

**THE HONORABLE BODY  
Council Chambers  
Municipal Building  
North Tonawanda, New York 14120  
Tuesday, February 21, 2023  
6:30 P.M.**

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**REGULAR SESSION CALLED TO ORDER BY PRESIDENT DIBERNARDO**

**PLEDGE OF ALLEGIANCE**

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**ROLL CALL**

**Present: President DiBernardo  
Alderman Lavey, Loncar, Marranta**

**Absent: Alderman Schmigel**

**Also Present: Mayor Austin J. Tylec  
City Attorney Edward Zebulske, III**

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**AUDIENCE PARTICIPATION**

**Tom Maziarz, 174 Goundry Street – Questioned the payment from the Canal Fest that the City receives and how much does the City get from Gateway.**

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**APPROVAL OF THE MINUTES OF THE REGULAR MEETING FEBRUARY 7, 2023**

**MOVED by Alderman Lavey                      SECONDED by Alderman Marranta  
That the minutes of the regular meeting held February 7, 2023 be approved as circulated  
and filed in the office of the City Clerk.**

**Ayes: Alderman Lavey, Loncar, Marranta, DiBernardo                      (4)**

**Nays: None                      (0)**

**CARRIED.**

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**PROOF OF PUBLICATION PUBLISHED 1/28/2023**

- 1) Legal Notice – Request for Proposals for the Payne Park Aquatic Facility Design –  
Dir. Youth, Recreation, Parks and Seniors**

**PROOF OF PUBLICATION PUBLISHED 2/1/2023 & 2/9/2023**

- 1) Legal Notice – Notice for the Collection of the 2023 Niagara County Tax – City  
Clerk-Treasurer**

**PROOF OF PUBLICATION PUBLISHED 2/3/2023**

- 1) Legal Notice – Request for Proposals for On Call Grant Writing and Engineering  
Services – City Engineer**

**PROOF OF PUBLICATION PUBLISHED 2/4/2023**

- 1) Legal Notice – Public Hearing for the Discontinuance of Alleys Located between  
Main St. and Marion St. and between 7<sup>th</sup> and 8<sup>th</sup> Avenue – City Attorney, City  
Clerk-Treasurer**



**PROOF OF PUBLICATION PUBLISHED 2/11/2023**

**1) Legal Notice – Request for Proposals for the Water and Wastewater Treatment  
Plant Chemicals – Supt. Water/Wastewater**

**MOVED by Alderman Lavey**

**SECONDED by Alderman DiBernardo**

**That the Common Council hereby receives and files the aforementioned Proof of Publications.**

**Ayes: Alderman Lavey, Loncar, Marranca, DiBernardo**

**(4)**

**Nays: None**

**(0)**

**CARRIED.**

**COMMUNICATIONS FROM CITY OFFICIALS**

**II.1 Attorney**

**February 14, 2023**

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

**Re: Memorandum of Understanding – City of North Tonawanda and  
Civil Service Employees Association, Local 1000 – re:  
Medical Insurance for Retirees**

**Dear Honorable Body:**

**Attached is a proposed Memorandum of Agreement between the City of North Tonawanda and the Civil Service Employees Association, Local 1000, to revise § 12.13 of the current collective bargaining agreement to provide a new group plan for medical insurance coverage for retirees.**

**If your Honorable Body concurs, please pass a resolution for the City of North Tonawanda to allow execution of the Memorandum of Agreement by the Mayor, subject to further review by the City Attorney.**

**Very truly yours,  
Edward A. Zebulske, III  
City Attorney**

**MOVED by Alderman DiBernardo**

**SECONDED by Alderman Lavey**

**That the Common Council at a regular session meeting, held at City Hall, 216 Payne Avenue, North Tonawanda, New York at 6:30 PM on February 21<sup>st</sup>, 2023 approved the Memorandum of Agreement between the City of North Tonawanda and the Civil Service Employees Association, Local 1000, AFSCME, AFL-CIO, Local 832 City of North Tonawanda, Unit #7692 to revise § 12.13 of the current Collective Bargaining Agreement and it reads as follows:**

