

THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Wednesday, January 16, 2002
7:23 P.M.

REGULAR SESSION CALLED TO ORDER BY PRESIDENT SCHWANDT

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: **President Schwandt**
 Aldermen Rizzo, Hogan, Sommer, Soos

Absent: **None**

Also Present: **Mayor David J. Burgio**
 City Attorney Henry F. Wojtaszek

APPROVAL OF THE MINUTES OF THE REORGANIZATIONAL SESSION JANUARY 2, 2002

MOVED by Alderman Schwandt SECONDED by Alderman Hogan
That the minutes of the reorganizational session held January 2, 2002 be approved as circulated and filed in the Office of the City Clerk.
CARRIED.

APPROVAL OF THE MINUTES OF THE REGULAR SESSION JANUARY 2, 2002

MOVED by Alderman Rizzo SECONDED by Alderman Hogan
That the minutes of the regular session held January 2, 2002 be approved as circulated and filed in the Office of the City Clerk.
CARRIED.

PROOF OF PUBLICATION PUBLISHED OCTOBER 11, 2001

- 1) Public Auction – Treasurer**

PROOF OF PUBLICATION PUBLISHED DECEMBER 11 & 17, 2001

- 1) Property Tax Sale – Treasurer**

MOVED by Alderman Schwandt SECONDED by Alderman Sommer
That the aforementioned proofs of publication be received and filed.
CARRIED.

AUDIENCE PARTICIPATION

Thomas Jaccarino, 1515 Cambridge Ave., spoke in favor of the rezoning of 404 Meadow Drive.

Sue Wilke, 329 Miller St., spoke against the rezoning of 404 Meadow Drive.

Kathleen Cochran, 462 Adelaide Pl., spoke in favor of the rezoning of 404 Meadow Drive and stated that Benderson is the problem in North Tonawanda.

Lisa Imbrogno, 886 Deerfield Dr., spoke against the rezoning of 404 Meadow Drive.

Ted Strugala, 520 Locust St., spoke in favor of the provisional appointment of Wreatha Seibert as Coordinator of Senior Citizens.

COMMUNICATIONS FROM CITY OFFICIALS

I.1

Mayor

January 2, 2002

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

Dear Council Members:

Please be advised that I have reappointed:

**Karl Osterman
185 Lincoln Avenue
North Tonawanda, NY 14120**

To Bingo Inspector. His term of office will commence immediately. His term will be for 2 years, expiring December 31, 2003.

**Sincerely,
David J. Burgio
Mayor**

I.2

Mayor

January 9, 2002

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

Dear Council Members:

Please be advised that I have appointed:

**Kurt Alverson
1296 Wurlitzer Court**

North Tonawanda, NY 14120
694-0911

And will be reappointing Larry Deneff and Beverly Loxterman to the Waterfront Commission. Their term will be for 3 years, expiring December 31, 2004.

I have appointed:

Richard Andres Jr.
178 Brentwood Drive
North Tonawanda, NY 14120
693-2576

to the Waterfront Commission. His term will commence immediately and will expire December 31, 2003. He replaces Brett Sommer.

Sincerely,
David J. Burgio
Mayor

I.3
Mayor

January 2, 2002

Common Council
216 Payne Avenue
North Tonawanda, NY 14120

Dear Council Members:

Please be advised that I have reappointed:

Leonard Joyce
1652 Fillner Avenue
North Tonawanda, NY 14120

To the Plumbing Board. His term of office will commence immediately. His term will be for 3 years, expiring December 31, 2004.

Sincerely,
David J. Burgio
Mayor

MOVED by Alderman Schwandt SECONDED by Alderman Rizzo
That the Common Council hereby receives and files the aforementioned communications.
CARRIED.

III.
Treasurer

January 10, 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:

182.69-1-22	482 Oliver Street	Cory J. Hogan
182.73-3-2	541 East Schenck Street	James Laux
182.73-3-2./OA	543 East Schenck Street	James Laux
182.72-3-3	547 East Schenck Street	James Laux

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 Rizzo

SECONDED by Alderman Hogan

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

182.69-1-22	482 Oliver Street	Cory J. Hogan
182.73-3-2	541 East Schenck Street	James Laux
182.73-3-2./OA	543 East Schenck Street	James Laux
182.72-3-3	547 East Schenck Street	James Laux

CARRIED.

