

**THE HONORABLE BODY  
Council Chambers  
Municipal Building  
North Tonawanda, New York 14120  
Tuesday, July 3, 2012  
6:30P.M.**

---

**REGULAR SESSION CALLED TO ORDER BY PRESIDENT ANDRES**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**Present: President Andres  
Alderman Needler, Rizzo, Zadzilka**

**Absent: Alderman Donovan**

**Also Present: Mayor Robert G. Ortt  
Assistant City Attorney Robert Sondel**

---

**APPROVAL OF THE MINUTES OF THE REGULAR SESSION JUNE 19, 2012**

**MOVED by Alderman Zadzilka                      SECONDED by Alderman Rizzo  
That the minutes of the regular session held June 19, 2012 be approved as circulated and filed  
in the Office of the City Clerk.  
CARRIED.**

---

**APPROVAL OF THE MINUTES OF THE SPECIAL SESSION JUNE 26, 2012**

**MOVED by Alderman Needler                      SECONDED by Alderman Zadzilka  
That the minutes of the special session held June 26, 2012 be approved as circulated and filed  
in the Office of the City Clerk.  
CARRIED.**

---

**PROOF OF PUBLICATION PUBLISHED MAY 4, 11, 18 & 25, 2012 & JUNE 1 & 8, 2012**

**1) Legal Notice – Notice of Foreclosure of Tax Liens – City Clerk-Treasurer**

**MOVED by Alderman Zadzilka                      SECONDED by Alderman Rizzo  
That the Common Council hereby receives and files the aforementioned Proof of Publication.  
CARRIED.**

---

**AUDIENCE PARTICIPATION - None**

---

**COMMUNICATIONS FROM CITY OFFICIALS**

**II. Attorney**

**June 19, 2012**

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

**Re: Proceeds-2011 In Rem Proceeding**

**Dear Honorable Body:**

**07-03-2012**

As you may know, this office recently concluded the City's 2011 annual In Rem proceeding for the collection of tax arrearages owed to the City of North Tonawanda. As a result, we are pleased to announce that the City was able to recoup \$764,332.70 in tax arrearages through payments in full, tax agreements with those in arrears, and our March 22<sup>nd</sup> auction.

We will continue to pursue collection of back taxes owed to the City of North Tonawanda on an annual basis, and have begun working on our 2012 in rem proceeding.

Should your Honorable Body need more information, please do not hesitate to contact me.

Very truly yours,  
Shawn P. Nickerson  
City Attorney

MOVED by Alderman Zadzilka                      SECONDED by Alderman Rizzo  
The Common Council hereby receives and files the aforementioned communication.  
CARRIED.

---

### III. City Clerk

Date: July 03, 2012

To: Mayor/Common Council

From: Scott P. Kiedrowski – City Clerk/Treasurer

Subject: Standard Work Day and Reporting Resolution

New Regulation 315.4 outlines additional reporting requirements for elected or appointed officials and more clearly defines the process for reporting time worked by those officials.

This regulation became effective August 12, 2009.

I offer the following resolution for your consideration:

BE IT RESOLVED, that the City of North Tonawanda hereby establishes the following as standard work days for elected and appointed officials and will report (see attached) the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these Officials to the Clerk of this body.

MOVED by Alderman Needler                      SECONDED by Alderman Rizzo  
BE IT RESOLVED, that the City of North Tonawanda hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these Officials to the Clerk of this body:

**2012 Elected/Appointed Work Schedule City of North Tonawanda New York**

**ELECTED OFFICIALS:**

<u>TITLE</u>	<u>NAME</u>	<u>STANDARD WORK DAY</u>	<u>TERM BEGINS/ENDS</u>	<u>PARTICIPATES IN TIME KEEPING</u>	<u>DAY/ MONTH</u>
Mayor	Robert G. Ortt	7	1/01/10 12/31/13	Y	20
Clerk-Treasurer	Scott P. Kiedrowski	7	1/01/12 12/31/15	Y	20
Attorney	Shawn P. Nickerson	7	1/01/10 12/31/13	Y	20
Alderman	Richard L. Andres, Jr.	6	1/01/12 12/31/13	N	26.89

APPOINTED OFFICIALS:

Adm. Assistant Mayor's Office	Robert Welch	7	1/1/10	12/31/13	Y	20
Mayor Secretary	Suzanne B. Hempel	7	1/1/10	12/31/13	Y	20
Asst. City Attorney	Robert Sondel	7	1/1/10	12/31/13	Y	20
Ayes:	Needler, Rizzo, Zadzilka, Andres					(4)
Nays:	None					(0)
<b>CARRIED.</b>						

