









- 2) The above-referenced changes shall take effect retroactive to January 1, 2002.

**CARRIED.**

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**II.2**

**Attorney**

**August 2, 2002**

**Honorable Council  
216 Payne Avenue  
North Tonawanda, NY 14120**

**Re: Hot Dog Vendors**

**Ladies and Gentlemen:**

**The mayor's office recently contacted me regarding hot dog vendors and the issuance of permits for the same. The concern is the locations, times and days of the week that vendors are allowed to operate in the city.**

**In response to the above concerns, I have researched the Code of the City of North Tonawanda. There is no provision in the Code for the issuance of permits for prepared food handlers. Accordingly, I am proposing that Chapter 65 of the Code be amended as follows:**

**Chapter 65**

**PEDDLERS, CANVASSERS AND SOLICITORS**

**65-2. Definitions.**

**PEDDLER, HAWKER and HUCKSTER – As used herein, shall mean and include any person traveling by foot, wagon, automotive vehicle or any other type of conveyance from place to place, from house to house or from street to street carrying, conveying or transporting goods, wares, merchandise, prepared foods, meats, fish, vegetables, fruits, garden truck farm products or provisions, offering and exposing the same for sale or making sales and delivering articles to purchasers, or who without traveling from place to place shall sell or offer the same for sale from a wagon, cart, automotive vehicle, railroad car or other vehicle or conveyance.**

**65-7. License.**

- 1. Licenses issued pursuant to this Chapter shall specify dates, times and locations where licensees may operate. Such designated dates, times and locations of operation shall be left to the discretion of the Mayor.**

**Should you have any questions or comments, please do not hesitate to contact me. I can be reached by telephone at (716) 614-0634.**

**Yours truly,  
Shawn P. Nickerson  
Assistant City Attorney**

**MOVED by Alderman Rizzo**

**SECONDED by Alderman Soos**

**That the Common Council hereby amends Chapter 65 of the Code of the City of North Tonawanda entitled "Peddlers, Canvassers and Solicitors" as follows:**

## City of North Tonawanda

## Chapter 65

## PEDDLERS, CANVASSERS AND SOLICITORS

## 65-2. Definitions.

**PEDDLER, HAWKER and HUCKSTER** – As used herein, shall mean and include any person traveling by foot, wagon, automotive vehicle or any other type of conveyance from place to place, from house to house or from street to street carrying, conveying or transporting goods, wares, merchandise, prepared foods, meats, fish, vegetables, fruits, garden truck farm products or provisions, offering and exposing the same for sale or making sales and delivering articles to purchasers, or who without traveling from place to place shall sell or offer the same for sale from a wagon, cart, automotive vehicle, railroad car or other vehicle or conveyance.

## 65-7 License.

1. Licenses issued pursuant to this Chapter shall specify dates, times and locations where licensees may operate. Such designated dates, times and locations of operation shall be left to the discretion of the Mayor.

**CARRIED.**

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**III.**

Treasurer

July 26, 2002

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

Dear Honorable Mayor and Common Council:

Please be advised that I have received payment in full for back City, School and County taxes, per their tax agreements with the City, for the following parcels:

185.31-2-26	299 Tremont Street	Wallace Rowell
185.31-2-27	307 Tremont Street	Wallace Rowell
185.31-2-38	309 Goundry Street	Wallace Rowell
182.45-1-57	765 Oliver Street	Kim Chiodo
182.45-1-27	122 Ninth Avenue	Kim Chiodo
182.45-1-28	120 Ninth Avenue	Kim Chiodo
181.36-1-38	945 Oliver Street	Robert Turecki
181.36-1-39	949 Oliver Street	Robert Turecki
181.36-1-40	953 Oliver Street	Robert Turecki
181.36-1-41	955 Oliver Street	Robert Turecki
181.16-1-2	665 River Road	John Wohlfehrt
181.16-1-13	655 River Road	John Wohlfehrt

Therefore, please pass the necessary resolution withdrawing these parcels from the appropriate In Rem foreclosure proceeding.

Thank you for your cooperation.