**Memorandum of Agreement Between City of North Tonawanda and Civil Service  
Employees Association, Inc. Local 1000, AFSCME, AFL-CIO, Local 832 City of North  
Tonawanda, Unit #7692**

**THIS UNDERSTANDING, by and between the City of North Tonawanda (Hereinafter, “City”) and the Civil Service Employees Association, Local 1000, AFSCME, AFL-CIO, Local 832 Unit 7692 (hereinafter, “CSEA”) and,**



WHEREAS the Mayor and CSEA are parties to a collective bargaining agreement (hereinafter, "CBA") covering the period January 1, 2015, through December 31, 2018, and January 1, 2019 through December 31, 2023 and

NOW, THEREFORE, in consideration of the mutual agreements and covenants contained herein, it is understood and agreed by and between the parties as follows:

1) The language in CBA Article 12.13 shall be revised by both parties to read:

12.13 Medical insurance for Retirees pursuant to the following plan:

The Employer shall provide medical insurance coverage for Retirees at the group rate, and by payment of a percentage of the premiums, pursuant to the schedule below. The balance of said premiums will be billed to the Retiree and paid by same. The employer will provide said coverage until age 72 or otherwise terminated or pre-empted by other coverage through Medicare, Medicaid or a spouse plan. However, in the event the spouse's insurance would expire or no longer be effective, then the retiree medical coverage provided hereunder for a retired member can be picked up by the retired member or retired member's spouse with the City paying their percentage of the premium as set forth in this section. The number of sick days at retirement shall determine the percentage of premiums paid by the City as indicated in the schedule below.

At age 65 when retiree is eligible for Medicare or qualifies for Medicare due to a disability, the City will provide coverage to retiree and spouse until each turn the age of 72 as indicated in the schedule below. If retiree is eligible for Medicare and spouse is not, the spouse will remain on the City's plan until the spouse becomes eligible for Medicare with the City continuing to pay according to schedule listed below. If the retiree dies, spouse will continue to be covered until the age of 72.

Number of sick Days at Retirement Date	Percentage of Premiums Paid by City
150-180	90%
120-149	85%
90-119	80%
60-89	75%
0-59	70%

For employees hired on or after August 1, 1986 the following number of sick days at retirement and percentage of premiums paid by the City as indicated in the schedule below.

Number of Sick Days at Retirement Date	Percentage of Premiums Paid by City
100-120	90%
80-99	85%
60-79	80%
40-59	75%
0-39	70%

The City will continue to pay premiums according to the above schedule for retirees who are eligible for and obtain retiree medical insurance plan provided by the City attached as Addendums to the MOA. If said plan becomes unavailable in the future, the City will offer retirees the health plan agreed upon by both parties.

If the City is able to obtain equivalent or better coverage, with an equivalent or better actuarial value, which demonstrates overall cost savings from the current plan offerings through another health insurance carrier, the City shall have the right to substitute carriers, provided that the City first obtains approval from a joint health insurance committee. The committee shall include a CSEA Unit representative (selected by the CSEA Unit President) and up to two staff representatives from the Union (selected by the CSEA Unit President). The City agrees to provide no less than 90 days' notice of any recommended substitution to the Union, to review and analyze the potential change. Agreed to changes may be adopted at any time during the term of this Collective



Bargaining Agreement, after mutual agreement of CSEA and the City and subsequent ratification by the CSEA membership and the Board.

Should the City offer more than one plan for retirees, the retiree can select which plan he/she will enroll. Any differences in rates between these plans will be negotiated by CSEA and the City.

Regardless of the above formula, if an employee suffers an unforeseen catastrophic illness, injury or requires surgery within one (1) year of the employee's retirement and the employee has a record of not abusing sick days, the above formula requirement will be waived for that event only and said sick days will not be deducted from the sick days needed to qualify for the certain percentages of insurance, as set out above. Pre-existing illness and injury or surgery occurs within one year of the employee's retirement. An administrative committee made up of the City's Collective Negotiating Chairman, the City Attorney and a union representative will determine eligibility for this waiver. In determining this waiver, the Committee can expressly take into account the employee's work record as far as attendance for the previous three years and is expressly entitled to take into account any absences for the use of sick leave time, although other factors may be considered by the administrative committee in making its determination.

