



**COMMUNICATIONS FROM CITY OFFICIALS**

**I.1 Mayor**

**January 2, 2003**

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

**Dear Common Council:**

**Please be advised that I have reappointed Gary Przewozny of 1006 Walck Rd., North Tonawanda, NY 14120 as a member of the Planning Board. His term will expire December 31, 2009.**

**Mr. Przewozny will be reappointed as Chairman of the Planning Board. His term will be for 1 year expiring December 31, 2003.**

**Thank you.**

**Sincerely,  
David J. Burgio**

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**I.2 Mayor**

**January 2, 2003**

**Common Council  
216 Payne Ave.  
North Tonawanda, NY 14120**

**Dear Common Council:**

**Please be advised that there was an error made in the term of office for the 1 appointment I made to the Zoning Board of Appeals in 2001. There are 5 members on the Zoning Board of Appeals; a member serves on the board for as many years as there are members. Therefore I would like to amend the term of office for Mr. Ferdinand Wisniewski. The term of office will expire December 31, 2005.**

**Thank you.**

**Sincerely  
David J. Burgio**

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**I.3 Mayor**

**January 2, 2003**

**Common Council  
216 Payne Ave.  
North Tonawanda, NY 14120**

**Dear Common Council**

**Please be advised that I have appointed Deborah Capozzi of 227 Schenck St. North Tonawanda, NY 14120 to the housing Authority. She replaces David Fitzsimmons, her term will be for 7 years, begins February 1, 2003, and expiring January 31, 2009.**

**Thank you.**

**Sincerely  
David J. Burgio**

**I.4 Mayor**

**January 2, 2003**

**Common Council  
216 Payne Ave.  
North Tonawanda, NY 14120**

**Dear Common Council**

**Please be advised that I have reappointed Mr. Joseph Mineo of 152 Vandervoort St. North Tonawanda, NY 14120 as a member of the Planning Board his term will be for 7 years and expire December 31, 2009.**

**Thank You.**

**Sincerely  
David J. Burgio**

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**I.5 Mayor**

**January 2, 2003**

**Common Council  
216 Payne Ave.  
North Tonawanda, NY 14120**

**Dear Common Council**

**Please be advised that I have reappointed Peter Mancuso of 794 Deerfield Dr. North Tonawanda, NY 14120 to the Board of Assessment and Review, his term will be for 5 Years, beginning immediately and expiring September 30, 2007.**

**Thank you.**

**Sincerely  
David J. Burgio**

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**I.6 Mayor**

**January 2, 2003**

**Common Council  
216 Payne Ave.  
North Tonawanda, NY 14120**

**Dear Common Council:**

**Please be advised that I have Appointed Frank Grandinetti of Grand-Jude Plumbing 909 Oliver St. North Tonawanda, NY 14120 to the plumbing Board. He will replace David Martin who will now serve in the capacity as Plumbing Inspector. His term will begin immediately and expire December 31, 2003.**

**I will also be reappointing William Petty of 1395 Master St. North Tonawanda, NY 14120 to the Board. His term will be for 3 years, begin immediately and expire December 31, 2005.**

**Thank you.**

**Sincerely  
David J. Burgio**

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**01/15/03**

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I.7 Mayor

January 2, 2003

Common Council  
216 Payne Ave.  
North Tonawanda, NY 14120

Dear Common Council

Please be advised that I have reappointing Scott Kiedrowski of 830 Deerfield Dr. North Tonawanda, NY 14120 as Chairman of the Zoning Board of Appeals, for a term of 1 year, expiring December 31, 2003.

I would also like to amend the term of Mr. Kiedrowski's original appointment, which began in January of 2000. There are 5 members on the Board, a member of the Board serves for as many years as there are members of the board, therefore his term will be effective until December 31, 2004.

Thank you.