Very truly yours,  
Leslie J. Stolzenfels  
City Treasurer

**MOVED by Alderman Soos**

**SECONDED by Alderman Sommer**

**That the Common Council hereby authorizes the City Treasurer to withdraw the following parcels from the appropriate In Rem Proceedings:**

185.31-2-26	299 Tremont Street	Wallace Rowell
185.31-2-27	307 Tremont Street	Wallace Rowell
185.31-2-38	309 Goundry Street	Wallace Rowell
182.45-1-57	765 Oliver Street	Kim Chiodo
182.45-1-27	122 Ninth Avenue	Kim Chiodo
182.45-1-28	120 Ninth Avenue	Kim Chiodo
181.36-1-38	945 Oliver Street	Robert Turecki
181.36-1-39	949 Oliver Street	Robert Turecki
181.36-1-40	953 Oliver Street	Robert Turecki
181.36-1-41	955 Oliver Street	Robert Turecki
181.16-1-2	665 River Road	John Wohlfehrt
181.16-1-13	655 River Road	John Wohlfehrt

**CARRIED.**

**VII.**

**Accountant**

**August 1, 2002**

**Honorable David J. Burgio, Mayor  
and Common Council  
North Tonawanda, NY 14120**

**Dear Honorable Body:**

**In accordance with Article V, Division 1, Section 5.002 and 5.003 of the new 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 August 7, 2002, and further authorize the Mayor and City Clerk respectively sign and countersign said Warrant.**

**Very truly yours,  
David R. Jakubaszek  
City Accountant**

**MOVED by Alderman Soos**

**SECONDED by Alderman Rizzo**

**That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated August 7, 2002, and further authorizes the Mayor and City Clerk respectively sign and countersign said Warrant:**

01	General Fund	\$478,417.34
02	Water Fund	36,965.37
04	Sewer Fund	78,462.84
06	Capital Projects Fund	41,683.19
07	Trust & Agency Fund	6,329.95
09	Capital Gratwick Park Remediation	5,924.81
11	General Fund (Encumbered)	<u>6,579.46</u>
	<b>FINAL TOTAL</b>	<b><u>\$654,362.96</u></b>

**Ayes: Soos, Sommer, Rizzo**

**(3)**

**Nays: None**

**(0)**

**CARRIED.**



<u>Bidders</u>	<u>Amount</u>
Buffalo Truck Center	\$287,100.00
VQuip, Inc.	\$380,005.98

The bid submitted by Buffalo Truck Center includes a strictly dedicated recycling body, which differs substantially and materially from the equipment described by our specifications. It is my opinion that the bid submitted by VQuip, Inc. is responsive to the specification's requirements and represents the best value to the City in this purchase.

I would also like to remind you that we have received approval of a New York State Municipal Waste Reduction and Recycling Grant in the amount of 50% of \$384,000.00 for the purpose of purchasing these vehicles.

I am requesting that you present my recommendation to the Council to award the bid for Three New and Unused Recycling Bodies with Chassis's to VQuip, Inc., 4430 Mainway Drive, Burlington, Ontario, Canada, L7L 5Y5 at their bid of \$380,005.98 (US Funds), subject to the approval of the City Attorney.

Very truly yours,  
Gary J. Franklin  
Superintendent

MOVED by Alderman Sommer

SECONDED by Alderman Soos

That the Common Council hereby awards the bid for Three New and Unused Recycling Bodies with Chassis's to VQuip, Inc., 4430 Mainway Dr., Burlington, Ontario, Canada, L7L 5Y5 at their bid of \$380,005.98 (US Funds), subject to the approval of the City Attorney.

Ayes: Soos, Sommer, Rizzo

(3)

Nays: None

(0)

CARRIED.

### IX.3

#### Public Works

July 26, 2002

Honorable Mayor David Burgio  
City Hall, 216 Payne Avenue  
North Tonawanda, NY 14120

Re: Solid Waste Ordinance  
Section 45 of the City Code

Dear Mayor:

On Wednesday, July 10, 2002, we met with the Council at their workshop session that evening to discuss a memorandum I had sent to you on the referenced dated June 28, 2002.

The nature of my memorandum was to advise you that in the course of the preceding twelve-month period our concern relative to the adverse effects of the Council's revision to Section 45 to increase the allowable size of waste containers from 40 gallons to 45 gallons had been growing.

Medical opinion gathered and lost time injury totals from my memorandum that was presented to the Council at the workshop, although perhaps not conclusive, do form the basis of our concern and support a conclusion that the June 19, 2001 revision to Section 45 was possibly not the best course of action.



