

Please review the enclosed lease and highlighted modifications. If they meet with your approval please place this matter on the next agenda for a vote.

Thank you for your consideration. If you have any questions please feel free to contact me.

Sincerely,
Shawn P. Nickerson
North Tonawanda City Attorney

MOVED by Alderman Sommer SECONDED by Alderman Hempel
That the Common Council hereby authorizes the Mayor to sign the aforementioned agreement between the City of North Tonawanda and Related Apartment Preservation, LLC, subject to approval of the City Attorney.
Ayes: Soos, Rizzo, Schwandt, Hempel, Sommer (5)
Nays: None (0)
CARRIED.

V. Water

April 22, 2005

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

Dear Honorable Mayor and Common Council:

The following amount was attached to the 2005 City Taxes incorrectly. Please authorize the City Treasurer to remove \$913.26 of water/sewer charges from the City Tax bill for account #61634 and send a corrected bill to the new property owners.

Thank you for your cooperation.

Respectfully Submitted,
Paul J. Drof
Superintendent, Water/Wastewater

MOVED by Alderman Rizzo SECONDED by Alderman Sommer
That the Common Council hereby authorizes the City Treasurer to remove \$913.26 of water/sewer charges from the City Tax bill for account #61634 and send a corrected bill to the new property owners.
Ayes: Soos, Rizzo, Schwandt, Hempel, Sommer (5)
Nays: None (0)
CARRIED.

VII. Accountant

April 14, 2005

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 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 May 4, 2005, 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 Hempel SECONDED by Alderman Schwandt
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated May 4, 2005 and further authorizes the Mayor and City Clerk respectively sign and countersign said Warrant:

01	General Fund	\$366,484.89
02	Water Fund	49,407.97
04	Sewer Fund	88,969.84
06	Capital Projects Fund	4,285.57
07	Trust & Agency Fund	413.81
11	General Fund (Enc)	6,579.38
14	Sewer Fund (Enc)	<u>1,669.46</u>
	Final Total	<u>\$517,810.92</u>

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

IX.1 Public Works

April 18, 2005

Honorable Mayor & Common Council
City Hall, 216 Payne Avenue
North Tonawanda, NY 14120

Re: Award of Bid for
Coning (Regular Dry) Traffic Paint

Dear Honorable Body:

On Thursday, March 17, 2005, bids were received and publicly opened in the City Clerk's office for Coning (Regular Dry) Traffic Paint. My office has reviewed the bids submitted and tabulated them as follows:

<u>BIDDERS</u>	<u>AMOUNT</u>
Sherwin Williams	\$6.48/gallon – Alkyd White
	\$6.70/gallon – Alkyd Yellow
	\$6.48/gallon – Waterborne White
	\$7.05/gallon – Waterborne Yellow
Ray Dinno Supply	\$5.99/gallon

I recommend that the Council award the bid for Coning (Regular Dry) Traffic Paint to Ray Dinno Supply, Inc., 728 Shad Street, No. Tonawanda, NY 14120 at their low bid of \$5.99/gallon, subject to the approval of the City Attorney.

Very truly yours,
Gary J. Franklin
Superintendent Public Works

MOVED by Alderman Rizzo

SECONDED by Alderman Schwandt

That the Common Council hereby awards the bid for Coning (Regular Dry) Traffic Paint to Ray Dinno Supply, Inc., 728 Shad Street, No. Tonawanda, NY 14120 at their low bid of \$5.99/gallon, subject to the approval of the City Attorney.

Ayes: Soos, Rizzo, Schwandt, Hempel, Sommer

(5)

Nays: None

(0)

CARRIED.