Employees retiring under this Agreement will be eligible for coverage as is presently maintained by the City and any additions, deletions, modifications to coverage made by the City in future contracts will automatically apply to persons retiring under this Agreement.

- 2) The parties agree that this agreement is without precedent or prejudice to either party with respect to future matters.

**Ayes: Alderman Lavey, Loncar, Marranta, DiBernardo (4)**  
**Nays: None (0)**  
**CARRIED**

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## II.2 Attorney

**February 14, 2023**

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

**Re: Memorandum of Understanding – City of North Tonawanda and  
 Civil Service Employees Association, Local 1000 – re:  
 Work Clothing Allowance**

**Dear Honorable Body:**

**Attached is a proposed Memorandum of Agreement between the City of North Tonawanda and the Civil Service Employees Association, Local 1000, to add language as § 20.2 of the current collective bargaining agreement regarding the work clothing allowance for employees.**

**If your Honorable Body concurs, please pass a resolution for the City of North Tonawanda to allow execution of the Memorandum of Agreement by the Mayor, subject to further review by the City Attorney.**

**Very truly yours,  
 Edward A. Zebulske, III  
 City Attorney**



**MOVED by Alderman Loncar                    SECONDED by Alderman Lavey**  
**That the Common Council at a regular session meeting, held at City Hall, 216 Payne Avenue, North Tonawanda, New York at 6:30 PM on February 21<sup>st</sup>, 2023 approved the Memorandum of Agreement between the City of North Tonawanda and the Civil Service Employees Association, Local 1000, AFSCME, AFL-CIO, Local 832 City of North Tonawanda, Unit #7692 to add language to § 20.2 of the current Collective Bargaining Agreement and it reads as follows:**

**Memorandum of Agreement Between City of North Tonawanda and Civil Service Employees Association, Inc. Local 1000, AFSCME, AFL-CIO, Local 832 City of North Tonawanda, Unit #7692**

THIS UNDERSTANDING, by and between the City of North Tonawanda (Hereinafter, "City") and the Civil Service Employees Association, Local 1000, AFSCME, AFL-CIO, Local 832 Unit 7692 (hereinafter, "CSEA") and,

WHEREAS the Mayor of the City and CSEA are parties to a collective bargaining agreement (hereinafter, "CBA") covering the period January 1, 2019 through December 31, 2023 and

NOW, THEREFORE, in consideration of the mutual agreements and covenants contained herein, it is understood and agreed by and between the parties as follows:

- 1) A new section 20.2 shall be added to the contract regarding work uniform allowance for the employees.
- 2) The section shall read as follows:

Effective January 1, 2023, all water distribution, wastewater and water employees (with the exception of water/wastewater maintenance personnel), will receive three hundred dollars (\$300.00) per year for the purchase of work clothing in lieu of a work uniform.

- 3) The employee will be required to fill out the voucher located in Appendix W of the contract and supply receipts. This form will be submitted to the Accounting Department.
- 4) The City will continue to provide uniform services for water/wastewater maintenance personnel.
- 5) The parties agree that this agreement is without precedent or prejudice to either party with respect to future matters.

**Ayes: Alderman Lavey, Loncar, Marranca, DiBernardo                    (4)**  
**Nays: None     (0)**  
**CARRIED**

**III.1 Clerk-Treasurer**

**February 9, 2023**

**Honorable Mayor  
And Common Council  
216 Payne Avenue / City Hall  
North Tonawanda, NY 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 agreement with the City, for the following parcel:**



182.53-2-40      112 Fifth Avenue      Dennis Rodgers

Therefore, please pass the necessary resolution withdrawing this parcel from the appropriate In Rem foreclosure proceeding.  
Thank you for your cooperation.