Sincerely  
David J. Burgio

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I.8 Mayor

January 2, 2003

Common Council  
216 Payne Ave.  
North Tonawanda, NY 14120

Dear Common Council:

Please be advised that I have reappointed Bonnie Gardei, Joy Marie Kuebler, Stephen Slivan, Elizabeth Kaszubski, Dale Rogers, and Paul Lehman, to the Environment Committee. Their term will be for 2 Years beginning immediately and expiring December 31, 2004.

I am also newly appointing Dawn Vollmer, of 185 Vandervoort St. North Tonawanda who will replace Harry Kolek, and Mary Fonzi of 609 Christiana St North Tonawanda who will replace David Egli. Their term will for 1 year begin immediately and expire December 31, 2003.

Thank you.

Sincerely  
David J. Burgio

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I.9 Mayor

January 2, 2003

Common Council  
216 Payne Ave.  
North Tonawanda, NY 14120

Dear Common Council:

Please be advised that I have reappointed all of the current members of Emergency

01/15/03

Management Frank Giardino, Director, Christine Sikora Lorenz 1<sup>st</sup>, Gerald Doucette 2<sup>nd</sup>, Thomas Pendleton 3<sup>rd</sup>, and Andrew Pilecki Advisor. Their term will be for 1 year and expire December 31, 2003.

Thank you.

Sincerely  
David J. Burgio

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I.10 Mayor

January 2, 2003

Common Council  
216 Payne Ave.  
North Tonawanda, NY 14120

Dear Common Council:

Please be advised that I have reappointed all the members of the Traffic Safety Committee Ned Dingman, Tina Rydzik, Edward Pitz, Douglas Jayne, Leon Szczerbinski, Mark Lemke, and Tom Tussing. Their term will be for 3 years and expire December 31, 2005.

Thank you.

Sincerely  
David J. Burgio

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I.11 Mayor

January 2, 2003

Common Council  
216 Payne Ave.  
North Tonawanda, NY 14120

Dear Common Council

Please be advised that there was an error made in the term of office for the 2 appointments I made to the Planning Board in 2002. There are 7 members on the Planning Board; a member serves on the board for as many years as there are members. Therefore I would like to amend the term of office for Mr. Ken Pearl and Mr. David Conti. Their term of office will expire December 31, 2008.

Thank you.

Sincerely  
David J. Burgio

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I.12 Mayor

January 15, 2003

Common Council  
216 Payne Ave.  
North Tonawanda, NY 14120

Dear Council Members:

01/15/03

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, 2003. His term will be for 1 year expiring January 31, 2004.

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

Sincerely  
David J. Burgio

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I.13 Mayor

January 2, 2003

Common Council  
216 Payne Ave.  
North Tonawanda, NY 14120

Dear Common Council:

Please be advised that I have reappointed all of the current members of the Cable Advisory Board, Louis Sprenger, Steven Sabo, Joseph Rich, Bruce Brock and Douglas Jayne for a 3-year term, which will expire on December 31,2005.

Thank you.

Sincerely  
David J. Burgio

MOVED by Alderman Sommer                      SECONDED by Alderman Rizzo  
That the Common Council hereby receives and files the aforementioned appointments.  
(except item I.3, which was pulled from the agenda before the meeting.)  
CARRIED.

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II.1 Attorney

January 9, 2003

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

RE: Clover Management, Inc. – 705 Sandra Lane

Dear Honorable Body:

At its September 26, 2001 meeting, your Honorable Body granted a six-month right of first refusal to Clover Management, Inc., to purchase the parcel at 705 Sandra Lane, SBL#185.11-1-40, to be developed as senior citizen housing. On May 15, 2002, the Common Council extended the right of first refusal for the development through the end of 2002. At this time we ask that the right of first refusal be extended for another 6-month period through July 2003, to continue to move the project forward.

Should your Honorable Body concur, please pass a resolution to extend the right of first refusal to Clover Management, Inc. through July 2003, for the development of 705 Sandra Lane, subject to the review of all documentation by the City Attorney.

