

**THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Wednesday, November 20, 2002
7:00 P.M.**

REGULAR SESSION CALLED TO ORDER BY PRESIDENT SCHWANDT

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Absent: None

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

APPROVAL OF THE MINUTES OF THE REGULAR SESSION HELD NOVEMBER 6, 2002

**MOVED by Alderman Rizzo SECONDED by Alderman Soos
That the minutes of the regular session held on November 6, 2002 be approved as
circulated and filed in the Office of the City Clerk.
CARRIED.**

AUDIENCE PARTICIPATION

Gordon Fritz, 1727 Eddy Drive - Questioned history of Woodstream Subdivision

Sonya Dusza, 123 Miller Street – Questioned history of Woodstream Subdivision

COMMUNICATIONS FROM CITY OFFICIALS

I. Mayor

November 5, 2002

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

Dear Common Council:

**Please be advised that I have appointed Esther Bailey of 103 Brundage North Tonawanda
as Bingo Inspector. Her term will be effective immediately and expire December 31, 2003.
She replaces Ann L. Parise who resigned. Thank you.**

**Sincerely,
David J. Burgio**

**MOVED by Alderman Rizzo SECONDED by Alderman Soos
That the Common Council hereby receives and files the Mayor's aforementioned
recommendation.
CARRIED.**

V.2 Water Dept.

November 13, 2002

TO: Mayor David Burgio

FROM: Paul J. Drof

RE: Appointment of James DeMonte to the position of Pumping Station Operator Trainee - Temporary

I request that James DeMonte be appointed to the position of Pumping Station Operator Trainee. Mr. DeMonte replaces Ronald J. Buttici.

This position has been posted to the Union as per sections 6.11, 6.12 of the CSEA Contract. The Civil Service Commission has reviewed this application and has supplied a list of eligibles for this competitive position. Mr. DeMonte fulfills all requirements for this appointment. The appointment will be effective when Mr. Buttici assumes his duties.

Thank you for your time and consideration in addressing this request.

MOVED by Alderman Soos

SECONDED by Alderman Rizzo

That the Common Council hereby receives and files the Mayor's approval of the aforementioned appointment and further grants Mr. DeMonte a leave of absence from his current position until his new position becomes permanent.

CARRIED.

V.3 Water

November 13, 2002

TO: Mayor David Burgio

FROM: Paul J. Drof

RE: Appointment of Dennis Maser to the position of Water Maintenance Worker – Temporary

I request that Dennis Maser be appointed to the position of Water Maintenance Worker – Temporary. Mr. Maser replaces Jerri Mineweaser, who is currently on a medical leave.

This position has been posted in accordance to sections 6.11, 6.12 of the CSEA Contract. Applications received were reviewed and approved by the Niagara County Civil Service Commission.

Thank you for your time and consideration in addressing this request.

MOVED by Alderman Rizzo

SECONDED by Alderman Soos

That the Common Council hereby receives and files the Mayor's approval of the aforementioned appointment.

CARRIED.

VII.1 Accountant

November 14, 2002

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

Dear Honorable Body:

11/20/02

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 November 20, 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 Schwandt **SECONDED by Alderman Rizzo**
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated November 20, 2002, and further authorizes the Mayor and City Clerk respectively sign and countersign said Warrant:

01	General Fund	\$164,312.27
02	Water Fund	3,872.36
04	Sewer Fund	32,872.51
06	Capital Projects Fund	169,583.22
07	Trust & Agency Fund	3,908.63
08	Community Development	146,758.90
17	Home Rehab Program	4,860.00
19	Federal Grant Fund	<u>15,277.08</u>
	FINAL TOTAL	<u>\$541,444.97</u>

Ayes: Soos, Rizzo, Chorny, Sommer, Schwandt (5)
Nays: None (0)
CARRIED.

VII.2 Accountant

January 27, 2008

Honorable David J. Burgio, Mayor
and Common Council
City Hall
North Tonawanda, New York 14120

Dear Honorable Body:

In accordance with Section 2.2 of the Budgetary Transfer Policy, please authorize the City Accountant to make the following transfers of budgetary appropriations:

<u>Control Number</u>	<u>Dollar Amount</u>	<u>From Appropriation Account</u>	<u>To Appropriation Account</u>
25	250.00	2-8340.434 Professional Services	2-8340.452 R&M Trucks
26	4,000.00	2-8340.434 Professional Services	2-8330.450 R & M Buildings & Grounds
27	3,000.00	2-8320.438 Light, Heat, Power	2-8320.450 R & M Buildings & Grounds

Very truly yours,
David R. Jakubaszek
City Accountant

MOVED by Alderman Rizzo **SECONDED by Alderman Soos**
That the Common Council hereby authorizes the City Accountant to make the following transfers of budgetary appropriations:

<u>Control Number</u>	<u>Dollar Amount</u>	<u>From Appropriation Account</u>	<u>To Appropriation Account</u>
25	250.00	2-8340.434 Professional Services	2-8340.452 R&M Trucks
26	4,000.00	2-8340.434 Professional Services	2-8330.450 R & M Buildings & Grounds
27	3,000.00	2-8320.438 Light, Heat, Power	2-8320.450 R & M Buildings & Grounds

Ayes: Soos, Rizzo, Chorny, Sommer, Schwandt (5)
 Nays: None (0)
CARRIED.