Very truly yours,  
Denise Proefrock  
Assistant City Clerk

**MOVED** by Alderman Marranca      **SECONDED** by Alderman Lavey  
That the Common Council hereby approves the removal of the following parcel:

182.53-2-40      112 Fifth Avenue      Dennis Rodgers

From the appropriate In Rem foreclosure proceeding for payment in full of City, School and County Taxes.

Ayes: Alderman Lavey, Loncar, Marranca, DiBernardo (4)  
Nays: None (0)  
**CARRIED**

### III.2 Clerk-Treasurer

Date: February 13, 2023  
To: Mayor/Common Council  
From: Donna L. Braun - City Clerk/Treasurer

Subject: Standard Workday and Reporting Resolution – 2023

New Regulation 315.4 outlines additional reporting requirements for elected or appointed officials and more clearly defines the process for reporting time worked by those officials.

This regulation became effective August 12, 2009.

I offer the following resolution for your consideration:

**BE IT RESOLVED**, that the City of North Tonawanda hereby establishes the following as standard work days for elected and appointed officials and will report (see attached) the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these Officials to the Clerk of this body.

Sincerely,  
Donna L. Braun  
City Clerk-Treasurer

**MOVED** by Alderman DiBernardo      **SECONDED** by Alderman Marranca  
That the Common Council hereby agrees to amend the attached Standard Workday and Reporting Resolution for 2023 that was submitted by the City Clerk-Treasurer.

Ayes: Alderman Lavey, Loncar, Marranca, DiBernardo (4)  
Nays: None (0)  
**CARRIED**

**MOVED** by Alderman DiBernardo      **SECONDED** by Alderman Lavey  
That the Common Council at a regular session meeting, held at City Hall, 216 Payne Avenue, North Tonawanda, New York at 6:30 PM on February 21<sup>st</sup>, 2023 approves the amended Standard Workday and Reporting Resolution for 2023 and it reads as follows:

**BE IT RESOLVED**, that the City of North Tonawanda hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked



to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these Officials to the Clerk of this body:

**2023 Elected/ Appointed Work Schedule City of North Tonawanda New York**

**ELECTED OFFICIALS:**

<u>TITLE</u>	<u>NAME</u>	<u>STANDARD WORKDAY</u>	<u>TERM BEGINS/ENDS</u>	<u>PARTICIPATES IN TIME KEEPING</u>	<u>DAY/MONTH</u>
Mayor	Austin J. Tylec	7	01/01/22 – 12/31/25	Y	20
Clerk-Treasurer	Donna L. Braun	7	01/01/22 – 12/31/23	Y	20
Attorney	Edward Zebulske III	7	01/26/23 – 12/31/25	Y	20
2 <sup>nd</sup> Ward Alderman	Frank DiBernardo	6	01/01/22 – 12/31/23	Y	20
Alderman at Large	Joseph Marranta III	6	02/07/23 – 12/31/23	Y	20
Alderman at Large	Joe Loncar	6	01/01/22 – 12/31/25	Y	20
3 <sup>rd</sup> Ward Alderman	Joseph Lavey Jr.	6	01/01/22 – 12/31/23	N	20
1 <sup>st</sup> Ward Alderman	Robert Schmigel	6	01/01/22 – 12/31/23	N	20

**APPOINTED OFFICIALS**

Adm. Assistant Mayor's Office	Joyce Santiago	7	08/02/22 – 12/31/25	Y	20
Asst. City Attorney	Nicholas B. Robinson	6	02/07/23 – 12/31/25	Y	20
Asst. City Attorney	Mathew Mosher	6	01/03/23 - 12/31/23	Y	20
Zoning Board	Edward Smolinski	6	01/01/22 – 12/31/26	Y	3
Planning Board	Thomas Jaccarino	6	01/01/20 – 12/31/26	Y	3

**Donna L. Braun**  
City Clerk-Treasurer

**Ayes: Alderman Lavey, Loncar, Marranta, DiBernardo (4)**  
**Nays: None (0)**  
**CARRIED**

**VII.1 Accountant**

**February 16, 2023**

**Honorable Austin J. Tylec, Mayor  
and Common Council  
City Hall, 216 Payne Avenue  
North Tonawanda, NY 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 February 21<sup>st</sup>, 2023, and further authorize the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant.**



