

Please be advised that I am hereby appointing Jay L. Soemann, 240 Bryant Street, North Tonawanda, NY 14120 to the Mayor’s Property Maintenance Task Force as a volunteer citizen member. As a long time business owner on Webster Street, he will bring valuable insight to the task force pertaining to downtown property maintenance issues.

Thank you very much for your attention to this matter.

Very truly yours,
Lawrence V. Soos
Mayor

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

I.2 Mayor

July 16, 2009

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

Re: Sponsorship of Niagara Frontier Theatre (Riviera Theatre) in
Niagara County Energy Procurement Group

Dear Honorable Body:

As discussed at the recent workshop session, the Riviera Theatre through Executive Director, Frank Cannata has been in contact with this office to request our assistance in becoming part of the energy procurement program for Niagara County and its members, of which the City of North Tonawanda is a participant. This office in conjunction with City Accountant David Jakubaszek has worked with Mr. Cannata, County of Niagara Public Works, and Fluent Energy and we believe that there is a potential savings in utility costs to the Riviera Theatre. The County appears willing to allow the Riviera Theatre into said energy procurement group on the condition that the City of North Tonawanda serves as the sponsor and liaison for them. I am recommending that the City of North Tonawanda serve as the Riviera Theatre’s sponsor and enter into an agreement with the Riviera Theatre to set out each party’s respective duties and obligations, with of course, the ability of either party to terminate said agreement on appropriate notice.

It has been calculated that the savings to the Riviera Theatre would have been approximately 9.5 percent on electric bills and 6.1 percent on gas bills for the past year based upon an analysis made by Fluent Energy. These percentages calculate out to be approximately \$2,000.00 in energy cost savings for the year. This will undoubtedly help out a not-for-profit such as the Riviera Theatre, and if successful, may be something that would interest other not-for-profit cultural groups in the city.

Accordingly, if your Honorable Body concurs with this sponsorship by the city of the Riviera Theatre in this energy procurement program through the County of Niagara, please pass a resolution in support same, subject to the legal review and approval of the City Attorney’s Office.

Very truly yours,
Lawrence V. Soos
Mayor

MOVED by Alderman Brick SECONDED by Alderman Donovan
BE IT RESOLVED THAT, that the Common Council of the City of North Tonawanda hereby agrees to serve as a sponsor of Niagara Frontier Theatre (Riviera Theatre) pursuant to an agreement between the Niagara Frontier Theatre (Riviera Theatre) and the City of North Tonawanda, in order to facilitate its admission in the Niagara County Energy Procurement Group; and

BE IT FURTHER RESOLVED THAT, the City of North Tonawanda as sponsor and responsible party for the energy bills generated by the Niagara Frontier Theatre (Riviera Theatre) through this procurement group, requests that said admission to the Niagara County Energy Procurement Group be fully supported by the Niagara County

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

Nays: None (0)

CARRIED.

I.3 Mayor

July 17, 2009

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

RE: Award of Bid -Telephone System Request for Proposals

Dear Honorable Body:

This communication is being sent as a follow up to the recent common council workshop session that included this office, City Accountant David Jakubaszek, Matt Grimaldi of the Engineering Department and member of the Technology Committee, and representatives from the low bidder, iVergent. The Technology Committee was formed by this office last year to review city communication issues, the potential updating and replacement of our existing telephone and computer systems. After meeting on a regular basis since last Fall on telephone and computer issues, the Technology Committee is recommending as a first step that a new telephone system be installed covering all of City Hall, our city offices in the Norman Keller Building, Police Department, and the Department of Public Works. Earlier this year, a Request for Proposal was put together by said Committee and as a result the bids set out below were received. They are as follows:

	<u>VoIP</u>	<u>Digital</u>
* iVergent	\$50,829.00	no bid
* Ronco	\$63,200.00	\$47,800.00
* Comtel	\$69,277.00	\$53,994.00
* Black Box	\$98,636.69	no bid
* Synergy	\$160,086.99	no bid

As you can see, bids included the Voice Over Internet Protocol System and a Digital System. The Technology Committee's preference was the VoIP system as opposed to the Digital system based upon the system's benefits and capabilities, such as ease of use, future adaptability, etc.