Very truly yours,  
Henry F. Wojtaszek  
City Attorney

**MOVED by Alderman Soos**

**SECONDED by Alderman Rizzo**

That the Common Council extends the right of first refusal to Clover Management, Inc. through July 2003, for the development of 705 Sandra Lane, subject to the review of all documentation by the City Attorney.

**CARRIED.**

**II.2 Attorney**

**January 2, 2003**

**Honorable Body and Common Council  
216 Payne Avenue  
North Tonawanda, New York 14120**

**RE: City of North Tonawanda acquisition of  
Property by Eminent Domain**

**Dear Honorable Body:**

This letter is to request that the City Attorney Henry F. Wojtaszek proceed in an acquisition of property by Eminent domain from William Cowell, 208 Witmer Road, City of North Tonawanda, NY 14120. The acquisition of property is for an easement for sewer lines that are to be run through a parcel of this property. The legal description and exact dimensions of the land to be taken by eminent domain will soon follow from the City Attorney's office.

If you concur, please authorize the City Attorney to proceed with the acquisition subject to review of all legal documentation.

**Very truly yours,  
Henry Wojtaszek  
City Attorney**

**MOVED by Alderman Schwandt**

**SECONDED by Alderman Proefrock**

That the Common Council hereby authorizes the City Attorney to proceed with the acquisition of 208 Witmer Road, by Eminent Domain, for an easement for sewer lines that are to be run through a parcel of this property, with the acquisition subject to review of all legal documentation and further calls for a public hearing on the acquisition.

**CARRIED.**

**II.3 Attorney**

**January 10, 2003**

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

**RE: Proposed Lease Agreement with Canal Concert Series, Inc.  
for 2003 Outdoor Concert Series at Gateway Park**

**Dear Honorable Body:**

Attached for your review and approval is the proposed lease agreement between Canal Concert Series, Inc. (formerly Runwayz) and the City of North Tonawanda for summer concerts to be held in Gateway Park. The lease has a three-year term including specific summer dates in 2003, as well as provision for future concert dates in 2004 and 2005.

Should your Honorable Body concur, please pass a resolution authorizing the Mayor to execute the lease agreement, subject to review by the City Attorney.

**Very truly yours,  
Shawn P. Nickerson**

**01/15/03**

Assistant City Attorney

**MOVED by Alderman Soos**

**SECONDED by Alderman Sommer**

That the Common Council approves lease agreement between Canal Concert Series, Inc. (formerly Runwayz) and the City of North Tonawanda for summer concerts to be held in Gateway Park for a three-year term including specific summer dates in 2003, as well as provision for future concert dates in 2004 and 2005 and authorizes the Mayor to sign the lease agreement, subject to review by the City Attorney.

**Ayes: Soos, Rizzo, Proefrock, Sommer, Schwandt (5)**

**Nays: None (0)**

**CARRIED.**

**IV. Engineer**

January 7, 2003

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

**RE: North Marion Street Reconstruction  
Project 2001-08, Approval of Change  
Order No. 1, Project Acceptance and  
Final Payment**

**Honorable Body:**

Your approval of Change Order No. 1, project acceptance and approval of final payment for Contract 01-8, North Marion Street Reconstruction, between Robinson Street and Sommer Street, is hereby requested.

Change Order No. 1 adjusts the original contract quantities to the actual installed, or as-built quantities. The Change Order also includes payment for extra work ordered by the Water Superintendent involving removal of existing water main tees, in lieu of capping as originally proposed, at both the Robinson Street and Sommer Street intersections.

I therefore recommend that the Common Council approve Change Order No. 1, adjustment of final quantities and water main interconnection abandonment in the amount of \$12,134, increasing the contract amount from \$210,000, to the final contract amount of \$222,134, and that the Mayor be authorized to sign said change order. Furthermore, the work under Project 01-8 has been completed in accordance with the plans and specifications prepared by the City Engineering Department, and I recommend that the project be accepted, and that the final documents required by the contract be reviewed and approved by the City Attorney.