X. Police

11/05/02

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

Dear Honorable Body:

Would you please appoint the following as Commissioner of Deeds for a two year term:

Karen M. Smith – 60 Sweeney Ct., N. Tonawanda, NY 14120

Thomas E. Krantz – 303 Oakdale Dr., N. Tonawanda, NY 14120

**Carl W. Stiles
 Chief of Police**

MOVED by Alderman Rizzo

Seconded by Alderman Soos

That the Common Council hereby appoints Karen M. Smith, 60 Sweeney Ct., N. Tonawanda, NY 14120 and Thomas E. Krantz, 303 Oakdale Dr., N. Tonawanda, NY 14120 as Commissioners of Deeds for the City of North Tonawanda effective November 21, 2002 expiring November 20, 2004.

CARRIED.

XIV.1 Recreation

TO: Mayor Burgio

RE: North Tonawanda Youth Board Applications

FROM: Alan Kornacki

Dear Mayor Burgio,

I am enclosing one student and one adult application for the North Tonawanda Youth Board. They are Eileen Crowley, the adult applying for a three-year term and Kristen Pieper, the student applying for a one year term. They have been approved by the Youth Board and cannot serve on the Youth Board unless approved by you.

If you approve of their membership on the Youth Board, please inform me so I may let them know that they will serve on the Youth Board beginning in December of this year.

Thank you.

**Alan Kornacki
 Youth Center Supervisor**

11/20/02

MOVED by Alderman Schwandt SECONDED by Alderman Soos
That the Common Council hereby receives and files the Mayor’s approval of the
aforementioned appointments.
CARRIED.

XIV.2 Recreation

November 8, 2002

The Honorable Mayor, David J. Burgio & Common Council
216 Payne Avenue
North Tonawanda, New York 14120

Dear Mayor Burgio and Common Council:

Listed below are the New York State Aid appropriations available to our Department. I respectfully request that the appropriation be accepted and approved:

The following 2003 State Aid allocations as recommended by the North Tonawanda Youth Board funded by the New York State Office of Children and Family Services through the Niagara County Youth Bureau:

- *North Tonawanda Dept. of Youth, Recreation & Parks – Youth Court.....\$1,900.00**
- *North Tonawanda Dept. of Youth, Recreation & Parks - First Offender Program.....\$2,700.00**
- *North Tonawanda Dept. of Youth, Recreation & Parks - Mainstreaming Program for Disabled Youth.....\$13,901.00**
- *North Tona. Dept. of Youth, Recreation & Parks – Comprehensive Youth Center Recreational Program.....\$10,808.00**
- *Youth Bureau grant for administrative costs of the Dept. of Youth, Recreation & Parks.....\$35,877.00**
- *The City will be receiving the following State Aid Allocation as approved by the Niagara County Youth Board for the City of North Tonawanda Youth Court.....\$7,800.00**

The total anticipated State Aid for youth programs for 2003 will be \$72,986.00. Thank you for your assistance.

Sincerely,
Jerome Whitehead
Director of Youth, Recreation & Parks

MOVED by Alderman Schwandt SECONDED by Alderman Soos
That the Common Council hereby approves the following 2003 State Aid allocations as recommended by the North Tonawanda Youth Board funded by the New York State Office of Children and Family Services through the Niagara County Youth Bureau:

- * North Tonawanda Dept. of Youth, Recreation & Parks – Youth Court.....\$1,900.00**
- * North Tonawanda Dept. of Youth, Recreation & Parks - First Offender Program.....\$2,700.00**
- * North Tonawanda Dept. of Youth, Recreation & Parks - Mainstreaming Program for Disabled Youth.....\$13,901.00**
- * North Tona. Dept. of Youth, Recreation & Parks – Comprehensive Youth Center Recreational Program.....\$10,808.00**
- * Youth Bureau grant for administrative costs of the Dept. of Youth, Recreation & Parks.....\$35,877.00**
- * The City will be receiving the following State Aid Allocation as approved by the Niagara County Youth Board for the City of North Tonawanda Youth Court.....\$7,800.00**

CARRIED.

XIV.3 Recreation

11/12/2002

The Honorable Mayor, David Burgio
 City Hall
 216 Payne Ave.
 North Tonawanda, New York 14120

Dear Mayor Burgio,

Please find attached a renewal agreement between the City and Diane Sheehan of 142 Vine St., Lockport, New York, 14094. Ms. Sheehan has effectively and efficiently provided Youth Court training and related responsibilities as defined in the approved agreement.