---

**VII.1 Accountant**

June 28, 2012

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 July 3, 2012, 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 Zadzilka                      **SECONDED** by Alderman Rizzo  
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated July 3, 2012 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$196,656.77
02	Water Fund	50,496.82
04	Sewer Fund	70,606.55
06	Capital Project Fund	53,655.24
07	Trust & Agency Fund	387.00
08	Community Development	1,362.00
17	Home Rehab Program	36.50
	Final Total	<u>\$373,200.88</u>

Ayes:	Needler, Rizzo, Zadzilka, Andres	(4)
Nays:	None	(0)
<b>CARRIED.</b>		

---

**VII.2 Accountant**

June 28, 2012

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

Dear Honorable Body:





Dear Scott:

I appreciate Dave Scott's efforts to arrange meeting with you, he, and I to begin processing the 2012/2013 renewal bid for Natural Gas purchases for the Waste Treatment Facility. I will be forwarding to you via email copies of our Specifications and Supplier Mailing List to go with the hard copies I delivered today. This letter should also act as an attachment, as you requested, to EnerScope's annual renewal engagement letter for services from the period July 1, 2012 through June 30, 2013.

As I indicated, for the last several years (almost 20 years), we simply relied on Paul Drof, Gary Franklin and most recently Paula Sattelberg to advance our renewal agreement under their cover letter. We ask that you forward this letter and our renewal agreement to the Mayor and Common Council on our behalf to request approval for renewal of our services.

First, our services include presiding over the annual bid for Natural Gas purchases from Independent Natural Gas Suppliers. We provide the City with the use of our Specifications - updated to reflect the latest estimates and changes in that market. We attend the bid opening and prepare a comprehensive report recommending the winning bidder and detail the potential costs and savings for the bid year. Thereafter, we administer the bid terms daily insuring compliance by the winning bidder and insuring cost effective pricing for the bid period. Finally, we report monthly to you the results of those efforts and measure them for savings and accuracy.

Our services are fee based and remain the same for this year. EnerScope has provided advantages year after year in both better bid results, protection from erroneous billing and overall savings using the transportation gas program. Most recently, Supplier Bid Margins have gone down by 11% and 16% in each of the past 2 years and the Average Price per MCF of gas has gone down by 15% and 36% versus bid day outlook in each of the last two years.

We appreciate your business and look forward to renewing our services for another year.

Respectfully,  
George Dall

MOVED by Alderman Zadzilka

SECONDED by Alderman Needler

That the Common Council hereby authorizes the Mayor to sign the renewal agreement with EnerScope to provide consulting services for energy procurement for the Water Department from July 1, 2012 through June 30, 2013 subject to review by the City Attorney.

Ayes: Needler, Rizzo, Zadzilka, Andres

(4)

Nays: None

(0)

CARRIED.

C.

Niagara Frontier Boat Racing Association

June 27, 2012

Mayor Robert Ortt  
North Tonawanda City Hall  
216 Payne Avenue  
North Tonawanda, NY14120

Re: Hydroplane Boat Race, August 18 & 19, 2012

Dear Mayor Ortt:

The Niagara Frontier Boat Racing Association (NFBRA) would like to formally request the use of Gratwick Park the weekend of August 18th and 19th, 2012 as part of our hydroplane boat racing event scheduled that weekend. The race will feature several championship inboard hydroplane classes from the American Power Boat Association and Canadian Boating Federation.

07-03-2012

The NFBRA has held many races on the Niagara River since 1939 and exclusively at Gratwick Park in North Tonawanda within the past several years. Over the last few years our organization has had the support of the local community and businesses. We are excited to have the opportunity to bring this sport back to the area. The City has been gracious in its support in previous years and we are looking forward to hosting this event with your help.

Please contact me at your earliest convenience to discuss the opportunity to use the park. We know that this event will be good for the local community. Please help us make the Niagara River a premier boat racing venue once again!

Thank you for your continued support!

Sincerely,  
Niagara Frontier Boat Racing Association  
Darryl Monette  
Commodore

**MOVED** by Alderman Rizzo

**SECONDED** by Alderman Andres

That the Common Council hereby grants permission to the Niagara Frontier Boat Racing Association (NFBRA) to use Gratwick Park Saturday, August 18 and Sunday, August 19, 2012 for their hydroplane boat racing event.

Ayes: Needler, Rizzo, Zadzilka, Andres

(4)

Nays: None

(0)

**CARRIED.**

---

**AUDIENCE PARTICIPATION** – None

---

**ADJOURNMENT**

**MOVED** by Alderman Needler

**SECONDED** by Alderman Zadzilka

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

**CARRIED.**

Time of Adjournment: 6:38P.M.

Respectfully submitted,

Scott P. Kiedrowski  
City Clerk–Treasurer