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

**MOVED by Alderman Soos**

**SECONDED by Alderman Schwandt**

That the Common Council hereby approves Change Order No. 1, adjustment of final quantities and water main interconnection abandonment in the amount of \$12,134, increasing the contract amount from \$210,000, to the final contract amount of \$222,134, and authorizes the Mayor to sign said change order. Furthermore, acknowledges that the work under Project 01-8 has been completed in accordance with the plans and specifications prepared by the City Engineering Department, and that the project is accepted, and that the final documents required by the contract will be reviewed and approved by the City Attorney.

**Ayes: Soos, Rizzo, Proefrock, Sommer, Schwandt (5)**

**Nays: None (0)**

**CARRIED.**

**VII. Accountant**

October 9, 2007

Honorable David J. Burgio, 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 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 January 15, 2003, and further authorize the Mayor and City Clerk to respectively sign and countersign said Warrant.

Very truly yours,  
David R. Jakubaszek  
City Accountant

**MOVED by Alderman Rizzo**

**SECONDED by Alderman Schwandt**

That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated January 15, 2003 and further authorizes the Mayor and City Clerk respectively sign and countersign said Warrant:

01	General Fund	\$411,537.00
02	Water Fund	51,286.04
04	Sewer Fund	70,549.30
06	Capital Projects Fund	1,060.00
07	Trust & Agency Fund	205.15
08	Community Development	4,813.21
11	General Fund (Encumbered)	669.54
17	Home Rehab Program	<u>2,200.00</u>
	<b>FINAL TOTAL</b>	<b><u>\$542,320.24</u></b>

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

Nays: None (0)

**CARRIED.**

**X. Police**

December 19<sup>th</sup>, 2002

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

Dear Mayor Burgio,

As I'm sure you are aware, Police Officer James Daugherty, our Public Safety Officer and DARE instructor, is also a Sergeant in the 914<sup>th</sup> Mission Support Group of the United States Air Force Reserve. His unit was activated after the September 11<sup>th</sup> incident.

On November 20<sup>th</sup>, 2001 the Common Council passed a resolution extending his military leave for an additional ninety (90) days; thereby continuing his full pay and

benefits, with the City only paying the difference between his military pay and his normal police officer pay. On or about April 3<sup>rd</sup>, 2002 the Common Council passed another resolution extending his military leave for another 90 days. I understand the Common Council has recently extended those benefits until December 31<sup>st</sup>, 2002.

I respectfully ask that you petition the Common Council, on my behalf, to extend that resolution for an additional 90 days.

Respectfully,  
Carl W. Stiles  
Chief of Police

**MOVED** by Alderman Schwandt                      **SECONDED** by Alderman Sommer  
That the Common Council hereby extends Police Officer James Daugherty's military leave for an additional ninety (90) days with all pay issues to be discussed and determined at a later date with the advise of our legal counsel.

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

**XIX. Building Inspector**

December 20, 2002

Mayor Burgio  
216 Payne Avenue  
North Tonawanda, NY 14120

Dear Mayor Burgio

Due to the recent unexpected departure of the part-time clerk in the Code/Plumbing section of my department, and the need for said clerk, I have interviewed candidates with the qualifications needed for this position.

As a result of said interviews I recommend that Sharon Colwell of 686 Park Ave., North Tonawanda, NY 14120, be hired as the part-time clerk starting January 2, 2003. Ms. Colwell is well qualified to the work required of the position.

Thank you for your assistance.