The amount of Youth Court funding is provided through a Division of Criminal Justice Services (DCJS) Grant and the Niagara County Youth Bureau in the amount of Nineteen Thousand Four Hundred and Sixty Two Dollars (\$ 19,462.00). The amount of Five Thousand Four Hundred and Twelve Dollars (\$ 5,412.00) is provided through the Niagara County Youth Bureau for the First Offender Program.

These agreements provide Youth Court Services and First Offender Services as defined from January 1, 2003 through December 31, 2003.

I request the Mayor and Your Honorable Body to execute this agreement on behalf of the City.

Thank you for your consideration and assistance.

Sincerely,
 Jerry Whitehead
 Dept. of Youth, Recreation & Parks

MOVED by Alderman Rizzo

SECONDED by Alderman Soos

That the Common Council hereby authorizes the Mayor to execute the renewal agreement between the City and Diane Sheehan, 142 Vine St., Lockport, NY to provide Youth Court Services and First Offender Services as defined from January 1, 2003 through December 31, 2003.

Ayes: Soos, Rizzo, Chorny, Sommer, Schwandt

(5)

Nays: None

(0)

CARRIED.

XVI.1 City Clerk

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

Dear Mayor and Common Council:

At a regular meeting of the North Tonawanda Planning Commission held on November 4, 2002, a resolution was adopted recommending that Sub Lots 1-6 and Sub Lot 12, owned by Hermann Probst be rezoned from an R-2 classification to a C-2 classification.

Sincerely yours,
 Thomas M. Jaccarino

MOVED by Alderman Schwandt

SECONDED by Alderman Soos

That the Common Council hereby tables the aforementioned request for further consideration.

CARRIED.

11/20/02

XXV. Monthly Reports

- | | | | |
|-----------|--------------------------------|-----------|--------------------------|
| .1 | Treasurer | .3 | Police Department |
| .2 | Treasurer (Investments) | .4 | Senior Citizens |

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

COMMUNICATIONS FROM OTHERS**A. Dennis Maser**

11/03/02

Honorable Mayor and Council:

I, Dennis Maser, am requesting a six-month leave of absence from the Recreation Department at 460 Wheatfield Street, or until a temporary position of water department maintenance man becomes permanent.

I would like to thank you for your consideration on this matter.

Sincerely,
Dennis Maser

MOVED by Alderman Rizzo SECONDED by Alderman Soos
That the Common Council hereby receives and files the Mayor's aforementioned recommendation.
CARRIED.

**B. Gloria Sternin
 Marilyn Soemann**

November 5, 2002

Dear Mayor Burgio and Common Council:

The Downtown Merchants would like permission to hold our annual WinterWalk on Webster Street on Saturday, December 7th.

The WinterWalk committee has arranged for two hay wagons again this year. They will travel through North Tonawanda into Tonawanda and back again. The route would be on Webster Street in North Tonawanda and Main Street in Tonawanda.

We respectfully request that you provide an Auxiliary Police car and driver to follow the hayride wagons, one at a time, from the Greater Buffalo Savings Bank parking lot at 107 Main Street to the Webster Street Bridge and then back again. We are hoping that the car and wagon will be able to coordinate the route so that one would be escorted to the bridge and the other returning wagon would be picked up at the bridge and escorted back to the lot. This is the same route as last year's WinterWalk.

The times for the rides are 11:00 am to 3:00pm, Saturday, December 7.

We have also arranged for a Petting Zoo and to accommodate that event, we request that closing of Tremont Street from Webster to the exit of Gateway Apartments Parking lot. This is the same area we used last year.

11/20/02

D. Sweeney Hose Co. - Re: Statement of Volunteer Fireman:

Marc Ronald Lavey

MOVED by Alderman Sommer SECONDED by Alderman Chorny
That the name of Marc Ronald Lavey be added to the City Fire Rolls.
CARRIED.

MOVED by Alderman Soos SECONDED by Alderman Schwandt
The Common Council hereby resolves that effective immediately no late communications
will be acted on at either regular meetings of the Common Council or any workshop
sessions of the Common Council, except in an emergency situation deemed so by a formal
vote of the Common Council and approved by four members of the Common Council.
CARRIED.

MOVED by Alderman Soos SECONDED by Alderman Schwandt
The Common Council hereby resolves that all appointments to positions within the City of
North Tonawanda must appear on an agenda of a regular meeting of the Common Council
for the Council's action, whether it be a "receive and file" action or a "confirmation"
action.
CARRIED.

ADJOURNMENT

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

Time of Adjournment: 7:35 P.M.

Respectfully submitted,

Thomas M. Jaccarino
City Clerk