VII.

Accountant

January 11, 2002

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

Dear Honorable Body:

In accordance with Title XXIII of the City Charter, an Abstract of Claims has been submitted by this office for your review and approval.

Accordingly, please authorize for payment the current Abstract of Claims for Common Council Audit dated January 16, 2002.

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

MOVED by Alderman Rizzo

SECONDED by Alderman Hogan

That the Common Council hereby authorizes the City Accountant to pay the current Abstracts of Claims dated January 16, 2002:

01	General Fund	\$361,531.72
02	Water Fund	24,094.69
04	Sewer Fund	39,878.74
06	Capital Projects Fund	62,832.90
07	Trust & Agency Fund	100.00
08	Community Development	308.00
11	General Fund Encumbered	<u>170.00</u>
	FINAL TOTAL	<u>\$488,916.05</u>

Ayes: Soos, Rizzo, Hogan, Sommer, Schwandt (5)

Nays None (0)

CARRIED.

X.1

Police Dept.

To: All Concerned

Subject: Appointment

Effective Date: Friday, January 4th, 2002, @ 0745 hrs.

In accordance with the City Charter of the City of North Tonawanda, and pursuant to the authority vested in me by §3.002.e thereof, I make the following appointment:

Lieutenant Roger R. Zgolak #58 is hereby appointed as Captain in the Police Department.

By the authority vested in me pursuant to §2.11 of the Agreement between the City of North Tonawanda and the North Tonawanda Police Benevolent Association, Inc. Captain Zgolak will be temporarily assigned as the officer in charge of the Detective Bureau.

A brief ceremony will be held at Police Headquarters on Monday, January 7th @ 0900 hours.

Carl W. Stiles
Chief of Police

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

X.2
Police Dept.

To: **All Concerned**

Subject: **Appointment**

Effective Date: **Friday, January 18th, 2002, @0745 hrs.**

In accordance with the City Charter of the City of North Tonawanda, and pursuant to the authority vested in me by §3.002.e thereof, I make the following appointment:

Lieutenant William R. Hall #56 is hereby appointed as Captain in the Police Department.

A brief ceremony will be held at Police Headquarters on Monday, January 7th @ 0900 hours.

Carl W. Stiles
Chief of Police

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

XIV.
Youth & Recreation

To: **North Tonawanda Common Council Members**
Council President, Schwandt, Alderpersons, Larry Soos, Russ Rizzo, Pam Hogan & Brett Sommer

Re : **Senior Citizens Coordinator Provisional Appointment**

From : **Jerry Whitehead**
Director of Youth, Recreation, Parks & Senior Citizens

In accordance with the new charter I have requested and been granted approval from Mayor David Burgio to appoint Wreatha Seibert to the Provisional position of Coordinator of Senior Citizens. The official starting date for Ms. Seibert will be Monday, January 28, 2002. I will be submitting an immediate request to the Niagara County Civil Service

Commission for an exam date.

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

XXV.
Monthly Reports

.1 City Clerk	.4 Treasurer
.2 Fire Dept.	.5 Treasurer (Investments)
.3 Police Dept.	.6 Vital Statistics

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

XXVI. Vacation & Sick Leave Reports

.1 Assessment	.3 Engineering
.2 Building Inspector	

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

XXVII. Annual Reports

.1 City Clerk	.2 Police Dept.
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MOVED by Alderman Schwandt SECONDED by Alderman Hogan
That the aforementioned reports be received and filed.
CARRIED.

COMMUNICATIONS FROM OTHERS

A.
Rick Winter

December 14, 2001

Michael Cox
N.T. City Clerk
City Hall
North Tonawanda, NY 14120

Dear Mr. Cox:

I respectfully ask that the North Tonawanda Common Council consider my proposed efforts to convert the zoning of 404 Meadow Dr. from RC to a C1 zoning at the December 18th council meeting.

