

THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, December 15, 2009
6:00P.M.

REGULAR SESSION CALLED TO ORDER BY PRESIDENT SCHWANDT

ROLL CALL

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

Absent: None

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

APPROVAL OF THE MINUTES OF THE REGULAR SESSION DECEMBER 1, 2009

MOVED by Alderman Brick **SECONDED** by Alderman Pasiak
That the minutes of the regular session held December 1, 2009 be approved as circulated and
filed in the Office of the Clerk-Treasurer.
CARRIED.

PROOF OF PUBLICATION PUBLISHED NOVEMBER 17, 2009

- 1) Public Hearing – Local Law No. 6 for 2009 – Mayor

PROOF OF PUBLICATION PUBLISHED NOVEMBER 20 & 21, 2009

- 1) Proposal – Gratwick Park Food Services Concession – Mayor

PROOF OF PUBLICATION PUBLISHED NOVEMBER 24 & 27, 2009

- 1) Proposal – Remedial work at Gratwick Riverside Park Marina – Mayor

MOVED by Alderman Donovan **SECONDED** by Alderman Brick
That the Common Council hereby receives and files the aforementioned Proofs of
Publication.
CARRIED.

AUDIENCE PARTICIPATION

Ana Rodgers, Payne Avenue – Asked about the remedial work at Gratwick Riverside Park
Marina mentioned in the Proof of Publication.

COMMUNICATIONS FROM CITY OFFICIALS

I.1 Mayor

December 8, 2009

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

12-15-09

Re: Appointment to North Tonawanda Waterfront Commission

Dear Honorable Body:

Please be advised that I am hereby appointing to the North Tonawanda Waterfront Commission, Gregg Schnitzer of 429 Wheatfield Street for the remainder of the term of current member JoAnn Dicky which will expire on December 31, 2012. The appointment will be effective immediately. Ms. Dicky has tendered her resignation as her work schedule will prevent her from attending meetings on a regular basis.

Thank you for your attention to this matter.

Sincerely,
Lawrence V. Soos
Mayor

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

I.2 Mayor

December 10, 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 making the following appointments to said Environmental Committee as follows:

William Parkhill, 3171 Ridge Road, Ransomville, NY, effective immediately, who is in charge of the Department of Public Works tree crew and is an arborist, for the remainder of the term of Dale Rogers who has resigned from the committee with a term expiring 12/31/10.

Thank you for your attention to this matter.

Sincerely,
Lawrence V. Soos
Mayor

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

I.3 Mayor

December 10, 2009

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

RE: Appointments to North Tonawanda Cable Television Advisory Board

Dear Honorable Body:

Please be advised that I am hereby reappointing to the North Tonawanda Cable Television Advisory Board Joseph Rich, 287 Wheatfield Street, North Tonawanda, NY 14120 and Suzann Chank, 1616 Sweeney Street, North Tonawanda, NY 14120, effective immediately, as they have been serving in a holdover capacity since their terms actually expired as of December 31, 2008, for a term of three (3) years expiring on December 31, 2011. Furthermore, I am appointing to the Advisory Board, effective immediately, for a term of three (3) years expiring on December 31, 2011, Lou DalPorto, 416 Fairmont Avenue, North Tonawanda, NY, replacing current holdover member Louis Sprenger.

Also, by this communication I am hereby correcting the terms of the appointments of Mark Houghton and Robert Fritz that were approved at the last Common Council meeting. They were replacing holdover members Daniel and Marge Andrey. In the communication I made an error in making their appointments for a two (2) year term as opposed to a three (3) year term. All past appointments of Cable Television Advisory Board members have been traditionally for three (3) years. Thus, their appointments will expire on December 31, 2011, not December 31, 2010.

Thank you for your attention to this matter.

Sincerely,
Lawrence V. Soos
Mayor

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

L4 Mayor

December 10, 2009

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

Re: Appointments to North Tonawanda Historic Preservation Commission

Dear Honorable Body:

Please be advised that three (3) appointments to the Historic Preservation position are up for reappointment as per a communication from the Chairman of the Commission, Heather Grefrath. They are presently serving in a holdover capacity. Accordingly, I am making the following appointments:

Rae Proefrock, 202 Niagara Street – 4 year term	August 1, 2009 – July 31, 2013
Jay L. Soemann, 240 Bryant Street – 4 year term	August 1, 2009 – July 31, 2013
Mark Houghton, 795 Nash Road – 4 year term	August 1, 2009 – July 31, 2013

I am reappointing Ms. Proefrock and have decided to appoint two (2) new members, Mr. Soemann and Mr. Houghton, who have both expressed an interest in serving on the board. They will be replacing Lisa Murphy and David Walders whose terms expired.

Sincerely,
Lawrence V. Soos
Mayor

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

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 15, 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 Donovan

SECONDED by Alderman Pasiak

That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated December 15, 2009 and further authorizes the Mayor and City Clerk respectively sign and countersign said Warrant:

01	General Fund	\$184,428.84
02	Water Fund	29,721.68
04	Sewer Fund	50,166.42
06	Capital Project Fund	41,856.39
07	Trust & Agency Fund	5,950.07
08	Community Development	440.30
17	Home Rehab Program	<u>15,392.49</u>
	Final Total	<u>\$327,956.19</u>

Ayes: Brick, Pasiak, Sommer, Donovan, Schwandt

(5)

Nays: None

(0)

CARRIED.