IX.2 Public Works

April 27, 2005

**Honorable Mayor & Common Council
City Hall, 216 Payne Avenue
North Tonawanda, NY 14120**

**Re: Award of Bid for
Concrete Sidewalk & Curbing Repairs**

Dear Honorable Body:

On Monday, April 11, 2005 bids were received and publicly opened in the City Clerk's Office for Concrete Sidewalk and Curbing Repairs. My office has reviewed the bids submitted and tabulated them as follows:

<u>BIDDERS</u>	<u>AMOUNT</u>
Murdough Development	\$72,615.00
Valeri Concrete Construction, Inc.	65,360.00
Campobello Construction Co., Inc.	61,425.00
Aragona Construction Corp.	63,640.00
C & C Contractors, Inc.	73,480.00

I recommend that the Council award the bid for Concrete Sidewalk and Curbing Repairs to Campobello Construction Co., Inc. of 3407 Delaware Avenue, Suite 224, Kenmore, New York 14217 at their low bid of \$61,425.00, subject to the approval of the City Attorney.

**Very truly yours,
Gary J. Franklin
Superintendent**

MOVED by Alderman Rizzo

SECONDED by Alderman Hempel

That the Common Council hereby awards the bid for Concrete Sidewalk and Curbing Repairs to Campobello Construction Co., Inc. of 3407 Delaware Avenue, Suite 224, Kenmore, New York 14217 at their low bid of \$61,425.00, subject to the approval of the City Attorney.

Ayes: Soos, Rizzo, Schwandt, Hempel, Sommer

(5)

Nays: None

(0)

CARRIED.

XVII. Traffic Safety

April 9, 2005

To: The Common Council

From: Traffic Safety Committee

We recommend the removal of the school zone signs on Payne Avenue in front of St. Joseph's Church.

**Thank you,
Mark Lemke
Traffic Safety Committee**

MOVED by Alderman Schwandt **SECONDED** by Alderman Hempel
That the Common Council hereby instructs the Department of Public Works to remove school zone signs on Payne Avenue in front of St. Joseph's Church.
CARRIED.

XXVI. Semi-Annual Vacation and Sick Leave Reports

.1 Treasurer

MOVED by Alderman Rizzo **SECONDED** by Alderman Schwandt
That the Common Council hereby receives and files the aforementioned semi-annual vacation and sick leave report.
CARRIED.

COMMUNICATIONS FROM OTHERS

A.

April 2005

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

Dear Honorable Body:

I am requesting to be reappointed as a Commissioner of Deeds for the City of North Tonawanda. Thank you.

Melissa L. Balen Lynette M. Beverly Cosimo R. Capozzi Sharon Colwell David Conti Kenneth F. Davignon Maxine A. Davignon	William M. Davignon Malcolm A. Needler William L. Paton Janet L. Smolinski Peter E. Smolinski Leon Szczerbinski
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MOVED by Alderman Rizzo **SECONDED** by Alderman Schwandt
That the Common Council appoints Melissa L. Balen, 92 Allen Street; Lynette M. Beverly, 473 Esther Street; Cosimo R. Capozzi, 227 Schenck Street; Sharon Colwell, 686 Park Avenue; David Conti, 134 Main Street; Kenneth F. Davignon, 109 Keil Street; Maxine A. Davignon, 109 Keil Street; William M. Davignon, 97 Ward Road; Malcolm A. Needler, 864 Castlebar Dr.; William L. Paton, 55 Fifth Avenue; Janet L. Smolinski, 449 Robert Drive; Peter E. Smolinski, 449 Robert Drive and Leon Szczerbinski, 187 Spaulding Street as Commissioners of Deeds for the City of North Tonawanda for a term beginning May 5, 2005 and expiring May 4, 2007.
CARRIED.

MOVED by Alderman Hempel **SECONDED** by Alderman Sommer
That the Common Council hereby directs the City Attorney to begin an investigation into the contract signed by Mayor David Burgio on April 19, 2005. This investigation should include, but not be limited to, the following:

- 1. Who drafted said contract.**
- 2. Why the contract was not submitted to the Common Council and City Attorney for approval.**
- 3. Why the proper legal and legislative procedure was circumvented.**
- 4. Whether there were any legal or ethical violations.**

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

