

As you may recall, your Honorable Body adopted a similar resolution at your regular Common Council meeting of January 15, 2008, and Mr. Ash requests your continued support.

If your Honorable Body concurs, please pass a resolution in support of the efforts of ETC as attached. Should your Honorable Body have any questions, please do not hesitate to contact me.

Very truly yours,
Shawn P. Nickerson
City Attorney

MOVED by Alderman Donovan **SECONDED** by Alderman Pasiak
WHEREAS, a local group known as Educators Totally Committee (E.T.C.), comprised of teachers and support staff from the Kenmore Town of Tonawanda School District and the Clarence School District, as well as students from these districts, have held an annual Sleep-Out on the first Friday of February since 1988, in order to help people in need in the Western New York area, and

WHEREAS, ETC and its Sleep-Out Event help to raise public awareness and money to help those in need living in Western New York, and

WHEREAS, ETC's three-phase social program of awareness, commitment, and compassionate action can be easily applied to communities worldwide, and

WHEREAS, when groups of people of all ages come together on a designated day, they can maximize the cumulative worldwide effect of helping people in their community, and

WHEREAS, ETC is presently working with the United Nations Educational, Scientific and Cultural Organization (UNESCO) to establish the first Friday in February of each year as a **WORLDWIDE SCHOOL DAY TO HELP PEOPLE IN NEED**, now therefore,

BE IT RESOLVED, that the City of North Tonawanda Common Council hereby commends the humanitarian efforts of Educators Totally Committed and supports this group in its ongoing efforts to raise awareness as to the needs of our community, and

BE IT FURTHER RESOLVED, that the City of North Tonawanda supports ETC's efforts to establish, through UNESCO, the first Friday in February of each year as a **WORLDWIDE SCHOOL DAY TO HELP PEOPLE IN NEED**, and

BE IT FURTHER RESOLVED, that the City of North Tonawanda encourages its residents to support the efforts of ETC to help people in our community who are in need, and

BE IT FURTHER RESOLVED, that the City of North Tonawanda hereby permanently proclaims that the first Friday in February shall be known in the City of North Tonawanda as:

COMMUNITY SCHOOL DAY OF CARING AND SHARING

Ayes: Andres, Pasiak, Zadzilka, Donovan, Schwandt (5)
Nays: None (0)
CARRIED.

IV. Engineer

October 27, 2010

Honorable Robert G. Ortt, Mayor
and Common Council Members
City Hall
North Tonawanda, New York 14120
Re: Project 2007-02, Incinerator Building Demolition
795 Walck Road
Notice of Building Condemnation

Honorable Body:

This letter is to inform you that in accordance with the Code of the City of North Tonawanda; Chapter 94 Unsafe Structures and Chapter 62 Nuisances the abandoned city incinerator building located at 795 Walck Road has deteriorated to the point that it is a significant nuisance and a potential danger to the health, safety and welfare of the public.

Therefore as City Engineer, I hereby condemn the city incinerator structure located at 795 Walck Road and will be directing the demolition of the building pursuant to NYSDOL Industrial Code 56-11.5 (ICR 56).

Very truly yours,
Dale W. Marshall, P.E.
City Engineer

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

VII.1 Accountant

October 28, 2010

Honorable Robert G. Ortt, 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 November 2, 2010 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 Zadzilka
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated November 2, 2010 and further authorizes the Mayor and City Clerk-Treasurer respectively sign and countersign said Warrant:

01	General Fund	\$603,644.09
02	Water Fund	56,306.60
04	Sewer Fund	95,407.18
06	Capital Project Fund	109,924.32
07	Trust & Agency Fund	1,340.95
10	Capital – Remington Lofts	42,172.00
17	Home Rehab Program	32,716.00
	Final Total	<u>\$941,511.14</u>

Ayes: Andres, Pasiak, Zadzilka, Donovan, Schwandt (5)
Nays: None (0)
CARRIED.