Sincerely,  
Cosimo R. Capozzi

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

**XXV. Monthly Reports**

- |           |                          |           |                         |
|-----------|--------------------------|-----------|-------------------------|
| <b>.1</b> | <b>City Clerk</b>        | <b>.4</b> | <b>Vital Statistics</b> |
| <b>.2</b> | <b>Housing Authority</b> | <b>.5</b> | <b>Senior Citizens</b>  |
| <b>.3</b> | <b>Police</b>            |           |                         |

**MOVED** by Alderman Schwandt                      **SECONDED** by Alderman Proefrock  
That the Common Council receives and files the aforementioned monthly reports.  
**CARRIED.**

**XXVI. Semi Annual Vacation and Sick Leave Reports****.1 Assessor**

**MOVED by Alderman Schwandt                      SECONDED by Alderman Proefrock**  
**That the Common Council receives and files the aforementioned Semi Annual Vacation**  
**and Sick Leave Reports**  
**CARRIED.**

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**XXVII. Annual Reports****.1 Senior Citizens**  
**.2 City Clerk****.3 City Historian**

**MOVED by Alderman Sommer                      SECONDED by Alderman Rizzo**  
**That the Common Council receives and files the aforementioned Annual Reports.**  
**CARRIED.**

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**COMMUNICATIONS FROM OTHERS**

**A.**  
**North Tonawanda High School**  
**Lumberjack Marching Band**

**January 7, 2003**

**Mr. David Burgio, Mayor**  
**North Tonawanda City Hall**  
**Payne Avenue**  
**N. Tonawanda, NY 14120**

**Dear Mayor Burgio:**

**On behalf of the North Tonawanda High School Concert/Marching Band Boosters, I**  
**am writing to ask permission to hang a banner across Payne Avenue in front of Lowry**  
**Middle School.**

**The Band Boosters are sponsoring a Craft Show on Saturday, February 8, 2003 at the**  
**high school. We are requesting that the banner be put up from January 24 – February**  
**8.**

**Could you please put it on the agenda for the next council meeting? Thank you for**  
**your consideration. You may contact Laurie Moeller at 692-4846 if you have any**  
**questions. Thank you again.**

**Sincerely yours,**  
**Susan F. Ferrio**  
**Band Booster Secretary**

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

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**B.**

**Columbia**

**Hook & Ladder**

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**Re: Exemption Petition:**

**Michael L. Duval, Sr. – 25 years**

-

**Re: Statement of Volunteer Fireman:**

**Mark Anthony Wynn**

**MOVED by Alderman Rizzo**

**SECONDED by Alderman Proefrock**

**That the proper exemption petition be issued to Michael L. Duval, Sr. and that the name of Mark Anthony Wynn be added to the City Fire Rolls.**

**CARRIED.**

**C.**

**Louis Sprenger**

**January 2, 2003**

**City Clerk**

**216 Payne Avenue**

**North Tonawanda, NY 14120**

**Dear City Clerk:**

**Please renew my appointment as Commissioner of Deeds for the following two years.**

**Thank you for your consideration in this matter.**

**Sincerely,**

**Louis Sprenger**

**MOVED by Alderman Rizzo**

**SECONDED by Alderman Schwandt**

**That the Common Council hereby appoints Louis Sprenger of 562 Homestead Drive as Commissioners of Deeds for the City of North Tonawanda effective January 16, 2003 and expiring January 15, 2005.**

**CARRIED.**

**ALDERMAN PROEFROCK**

**MOVED by Alderman Proefrock**

**SECONDED by Alderman Schwandt**

**Whereas, tourism is the #2 industry in New York State and whereas the Tonawanda's are embarking on the creation of a new tourism industry for economic benefit, the North Tonawanda Common Council establishes an advisory committee to research and develop bed and breakfast legislation for the City of North Tonawanda.**

**CARRIED.**

**MOVED by Alderman Proefrock**

**SECONDED by Alderman Schwandt**

**Whereas the history of North Tonawanda should be preserved for future generations, and whereas an economic benefit can be gained through it's history, and whereas funding is available to restore designated historic properties, the Common Council establishes an advisory committee to research and advise the North Tonawanda Common Council on the procedures necessary to establish a Local Historic Register of Properties in the City of North Tonawanda.**

**CARRIED**

**ADJOURNMENT**

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

**Time of adjournment: 7:30P.M.**

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**Respectfully submitted,**

**Thomas M. Jaccarino**  
**City Clerk**