

THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Monday, January 4, 2010
6:20P.M.

REGULAR SESSION CALLED TO ORDER BY PRESIDENT SCHWANDT

ROLL CALL

Present: President Schwandt
Aldermen Pasiak, Andres, Zadzilka

Absent: Alderman Donovan

Also Present: Mayor Robert G. Ortt
City Attorney Shawn P. Nickerson

AUDIENCE PARTICIPATION

Walt Yaro, 170 Christiana Street – Asked about the creation of the Assistant City Treasurer position.

Rae Proefrock, 202 Niagara Street – Thanked the Council for putting the Carousel Society items on the agenda.

COMMUNICATIONS FROM CITY OFFICIALS

I.1 Mayor

December 28, 2009

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

RE: Appointment to North Tonawanda Cable Television Advisory Board

Dear Honorable Body:

As you know, I recently reappointed to the North Tonawanda Cable Television Advisory Board, Joseph Rich, 287 Wheatfield Street, North Tonawanda, NY 14120, for a term expiring on December 31, 2011. Just recently, due to personal commitments, Mr. Rich advised me that he can no longer serve. Thus, in his place, I am appointing Judy Gregory, 164 Stenzil Street, North Tonawanda, NY 14120 to serve the remainder of Mr. Rich's term.

Thank you for your attention to this matter.

Sincerely,
Lawrence V. Soos
Mayor

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

I.2 Mayor

December 28, 2009

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

RE: Appointment to North Tonawanda Historic Preservation Commission

Dear Honorable Body:

Please be advised that I am appointing Gregg Schnitzer, 429 Wheatfield Street, North Tonawanda, NY 14120 to the Commission for a four (4) year term effective immediately and expiring on July 31, 2013. He will be replacing Margaret A. Cheely who has been serving in a holdover capacity and who has expressed to Commission Chairman Heather Grefrath a desire to no longer serve on the committee.

Thank you very much for your attention to this matter.

**Sincerely,
Lawrence V. Soos
Mayor**

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

II.1 Attorney

December 21, 2009

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

Re: Warrant for Special Assessments – Marcia Drive Reconstruction Project

Dear Honorable Body:

The improvements to Marcia Drive, Project 2009-01, were accepted by the Common Council at its meeting of June 16, 2009. Attached hereto is the Tax Warrant for the collection of the special assessments for said improvements, together with a list of the amounts due and owing from each property owner.

Please approve said Warrant and, after execution by the Mayor and members of the Common Council and direct it to the City Clerk-Treasurer.

**Very truly yours,
Robert Sondel
Assistant City Attorney**

**MOVED by Alderman Pasiak SECONDED by Alderman Andres
That the Common Council hereby approves the Tax Warrant for the collection of the special assessments for the Marcia Drive Reconstruction Project 2009-01, authorizes the Mayor and Common Council to sign the warrant and further directs the City Clerk-Treasurer to issue bills to the owners of the properties.**

Ayes: Andres, Pasiak, Zadzilka, Schwandt (4)

Nays: None (0)

CARRIED.

II.2 Attorney

December 23, 2009

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

Re: Final Transfer of Gratwick-Riverside Park from Niagara Mohawk Power Corporation to the City of North Tonawanda

Dear Honorable Body:

We are pleased to announce that the final transfer of the Gratwick-Riverside Park from the Niagara Mohawk Power Corporation to the City of North Tonawanda was finalized on December 18th, 2009, as evidenced by a copy of the deed attached.

This closing completes more than 20 years of ongoing work regarding the former dump site, beginning with the “brownfield” cleanup and dealing with all of the potentially responsible parties (PRP’s), the State of New York, and the DEC in that effort, to the current ongoing development of the Gratwick-Riverside Park along our waterfront.

We look forward to many years of continuing enjoyment that the park will bring to the citizens of North Tonawanda and Western New York.

Very truly yours,
Shawn P. Nickerson
City Attorney

MOVED by Alderman Zadzilka	SECONDED by Alderman Andres
That the Common Council hereby receives and files the aforementioned communication.	
Ayes: Andres, Pasiak, Zadzilka, Schwandt	(4)
Nays: None	(0)
CARRIED.	

II.3 Attorney

December 28, 2009

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

Re: Creation of Assistant Treasurer’s Position

Dear Honorable Body:

I have been asked to propose the creation of the position of Assistant Treasurer. The proposal job-duty statement has been approved by the Niagara County Civil Service Commission and an examination for said position has been recently administered by said Civil Service Commission.

Upon creation of the position, the city would have to negotiate with the CSEA union to include said position within the collective bargaining agreement. The clerk-treasurer would appoint someone to said position pending the results of the civil service examination.

If you concur, please approve the creation of said position of Assistant Treasurer pursuant to the approved job-duty statement. Thank you.

Very truly yours,
Robert Sondel
Assistant City Attorney

MOVED by Alderman Schwandt SECONDED by Alderman Pasiak
That the Common Council hereby authorizes for payment the current Abstract of Claims
for Common Council Audit dated January 4, 2010 and further authorizes the Mayor and
City Clerk respectively sign and countersign said Warrant:

01	General Fund	\$423,563.59
02	Water Fund	28,043.20
04	Sewer Fund	95,651.33
06	Capital Project Fund	284,208.00
07	Trust & Agency Fund	1,680.00
11	General Fund Encumbered	2,658.14
17	Home Rehab Program	536.50
	Final Total	<u>\$836,340.76</u>

Ayes: Andres, Pasiak, Zadzilka, Schwandt (4)
Nays: None (0)
CARRIED.