**X.**  
**Police Dept.**

**August 1<sup>st</sup>, 2002**

**Honorable Mayor David J. Burgio, Mayor**  
**City of North Tonawanda**  
**216 Payne Avenue**  
**North Tonawanda, NY 14120**

**Re: Hiring of Police Officers**

**Dear Mayor Burgio:**

**As per our earlier conversations, and pursuant to §3.002-e of the City Charter, I have hired the following two individuals as Police Officers, effective on Monday, August 5, 2002. They were selected from a list of eligibles provided by the Niagara County Civil Service Commission.**

**Daryl E. Truty**  
**214 Zimmerman Street**  
**North Tonawanda, NY 14120**

**Robert J. Cinquino**  
**751 Fairmont Avenue**  
**North Tonawanda, NY 14120**

**A brief swearing-in ceremony will be held on Friday, August 2<sup>nd</sup>, @ 9 A.M. in the Common Council chambers. As always, you are cordially invited to attend and participate.**

**Respectfully,**  
**Carl W. Stiles**  
**Chief of Police**

**MOVED by Alderman Rizzo**                      **SECONDED by Alderman Sommer**  
**That the Common Council hereby receives and files the Mayor's approval of the appointments of Daryl E. Truty of 214 Zimmerman St., and Robert J. Cinquino of 751 Fairmont Ave. as Police Officers for the City of North Tonawanda effective August 5, 2002.**  
**CARRIED.**

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**XXV.**  
**Monthly Reports**

<b>.1</b>	<b>NT Housing Authority</b>	<b>.3</b>	<b>Treasurer (Investments)</b>
<b>.2</b>	<b>Treasurer</b>	<b>.4</b>	<b>City Clerk</b>

**MOVED by Alderman Rizzo**                      **SECONDED by Alderman Sommer**  
**That the aforementioned reports be received and filed.**  
**CARRIED.**

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**XXVI.**  
**Vacation & Sick Leave Report**

**.1**      **Wastewater Treatment Plant**

**MOVED by Alderman Rizzo**                      **SECONDED by Alderman Sommer**  
**That the aforementioned reports be received and filed.**  
**CARRIED.**

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COMMUNICATIONS FROM OTHERS

A.

John T. Stahlman  
NT National Little League

July 16, 2002

To: Honorable Mayor David J. Burgio  
From: North Tonawanda National Little League  
Re: 2002 NTNLL Classic Tournament

Dear Mayor,

On behalf of the North Tonawanda National Little League, I would like to request the use of barricades along the East side of Stephen Sikora Drive, from Soucia Field to its intersection with the County parking lot, from Saturday, August 10 through Monday, August 19. Gary Franklin is aware of our request, and has no problems with it. Thank you in advance for your anticipated cooperation in this matter.

Sincerely,  
John T. Stahlman  
NTNLL

MOVED by Alderman Rizzo                      SECONDED by Alderman Sommer  
That the Common Council hereby receives and files the Mayor's approval of the request of John T. Stahlman/NTNLL for the use of barricade along the east side of Stephen Sikora Drive, from Soucia Field to its intersection with the county parking lot from Saturday, August 10 through Monday, August 19, 2002.  
CARRIED.

B.

Columbia Hook & Ladder -              Re: Remove from Fire Rolls:

Robert F. Lotz  
Ronald E. Baron, II  
Mark C. Schear  
Eric Millian  
William B. Dolan  
John D. McKnight

MOVED by Alderman Rizzo                      SECONDED by Alderman Sommer  
That the Robert F. Lotz, Ronald E. Baron, II, Mark C. Schear, Eric Millian, William B. Dolan and John D. McKnight be removed from the City Fire Rolls.  
CARRIED.

LATE COMMUNICATIONS

#1  
Public Works

July 26, 2002

Honorable Mayor David Burgio  
City Hall, 216 Payne Avenue  
No. Tonawanda, NY 14120

Re: Manhattan Street Parking Lot Lighting

Dear Mayor Burgio:

The City pays the electrical energy bill for lighting the Manhattan Street Parking Lot (Account No. 88337-45107). This past winter energy usage exceeded 2,000 KWH in one month, which meant that this account was placed on a demand meter billing.