Accordingly, based upon the recommendation of the Technology Committee and as discussed at the last workshop session with the low bidder, I am respectfully requesting that the Common Council award the telephone system bid to iVergent at their low bid amount of \$50,829.00; authorizing the Mayor to sign said contract, subject to review of the City Attorney.

Very truly yours,
Lawrence V. Soos
Mayor

MOVED by Alderman Donovan

SECONDED by Alderman Brick

That the Common Council hereby awards the telephone system bid to iVergent at their low bid amount of \$50,829.00 and authorizes the Mayor to sign said contract, subject to review of the City Attorney.

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

Nays: None (0)

CARRIED.

July 13, 2009

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

Re: Proposed Contract between City and IAFF Local 1333 (Fire Union)

Dear Honorable Body:

The city negotiating team and the fire union met on six occasions between January 9, 2009 and April 8, 2009 and with a mediator from PERB on June 24, 2009. We have negotiated a tentative agreement with the following accepted proposals:

1. Sections 1.21 and 1.23 – The term of the contract is three years from 2009 through 2011.
2. Section 5.11(1) – This section defines the items of training necessary before an employee can complete his probationary period.
3. Section 5.24 – This is housekeeping. It substitutes the Fire Chief for the Common Council as the appointing officer. This is consistent with the new city charter.
4. Section 6.33 – This section would permit substitution of personnel while an employee is working overtime but for a maximum of four hours.
5. Section 7.1 – Salaries: The agreement would provide for the following increases:

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

6. Section 7.15 – This is a minor language change for employees working in fire investigation.
7. Section 10.5 – This would institute a Sick Leave Bank within the fire department. All other city unions have a sick leave bank.
8. Section 12.12(a) – This section offers an alternative medical insurance plan that is cheaper than the primary medical plan. If an employee chooses the less costly plan, the city will contribute one-half of the savings in premium payments into a Health Reimbursement Account for said employee.
9. Section 12.12(b) – This section would require any employee hired after January 1, 2009 to pay 25% of the cost of his medical insurance premium for the first 6 years of his employment. Thereafter, said employee would be required to pay 10% of his medical insurance premium until he retires.
10. Section 12.16 – Longevity: Longevity shall be paid as follows:

<u>Years of Service</u>	<u>2009</u>	<u>2010</u>
5 years, but less than 7 years	550.00	750.00
7 years, but less than 10 years	950.00	1,150.00
10 years, but less than 15 years	1,150.00	1,350.00
15 years, but less than 20 years	1,350.00	1,750.00
20 years and over	1,650.00	2,100.00

11. Section 12.24 – Housekeeping section. This section just clarifies the equipment that shall be provided to an employee. It replaces the word “raincoat” with “bunker coat”.

If you concur, please authorize the mayor to sign the new collective bargaining agreement.
Thank you.

Very truly yours,
Robert Sondel
Assistant City Attorney

MOVED by Alderman Sommer **SECONDED** by Alderman Pasiak
That the Common Council hereby authorizes Mayor Soos to sign the collective bargaining agreement between the City of North Tonawanda and IAFF Local 1333 (Fire Union).
Ayes: Brick, Pasiak, Donovan, Sommer (4)
Nays: None (0)
CARRIED.

IV. Engineer

July 17, 2009

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

Re: Project 2009-06, Deerwood Golf Course Sand Bunkers
Award of Contract

Dear Honorable Body:

On Thursday, July 16, 2009, two (2) bids from qualified contractors were received for the Deerwood Golf Course Sand Bunkers. The bid results are as follows:

- | | |
|--|-------------|
| • Oakhurst Development Services, Corp. | \$88,000.00 |
| • Faery's Golf & Landscape, Inc. | \$98,950.00 |

Accordingly, I respectfully request that the Common Council award Project 2009-06, Deerwood Golf Course Sand Bunkers, to Oakhurst Development Services, 208 Oakhurst Street, Lockport, New York 14094 at their low bid in the amount of \$88,000.00; 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 Donovan **SECONDED** by Alderman Pasiak
That the Common Council hereby awards Project 2009-06, Deerwood Golf Course Sand Bunkers, to Oakhurst Development Services, 208 Oakhurst Street, Lockport, New York 14094 at their low bid in the amount of \$88,000.00 and authorizes the Mayor to sign said contract, subject to review by the City Attorney.
Ayes: Brick, Pasiak, Donovan, Sommer (4)
Nays: None (0)
CARRIED.