VII.2 Accountant

October 28, 2010

Honorable Robert G. Ortt, Mayor
and Common Council
City Hall
North Tonawanda, New York 14120

Dear Honorable Body:

In accordance with Article V, Division 2, Section 5.023 and Section 2.2 of the Budgetary Transfer Policy, please authorize the City Accountant to make the following transfers of fiscal year 2010 appropriations, based on the request of Department Heads, copy attached:

<u>Control Number</u>	<u>Dollar Amount</u>	<u>From Appropriation Account</u>	<u>Into Appropriation Account</u>
16	500.00	1-3620.420 Repairs	1-3620.230 Building Inspector Automobile
17	1,000.00	1-3620.480 Operations	1-3620.230 Building Inspector Automobile
18	9,800.00	1-3620.100 Personal Services	1-3620.230 Building Inspector Automobile

Very truly yours,
David R. Jakubaszek
City Accountant

MOVED by Alderman Andres

SECONDED by Alderman Pasiak

That the Common Council hereby authorizes the City Accountant to make the following transfers of fiscal year 2010 appropriations, based on the request of Department Heads:

<u>Control Number</u>	<u>Dollar Amount</u>	<u>From Appropriation Account</u>	<u>Into Appropriation Account</u>
16	500.00	1-3620.420 Repairs	1-3620.230 Building Inspector Automobile
17	1,000.00	1-3620.480 Operations	1-3620.230 Building Inspector Automobile
18	9,800.00	1-3620.100 Personal Services	1-3620.230 Building Inspector Automobile

Ayes: Andres, Pasiak, Zadzilka, Donovan, Schwandt

(5)

Nays: None

(0)

CARRIED.

XI. Fire

To: City Clerk/Treasurer Scott Kiedrowski
From: No. Tonawanda Fire, Assistant Chief William DeMonte
Re: City Fire Rolls

Please add the following to the City Fire Rolls:

Cathyann Ball	Active Hose Co. #2
Steve Hume	Columbia Hook & Ladder #1
Peter Frye	Sweeney Hose Co. #7
Don Hosmer	Rescue Fire Co. #5

Please remove from Fire Rolls:

John Record	Live Hose Co. #4
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Thank you,
William DeMonte
Assistant Chief

MOVED by Alderman Pasiak SECONDED by Alderman Andres
To add Cathyann Ball, Active Hose Co. #2; Steve Hume, Columbia Hook & Ladder #1;
Peter Frye, Sweeney Hose Co. #7 and Don Hosmer, Rescue Fire Co. #5 to the City Fire
Rolls and to remove John Record, Live Hose Co. #4 from the City Fire Rolls.
CARRIED.

XIV. Recreation

October 27, 2010

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

Dear Honorable Mayor Ortt and Common Council Members:

Please review and approve for signing the attached agreement with 621 Payne Ave. LLC (Gersh Academy), 150 Broad Hollow Rd., Suite 120, Melville, N. Y. 11747. The lease provides our department with adequate classroom and gymnasium space for our Youth Center and Recreation Program needs. The lease extends through August 31, 2011 and requires monthly payments of Two Thousand One Hundred Sixty-Three Dollars (\$2,163) that is included in our 2011 Budget.

We have operated our current program in the building since November 2007 and have determined that the current facility adequately meets our recreation program needs. The City Attorney's Office has reviewed the agreement and found no problems with its form and content.

Thank you.

Sincerely,
Patricia A. Brosius
Director of Youth, Recreation & Parks

MOVED by Alderman Donovan SECONDED by Alderman Zadzilka
That the Common Council hereby approves the annual lease agreement, which runs from September 1, 2010 through August 31, 2011, between the City of North Tonawanda and 621 Payne Avenue LLC, for the Youth Center Program, with monthly payments of Two Thousand One Hundred Sixty-Three Dollars (\$2,163) and authorizes the Mayor to sign the lease agreement on behalf of the City of North Tonawanda, subject to the review and approval of the City Attorney's Office.

Ayes: Andres, Pasiak, Zadzilka, Donovan, Schwandt

(5)

Nays: None

(0)

CARRIED.

XIX.1 Building Inspector

To: Honorable Mayor Robert Ortt and Council

Date: October 15, 2010

From: Cosimo R. Capozzi
Building Inspector

Re: Fees for inspection
189 Zimmerman St.