IX. Public Works

December 21, 2009

Honorable Mayor & Common Council
City Hall, 216 Payne Avenue
No. Tonawanda, NY 14120

Re: Chapter 45
Schedule of Heavy Pick Up Dates - 2010

Honorable Body:

I would recommend the following Rules and Regulations for your approval under Chapter 45, Solid Waste, of the City Code.

Section 45-9 F.(1) requires that large household furnishings such as chairs, sofas, tables, beds, carpets, etc. and such large bulky or heavy items may be placed at the curb only on the scheduled heavy collection days.

I further recommend that the heavy collection dates for the entire City for 2010 shall be the weeks beginning on the following Sundays:

Sunday, January 3	Sunday, July 4
Sunday, February 7	Sunday, August 1
Sunday, March 7	Sunday, September 5
Sunday, April 4	Sunday, October 3
Sunday, May 2	Sunday, December 5
Sunday, June 6	

Please note there is no scheduled collection date for November because it conflicts with our leaf collection schedule.

Residents may place their large household furnishings out to the curb for collection by the City on these dates. Quantities are limited to a maximum of four (4) cubic yards (3' X 3' X 12') per property and construction/demolition debris and hazardous materials are not to be placed to the curb.

Besides the City-issued garbage and recycling receptacles, the Department will continue to collect up to two (2) clear plastic bags of yard waste, major appliances and other bulky metal items, and tree parts on a weekly basis.

Very truly yours,
Gary J. Franklin
Superintendent Public Works

01-04-10

MOVED by Alderman Zadzilka **SECONDED** by Alderman Pasiak
That the Common Council hereby approves the aforementioned schedule of heavy pick up
dates for 2010.
CARRIED.

XI. Fire

To: City Clerk Robert Ortt
From: No. Tonawanda Fire
Re: Volunteer Fire Rolls

Please add the following personnel to the City Fire Rolls

Daneane Hosmer	Rescue Fire Co.
Damian Ringler	Sweeney Hose
Matthew Gebera	Rescue Fire Co.
Andrew Kozlowski	Sweeney Hose
Trevor W. Thomas	Columbia Hook & Ladder

Thank you,
William DeMonte
Assistant Fire Chief

MOVED by Alderman Andres **SECONDED** by Alderman Zadzilka
To add the aforementioned volunteer firemen to the City Fire Rolls.
CARRIED.

XXV. Monthly Reports

- | | |
|---------------------|---------------------------------|
| .1 Treasurer | 2. Treasurer Investments |
|---------------------|---------------------------------|

MOVED by Alderman Pasiak **SECONDED** by Alderman Andres
That the Common Council hereby receives and files the aforementioned Monthly Reports.
CARRIED.

COMMUNICATIONS FROM OTHERS

A.
Active Hose Company #2 - Re: Exemption Petitions:

Michael Sokoley – 25 Years
Laverne Willis – 25 Years
Dennis Williams – 25 Years
Ryan VanHise – 5 Years

MOVED by Alderman Andres **SECONDED** by Alderman Pasiak
To issue exemption petitions to Michael Sokoley – 25 Years; Laverne Willis – 25 Years;
Dennis Williams – 25 Years and Ryan VanHise – 5 Years.
CARRIED.

MOVED by Alderman Pasiak **SECONDED** by Alderman Andres
Whereas the Carousel Society of the Niagara Frontier has submitted an application to the
Empire State Upstate Blueprint Fund for structural support for the historic Allan
Herschell Building located at 180 Thompson Street, North Tonawanda, NY;

Therefore be it resolved that the North Tonawanda Common Council hereby supports the
application heretofore mentioned.

Ayes: Andres, Pasiak, Zadzilka, Schwandt (4)

Nays: None (0)

CARRIED.

MOVED by Alderman Andres **SECONDED** by Alderman Schwandt
 Whereas the Carousel Society of the Niagara Frontier has submitted an application to the Niagara Greenway Commission for funds to be used in the construction of a “Kiddieland” on the premises of the Herschell Carousel Factory Museum located at 180 Thompson Street, North Tonawanda, NY;

Therefore be it resolved that the North Tonawanda Common Council hereby supports the application heretofore mentioned.

Ayes: Andres, Pasiak, Zadzilka, Schwandt (4)

Nays: None (0)

CARRIED.

LATE COMMUNICATION

MOVED by Alderman Pasiak **SECONDED** by Alderman Andres

To bring the following communication(s) to the floor.

Ayes: Andres, Pasiak, Zadzilka, Schwandt (4)

Nays: None (0)

CARRIED.

#1

MOVED by Alderman Andres **SECONDED** by Alderman Zadzilka

That the Common Council supports the reconstruction of the Sweeney Hose Parking Lot as previously discussed.

Ayes: Andres, Pasiak, Zadzilka, Schwandt (4)

Nays: None (0)

CARRIED.

AUDIENCE PARTICIPATION

Peter Chenier, 1666 Eddy Drive – Thanked the Common Council for supporting the Sweeney Hose Parking Lot reconstruction project.

ADJOURNMENT

MOVED by Alderman Andres **SECONDED** by Alderman Zadzilka

That this regular session of the Common Council be and hereby is adjourned.

CARRIED.

Time of Adjournment: 6:40P.M.

Respectfully submitted,

Catherine P. Gambino
 City Clerk