VII. Accountant

July 16, 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 July 21, 2009, and further authorize the Mayor and City Clerk-Treasurer 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 for Common Council Audit dated July 21, 2009 and further authorizes the Mayor and City Clerk respectively sign and countersign said Warrant:

01	General Fund	\$443,915.74
02	Water Fund	27,228.59
04	Sewer Fund	51,313.87
06	Capital Project Fund	49,317.29
07	Trust & Agency Fund	2,236.04
11	General Fund Encumbered	1,570.74
17	Home Rehab Program	328.50
	Final Total	<u>\$575,910.77</u>

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

Nays: None (0)

CARRIED.

IX.1 Public Works

July 13, 2009

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

Re: Award of Bid for One Combination Jet and Vacuum Sewer Cleaner with Truck Chassis

Dear Honorable Body:

On Wednesday, April 29, 2009 bids were received and publicly opened in the City Clerk's Office for one combination jet and vacuum sewer cleaner with truck chassis. My office has reviewed the bids submitted and tabulated them as follows:

<u>BIDDERS</u>	<u>BID AMOUNT</u>
Foster's Equipment, Inc.	\$231,974.00
Joe Johnson Equipment, Inc.	\$275,000.00

I have reviewed the bids submitted and find a number of deviations from the specifications in the Foster's Equipment bid. Attached please find a list of 22 deviations which were of concern to me in varying degrees. It is my opinion that the bid submitted by Foster's Equipment was unable to substantially meet our specifications and that the bid of Joe Johnson Equipment meets our specifications in all respects and although more expensive, represents a better value for the City.

I recommend that the Council award the bid for a combination jet and vacuum sewer cleaner with truck chassis to Joe Johnson Equipment, Inc., 62 LaGrange Avenue, Rochester, NY 14613 at their lowest responsible bid of \$275,000.00, subject to the approval of the City Attorney.

Very truly yours,
Gary J. Franklin
Superintendent of Public Works

07-21-09

MOVED by Alderman Pasiak

SECONDED by Alderman Donovan

That the Common Council hereby awards the bid for a combination jet and vacuum sewer cleaner with truck chassis to Joe Johnson Equipment, Inc., 62 LaGrange Avenue, Rochester, NY 14613 at their lowest responsible bid of \$275,000.00, subject to the approval of the City Attorney.

Ayes: Brick, Pasiak, Donovan, Sommer

(4)

Nays: None

(0)

CARRIED.

IX.2 Public Works

July 14, 2009

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

Re: Award of informal bid for Project 2009-09 Emergency Sanitary Sewer Repair on Eddy Dr.

Dear Honorable Body:

On Tuesday, July 14, 2009 informal bids were received in my office for an emergency sanitary sewer repair on Eddy Dr. My office has reviewed the bids submitted and tabulated them as follows:

<u>BIDDERS</u>	<u>BID AMOUNT</u>
Visone Construction, Inc.	\$18,700.00
Yarussi Construction, Inc.	\$27,500.00
L.D.C. Construction Co., Inc.	\$37,400.00

We know the low bidder to be a reputable and reliable sewer construction contractor whose bid was near our own estimate. Funds are available in our Capital budget.

I recommend that the Council award the informal bid for an emergency sanitary sewer repair on Eddy Dr. at their lowest responsible bid of \$18,700.00, subject to the approval of the City Attorney and further request the Mayor waive his veto upon the City Attorney's approval.

Very truly yours,
Gary J. Franklin
Superintendent of Public Works

MOVED by Alderman Pasiak

SECONDED by Alderman Donovan

That the Common Council hereby awards the informal bid for an emergency sanitary sewer repair on Eddy Dr. to Visone Construction, Inc. at their lowest responsible bid of \$18,700.00, subject to the approval of the City Attorney.

Ayes: Brick, Pasiak, Donovan, Sommer

(4)

Nays: None

(0)

CARRIED.

XXV. Monthly Reports

.1 Police

MOVED by Alderman Pasiak

SECONDED by Alderman Brick

That the Common Council hereby receives and files the aforementioned Monthly Reports.

CARRIED.