VII.2 Accountant

November 25, 2009

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

Dear Honorable Body:

In accordance with the 2010 adopted budget, the Water and Sewer Fund Estimated Revenues reflected a total increase of \$174,000. This modification reflects the increase of the quarterly apartment base rate by \$6.00 for water and sewer (currently \$6.00 for water and for sewer) so that they are identical with the single family base rate (currently \$12.00 for water and sewer). This will provide equitability with all residents, home owners and apartment renters.

I met with the Common Council, at a workshop session on November 10th to discuss the need to revise this revenue stream. This modification would not apply to single family homes, only apartments.

Accordingly, please pass a resolution to formally lay the local law, modifying Section 75-15(e) of the City Code to reflect a change in sewer rates (increasing apartment minimum sewer charge to \$12.00), on the table and allow it to remain so in its final form for at least seven (7) days prior to adoption; and further, please pass a resolution amending Chapter 98(G) of the City Code entitled "Water" to reflect a change in the water rates (increasing the apartment minimum water charge to \$12.00).

Very truly yours,
David R. Jakubaszek
City Accountant

12-15-09

MOVED by Alderman Brick

SECONDED by Alderman Sommer

That the Common Council hereby lays the aforementioned proposed local law, modifying Section 75-15(e) of the City Code to reflect a change in sewer rates (increasing apartment minimum sewer charge to \$12.00), on the table and allows it to remain so in its final form for at least seven (7) days prior to adoption; and further, amends Chapter 98(G) of the City Code entitled "Water" to reflect a change in the water rates (increasing the apartment minimum water charge to \$12.00).

Ayes: Brick, Sommer

(2)

Nays: Pasiak Donovan

(2)

Abstained: Schwandt

(1)

MOTION FAILED.

IX. Public Works

November 30, 2009

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

Re: National Grid's 10,000 Trees Program

Honorable Body:

I request your authorization to act as the City's agent in applying for National Grid's "10,000 Trees...and Growing" program. National Grid under this program will reimburse the City \$50.00 for each tree planted along city streets as long as they meet program guidelines for non-interference with overhead lines. The department wishes to apply for reimbursement for eight (8) trees.

I recommend that Michael Guidotti, as Assistant Superintendent of Public Works of the City of North Tonawanda is hereby authorized and directed to file an application for contributory reimbursement funds as part of the "10,000 Trees...and Growing" tree planting program, and upon approval of said request, to enter into and execute a project agreement with National Grid for such financial contribution to this municipality.

**Very truly yours,
Michael Guidotti
Assistant Superintendent of Public Works**

MOVED by Alderman Donovan

SECONDED by Alderman Brick

That the Common Council hereby authorizes Michael Guidotti, Assistant Superintendent of Public Works of the City of North Tonawanda to file an application for contributory reimbursement funds as part of the "10,000 Trees...and Growing" tree planting program, and upon approval of said request, to enter into and execute a project agreement with National Grid for such financial contribution to this municipality subject to review and approval of all documentation by the City Attorney.

Ayes: Brick, Pasiak, Sommer, Donovan, Schwandt

(5)

Nays: None

(0)

CARRIED.

XI. Fire

December 9, 2009

**Mayor Lawrence Soos
and Common Council**

Honorable Mayor and Common Council Members:

On Monday, November 23, 2009, bids for one (1) new Vehicle Exhaust Extraction System for the North Tonawanda Fire Department were received and publicly opened in the City Clerk's Office.

The lowest acceptable bidder was Air Cleaning Systems of Latham, New York with their bid of \$58,709.

This proposal has been reviewed by the City Attorney and he concurs with this bid award.

Therefore, I recommend that the Common Council award the bid for the Vehicle Exhaust Extraction System to Air Cleaning Systems.

Respectfully,
Joseph L. Krantz
Fire Chief

MOVED by Alderman Pasiak

SECONDED by Alderman Brick

That the Common Council hereby awards the bid for one (1) new Vehicle Exhaust Extraction System for the North Tonawanda Fire Department to Air Cleaning Systems of Latham, New York at their bid of \$58,709 subject to review and approval of the City Attorney.

Ayes: Brick, Pasiak, Sommer, Donovan, Schwandt

(5)

Nays: None

(0)

CARRIED.

XVI. City Clerk-Treasurer

December 11, 2009

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

Re: Increase in Treasurer's fees

Dear Honorable Body:

Be advised that according to our bank analysis we are charged \$25.00 for each returned check. Currently my office only charges \$15.00 for returned checks. I am recommending that this be increased to \$25.00 to match what the City is charged by our banks.

Further, our tax search fee is \$15.00 and for paid receipts \$.50 per copy. These rates have not been increased since February 2005. I am requesting that these fees be increased to \$20.00 for tax searches and \$1.00 per copy of paid receipts.

Thank you in advance for your attention to this matter.

Very respectfully,
Robert G. Ortt
City Clerk-Treasurer

MOVED by Alderman Pasiak

SECONDED by Alderman Schwandt

That the Common Council hereby authorizes the City Clerk-Treasurer to increase the fees for returned checks to \$25.00, the fees for a tax search to \$20.00 and the fees for paid receipt to \$1.00 per copy.

Ayes: Brick, Pasiak, Sommer, Donovan, Schwandt

(5)

Nays: None

(0)

CARRIED.

XXV. Monthly Reports

- | | | | |
|----|------------------|----|--------|
| .1 | Senior Citizens | 3. | Police |
| .2 | Vital Statistics | | |