Warm regards,  
Jeffrey R. Zellner  
City Accountant

**MOVED by Alderman Lavey                      SECONDED by Alderman Marranca**  
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated February 21<sup>st</sup>, 2023, and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$399,077.45
02	Water Fund	\$39,705.30
04	Sewer Fund	\$25,889.53
06	Capital Project Fund	\$99,887.51
07	Trust & Agency Fund	\$2,065.54
00	Final Total	<u>\$566,625.33</u>

Ayes: Alderman Lavey, Loncar, Marranca, DiBernardo (4)  
Nays: None (0)  
CARRIED.

## VII.2 Accountant

February 14, 2023

Honorable Austin J. Tylec, Mayor  
And Common Council Members  
City Hall / 216 Payne Avenue  
North Tonawanda, NY 14120

Dear Honorable Body:

In accordance with Article V, Division 2, Section 5.023 and Section 2.2 of the Budgetary Transfer Policy, please authorize the City Accountant to make the following amendment of fiscal year 2022 appropriations, based on the request of the Department Head, copy attached.

<u>Dollar Amount</u>	<u>Increase Appropriation Account</u>	<u>Decrease Appropriation Account</u>
\$10,220.89	001.3120.0480 Police Operations	001.3120.0420 Police – Repair and Maintenance

Reason: Due to unexpected rise in gasoline costs in 2022 and budget not reflecting the rise.

Warm regards,  
Jeffrey Zellner  
City Accountant

**MOVED by Alderman Lavey                      SECONDED by Alderman DiBernardo**  
That the Common Council hereby authorizes the City Accountant to make the following Budgetary Transfers of fiscal year 2022 appropriations, based on the request of the Department Head:

<u>Dollar Amount</u>	<u>Increase Appropriation Account</u>	<u>Decrease Appropriation Account</u>
\$10,220.89	001.3120.0480 Police Operations	001.3120.0420 Police – Repair and Maintenance

Ayes: Alderman Lavey, Loncar, Marranca, DiBernardo (4)  
Nays: None (0)  
CARRIED.



**VIII. Assessor**

February 16, 2023

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

North Tonawanda Common Council:

Regarding The Disability and Low Income Senior Exemptions new income cap Niagara County, that was approved January 17, 2023. Increase for the Disability Exemption by Niagara County has an income cap of \$34,600. The Low Income Senior Exemption was increased to an income cap of \$33,700. At least consider to increase the Low Income Senior Exemption to Niagara County's previous income cap of \$28,499.99

Barbara W. Klenke  
 City Assessor

MOVED by Alderman Lavey                      SECONDED by Alderman Loncar  
 That the Common Council hereby only approves to increase the Low Income Senior Exemption cap to \$28,499.99 for taxes.

Ayes: Alderman Lavey, Loncar, Marranta, DiBernardo (4)

Nays: None (0)

CARRIED

**XXV. Monthly Reports**

.1 Senior Citizen Center    .2 Clerk-Treasurer    .3 Police Department

MOVED by Alderman DiBernardo              SECONDED by Alderman Marranta  
 That the Common Council hereby receives and files the aforementioned Monthly Reports.

Ayes: Alderman Lavey, Loncar, Marranta, DiBernardo (4)

Nays: None (0)

CARRIED.

**XXVI. Semi-Annual Vacation & Sick Leave Reports**

.1 Police Department

MOVED by Alderman Lavey                      SECONDED by Alderman Marranta  
 That the Common Council hereby receives and files the aforementioned Semi-Annual Vacation & Sick Leave Reports.

Ayes: Alderman Lavey, Loncar, Marranta, DiBernardo (4)

Nays: None (0)

CARRIED.

**COMMUNICATIONS FROM OTHERS**

A.  
 Mitchell Milbrand

February 3, 2023

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



Honorable Mayor Tylec & Common Council Members,

Upon your approval on February 21, 2023, I will be moving to the position of Water/Wastewater Mechanic. Therefore, I am requesting a leave of absence from my position as Wastewater Treatment Plant Operator until such time that my probationary period has expired, and I have become a permanent appointment as the Water/Wastewater Mechanic.