Sylvia Shad
Oliver Street Community Pride

January 14, 2002

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

Attn: President Ms. Schwandt
Cc: Michael Cox, City Clerk

Dear Ms. Schwandt,

Oliver Street Community Pride Organization has been working with various city department heads to clean up and beautify Oliver Street and surrounding areas.

One of the projects we would like to do this spring is to clean up and landscape the vacant lot at the corner of Oliver and Sommer Street. We understand the lot is owned by the railroad and need their permission to proceed. The lot would remain as a parking lot but we would landscape an estimated six to eight foot area on each side of the driveway facing Oliver Street and build up and plant evergreen trees along the lot line near the tracks.

Oliver Street Community Pride would appreciate your consideration and permission to proceed with this project. The beautification of the lot will make an impact in this particular area of Oliver Street.

Thank you.

Respectfully yours,
Sylvia Shad
Secretary

MOVED by Alderman Schwandt

SECONDED by Alderman Rizzo

That the Common Council hereby grants the Oliver Street Community Pride permission to proceed with the clean up and landscaping of the vacant lot at the corner of Oliver and Sommer Street, subject to the approval of the CSX Railroad Company who owns the property.

CARRIED.

#3

Gratwick Hose Co. - Re: Statement of Volunteer Fireman:

Joshua D. Lapham
Nicholas William Sparks

MOVED by Alderman Rizzo

SECONDED by Alderman Hogan

That the names of Joshua D. Lapham and Nicholas William Sparks be added to the City Fire Rolls.

CARRIED.

#4

Mayor

January 15, 2002

Common Council
216 Payne Ave.
North Tonawanda, NY 14120

Dear Council Members:

Please be advised that I have reappointed:

John Lukasik
454 Schenck St.
North Tonawanda, NY 14120
693-0371

To the Housing Authority. His term will commence February 1, 2002. His term will be for 1 year, expiring January 31, 2003.

I am also reappointing him as Chairman of the Housing Authority.

Sincerely,
David J. Burgio
Mayor

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

#5
Mayor

January 15, 2002

Common Council
216 Payne Ave.
North Tonawanda, NY 14120

Dear Council Members:

Please be advised that I will be appointing:

Benjamin A. Wiech
1343 Fairfax Ave.
North Tonawanda, NY 14120

As Attorney to the Housing Authority. His term will commence February 1, 2002 will be for 1 year, expiring January 31, 2003.

Sincerely,
David J. Burgio
Mayor

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

Kathleen Cochran and Elio D'Angelo submitted resignations from the Board of Assessment and Review.

#6
Mayor

January 16, 2002

Common Council
216 Payne Ave.
North Tonawanda, NY 14120

Dear Council Members:

Please be advised that I will be appointing:

Donna Zellner Neal

**195 Goundry St.
North Tonawanda, NY 14120
692-2681**

To the Board of Assessment and Review. Her term will commence immediately and expire 9/30/05. She replaces Kathleen Cochran.

Luis A. Santiago
147 - 8th Ave.
North Tonawanda, NY 14120
694-2280

To the Board of Assessment and review. His term will commence immediately and expire 9/30/03. He replaces Elio D'Angelo.

Sincerely,
David J. Burgio
Mayor

MOVED by Alderman Schwandt SECONDED by Alderman Hogan
That the aforementioned communication be received and filed.
CARRIED.

#7
Brett Sommer

MOVED by Alderman Sommer SECONDED by Alderman Hogan
BE IT RESOLVED, that the Common Council of North Tonawanda is opposed to the huge tax increase passed by the
Niagara County Legislature and request that the current legislature revise the current budget to reduce this punitive
tax increase.

AND FURTHER, the Common Council requests that the State Legislature change the general municipal law that
allows a budget to be adopted by default.
CARRIED.

ADJOURNMENT

MOVED by Alderman Rizzo SECONDED by Alderman Hogan
That this regular session of the Common Council be and hereby is adjourned.
CARRIED.

Time of Adjournment: 8:05 P.M.

Respectfully submitted,

Michael D. Cox
City Clerk