this tentative agreement:

1. §§1.21 and 1.23. This would be a three-year agreement beginning January 1, 2009 and ending December 31, 2011.

2. §1.42(e). This would define what “one day’s pay” means to be the amount obtained by dividing an employee’s annual salary by the actual number of paid workdays in any given year.

3. §7.1. Annual salaries: The annual salaries will be increased by the following amounts:

- Effective 1/1/09 – 1%**
- Effective 7/1/09 – 1%**
- Effective 1/1/10 – 1 ½ %**
- Effective 7/1/10 – 1 ½ %**
- Effective 1/1/11 – 3%**

4. §10.22. Any employee who accumulates sick days in excess of 200 days shall have the amount in excess of 200 days contributed to the PBA sick leave bank.

5. §12.12. Employees hired after 1/1/09 will pay 25% of the cost of their health insurance premium for 6 years, upon the completion of their sixth year, they will contribute 10% of the cost of the premium until retirement.

6. §12.12. The union will accept the city’s optional medical plan that was offered to the CSEA and AFSCME. One-half the savings in premiums for any members that enroll in this plan will be contributed to a Health Reimbursement Account set up pursuant to the Internal Revenue Code.

7. §12.15. The city will add \$400.00 to each step of the longevity section of the agreement.

If you concur, please authorize the Mayor to sign said amended Collective Bargaining Agreement between the City and the PBA when it is prepared.

Very truly yours,
Robert Sondel
Assistant City Attorney

Dear Mayor and Common Council:

Would you please grant permission to the Water Department to hire a licensed plumber to repair the Water Service Leak at 184 Schenck St.

Also, all costs are to be assessed upon the land involved – [Water Ordinance Chapter 98 – Section 98-12(5)].

Sincerely,
Paul J. Drof
Water Works Superintendent

MOVED by Alderman Brick **SECONDED** by Alderman Sommer
That the Common Council hereby grants permission to the Water Department to hire a licensed plumber to repair the Water Service Leak at 184 Schenck St., with all costs assessed upon the land involved - [Water Ordinance Chapter 98 - Section 98-12 (5)].

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

Nays: None (0)

CARRIED.

VII.1 Accountant

March 13, 2009

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 17, 2009, 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 Donovan
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated March 17, 2009 and further authorizes the Mayor and City Clerk respectively sign and countersign said Warrant:

01	General Fund	\$144,557.61
02	Water Fund	8,253.27
04	Sewer Fund	38,126.33
06	Capital Project Fund	83,384.81
07	Trust & Agency Fund	122.95
08	Community Development	73.08
11	General Fund Encumbered	26,311.48
14	Sewer Fund Encumbered	75.00
17	Home Rehab Program	<u>37,788.00</u>
	Final Total	<u>\$338,692.53</u>

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

Nays: None (0)

CARRIED.

XXV. Monthly Reports

- .1 Senior Citizens**
- .2 Vital Statistics**

MOVED by Alderman Schwandt SECONDED by Alderman Brick
That the Common Council hereby receives and files the aforementioned Monthly Reports.
CARRIED.

XXVI. Semi-Annual Vacation & Sick Leave Reports

- .1 Building Inspector**

MOVED by Alderman Pasiak SECONDED by Alderman Brick
That the Common Council hereby receives and files the aforementioned Semi-annual
Vacation & Sick Leave Reports.
CARRIED.

AUDIENCE PARTICIPATION –

Jerry Whitehead, Director of Youth Recreation & Parks – Thanked all who participated in
Student Government Day.

ADJOURNMENT

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

Time of Adjournment: 7:36P.M.

Respectfully submitted,

Robert G. Ortt
Clerk-Treasurer