Thank you for your time and consideration of my request.

Respectfully,  
Mitchell Milbrand

**MOVED** by Alderman Loncar                      **SECONDED** by Alderman Lavey  
That the Common Council hereby grants approval for Mitchell Milbrand to take a leave of absence from his position as Wastewater Treatment Plant Operator to except the position of Water/Wastewater Mechanic.

Ayes: Alderman Lavey, Loncar, Marranca, DiBernardo (4)

Nays: None (0)

**CARRIED.**

**B.**  
**Carnegie Art Center**

February 6, 2023

North Tonawanda City Clerk  
And Common Council  
216 Payne Avenue  
North Tonawanda, NY 14120

**Re: William G. Pomeroy Foundation National Register Signage Grant Program**

**The City of North Tonawanda Common Council,**

The staff and Board at the Carnegie Art Center is requesting your approval to apply for the William G. Pomeroy Foundation National Register of Historic Places signage program. When a property or district is placed on the National Register, the designation does not include funding for a plaque or sign. As a result, many listed places do not have any signage. The Pomeroy Foundation bridges this gap to provide grants so public properties and historic districts can commemorate their placement and share this achievement with their community. The Carnegie Art Center is housed in a Carnegie Library that has been listed on the National Register since 1995. The program requires a letter from the landowner granting permission for the marker to be installed. This building and lot is owned by the City of North Tonawanda.

We would like to apply to the grant to highlight this piece of history and help showcase one of the City's Landmarks to visitors. Markers are 18" x 32" cast aluminum with a 7' aluminum pole and provided at no cost to the applicant. Grants are available to 501(c)(3) organizations, nonprofit academic institutions, and local, state and federal government entities within the United States, which qualifies the Carnegie Art Center.

Your prompt approval will help expedite this signage fabrication and would be greatly appreciated. Thank you for your time.

Sincerely,  
Kristin Derby  
President, Carnegie Art Center



**MOVED by Alderman Lavey                      SECONDED by Alderman DiBernardo**  
**That the Common Council hereby grants approval for the Carnegie Art Center to apply**  
**for the William G. Pomeroy Foundation National Register of Historic Places Signage Grant**  
**Program.**

**Ayes: Alderman Lavey, Loncar, Marranca, DiBernardo                      (4)**

**Nays: None                      (0)**

**CARRIED.**

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**C.**  
**Austin Tylec**

**February 6, 2023**

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

**Re: Commission of Deeds**  
**Dear Honorable Body:**

**I, Austin Tylec, residing at 121 Center Avenue, North Tonawanda, NY 14120, am hereby**  
**requesting to be re-appointed as a Commissioner of Deeds for the City of North**  
**Tonawanda.**

**Respectfully submitted,**  
**Austin Tylec**

**MOVED by Alderman Lavey                      SECONDED by Alderman DiBernardo**  
**That the Common Council hereby grants approval for Austin Tylec, 121 Center Avenue,**  
**North Tonawanda, NY 14120 to be re-appointed as Commissioner of Deeds for the City of**  
**North Tonawanda effective March 3, 2023 and expiring March 2, 2025.**

**Ayes: Alderman Lavey, Loncar, Marranca, DiBernardo                      (4)**

**Nays: None                      (0)**

**CARRIED.**

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**D.**  
**Edward Smolinski**

**February 1, 2023**

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

**Re: Commission of Deeds**

**Dear Honorable Body:**

**I, Edward Smolinski, residing at 1097 Sweeney Street, North Tonawanda, NY 14120, am**  
**hereby requesting to be appointed as a Commissioner of Deeds for the City of North**  
**Tonawanda.**

**Respectfully submitted,**  
**Edward Smolinski**

**MOVED by Alderman Marranca                      SECONDED by Alderman Lavey**  
**That the Common Council hereby grants approval for Edward Smolinski, 1097 Sweeney**  
**Street, North Tonawanda, NY 14120 to be appointed as Commissioner of Deeds for the**  
**City of North Tonawanda effective February 22, 2023 and expiring February 21, 2025.**

**Ayes: Alderman Lavey, Loncar, Marranca, DiBernardo                      (4)**



Nays: None  
CARRIED.