Per our discussion at Council workshop on October 12, 2010, following is my recommendation of inspection fees for the building located at 189 Zimmerman Street.

With regards to 189 Zimmerman Street; Court action against the owner, Emmanuel Pothos was commenced on November 24, 2008. The first inspection after the new fees for inspection was approved was on April 13, 2010.

COMMUNICATIONS FROM OTHERS

A.

Dr. & Mrs. Maurice Dewey

October 15, 2010

Mayor Ortt
 City Hall
 216 Payne Avenue
 North Tonawanda, NY 14120

Dear Mayor Ortt:

We would like to invite you and your wife to a Block Party scheduled for November 13th, 2010 from 12:00 – 6:00 pm. In addition to our usual smorgasbord of food and beverages, excellent Jazz entertainment will be provided by the River Dogs. An added attraction: Dale Jenks of Hartland Carriages will provide Hay Rides.

In order to ensure this party be as safe as it will be fun, we ask that you agree to have the Department of Public Works set up road barricades on Christiana between the streets of Bryant and Falconer. We would like to set up the barricades by 9:00am. Thank you for your consideration of this matter, and we hope to see you the 13th.

Respectfully,
 Dr. & Mrs. Maurice Dewey

MOVED by Alderman Andres

SECONDED by Alderman Pasiak

That the Common Council hereby grants permission to Dr. and Mrs. Maurice Dewey to hold a Block Party on Christiana Street between Bryant and Falconer Streets on Saturday, November 13, 2010 from 12:00 – 6:00 PM and further directs the Department of Public Works to provide road barricades by 9:00am as requested by Dr. & Mrs. Dewey.

Ayes: Andres, Pasiak, Zadzilka, Donovan, Schwandt (5)

Nays: None (0)

CARRIED.

B.

Carnegie Art Center

October 22, 2010

Robert G. Ortt, Mayor
 City of North Tonawanda
 216 Payne Avenue
 North Tonawanda, New York 14120

Dear Mayor Ortt:

The Carnegie Art Center, one of the only 12 lead art galleries in the prestigious regional art show biennial; BEYOND/IN WESTERN NEW YORK: 2010 is requesting permission to sponsor a concert by one of our Beyond/In artists, Gary Nickard and his band, the VORES, described as Buffalo's mysterious, early 80's alternative Indie Rockers. The event would be scheduled from 8pm to 11pm, Saturday, November 20th.

Our current BEYOND/IN exhibition includes Dr. Nickard's installation, *Topsy Turvy*, which is an installation and performance piece exploring the connections between art, science and history. The exhibition was featured in last week's Artvoice.

I am requesting permission to sponsor the concert and for a one-day change in our lease agreement. As we did in May, we are asking that we be allowed to sell wine and beer under a one day special permit from the State Liquor Authority (SLA) for this event. The permit request must be filed with the SLA in early November.

I look forward to speaking with you soon. Please feel free to contact me at the number below or at 998-3687.

Sincerely,
Mary L. Simpson
Executive Director

MOVED by Alderman Pasiak

SECONDED by Alderman Schwandt

That the Common Council hereby grants permission to the Carnegie Art Center to sponsor a concert and sell wine and beer on Saturday, November 20, 2010 from 8:00PM to 11:00PM, under a one day special event permit to be obtained from the State Liquor Authority.

Ayes: Andres, Pasiak, Zadzilka, Donovan, Schwandt

(5)

Nays: None

(0)

CARRIED.

AUDIENCE PARTICIPATION

Stephen Ash, 744 Park Avenue – Thanked the Mayor and Common Council for passing the resolution establishing the first Friday in February as “Community School Day of Caring and Sharing”.

Gregory Woytila, 120 Greenwood Circle – Also thanked the Mayor and Common Council for passing the resolution establishing the first Friday in February as “Community School Day of Caring and Sharing”.

ADJOURNMENT

MOVED by Alderman Zadzilka

SECONDED by Alderman Andres

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

CARRIED.

Time of Adjournment: 6:53P.M.

Respectfully submitted,

Scott P. Kiedrowski
City Clerk–Treasurer