(0)

E.  
John Tylec

January 26, 2023

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

Re: Commission of Deeds

Dear Honorable Body:

I, John Tylec, residing at 815 Niagara Pkwy, North Tonawanda, NY 14120, am hereby requesting to be appointed as a Commissioner of Deeds for the City of North Tonawanda.

Respectfully submitted,  
John Tylec

MOVED by Alderman Lavey                      SECONDED by Alderman Marrantca  
That the Common Council hereby grants approval for John Tylec, 815 Niagara Pkwy, North Tonawanda, NY 14120 to be appointed as Commissioner of Deeds for the City of North Tonawanda effective February 22, 2023 and expiring February 21, 2025.

Ayes: Alderman Lavey, Loncar, Marrantca, DiBernardo

(4)

Nays: None

(0)

CARRIED.

F.  
Adam Dickey

January 26, 2023

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

Re: Commission of Deeds

Dear Honorable Body:

I, Adam Dickey, residing at 324 Ward Road, North Tonawanda, NY 14120, am hereby requesting to be appointed as a Commissioner of Deeds for the City of North Tonawanda.

Respectfully submitted,  
Adam Dickey

MOVED by Alderman Marrantca                      SECONDED by Alderman Lavey  
That the Common Council hereby grants approval for Adam Dickey, 324 Ward Road, North Tonawanda, NY 14120 to be appointed as Commissioner of Deeds for the City of North Tonawanda effective February 22, 2023 and expiring February 21, 2025.

Ayes: Alderman Lavey, Loncar, Marrantca, DiBernardo

(4)

Nays: None

(0)

CARRIED.















**M.  
Marine Corps League**

**February 7, 2023**

**Hon. Mayor Austin Tylec  
And Common Council  
216 Payne Avenue  
North Tonawanda, NY 14120**

**Re: Pavilion Request**

**Honorable Body:**

The Conrad F. Kania Detachment of the Marine Corps League hereby requests a waiver of the fee normally charged to use the large pavilion behind our Monument located in the Raymond Klimek Veteran's Park on August 12, 2023 from 9:00am to 2:00pm for our summer picnic. We are expecting many Marines to attend this year's picnic from the Western New York area.

Thank you for your consideration.

Sincerely,  
Paul T. Schultz

**MOVED by Alderman Loncar**

**SECONDED by Alderman Lavey**

That the Common Council hereby approves of waiving the pavilion fee at Raymond Klimek Veteran's Park to The Conrad F. Kania Detachment of the Marine Corps League, on August 12, 2023 from 9am to 2pm for their summer picnic.

**Ayes: Alderman Lavey, Loncar, Marranca, DiBernardo**

**(4)**

**Nays: None**

**(0)**

**CARRIED.**

**N.  
Christian Academy**

**February 10, 2023**

**Common Council  
City of North Tonawanda  
City Hall, 216 Payne Avenue  
North Tonawanda, NY 14120**

**Dear Common Council Members,**

On behalf of Christian Academy of Western New York (CAWNY), we are again requesting approval for a temporary sign placement. We will be promoting our Spring fundraising event, which is scheduled for Saturday, March 25<sup>th</sup>.

For previous events, the sign has been placed at the corner of Wheatfield and Nash, near the baseball diamonds. We will be renting the sign from Buffalo Sign Rental. They are familiar with the location and placement of the sign, so as not to obstruct views. The sign will not require electricity and it will not be illuminated.

With your approval, placement of the sign would begin on Monday, March 13<sup>th</sup> and it would be removed shortly after the 25<sup>th</sup>. If you have any questions, please contact Susan Woodward at (716) 622-6223.

We look forward to celebrating CAWNY's 30<sup>th</sup> year of making a positive impact in educating the youth of our future!



Thank you for your consideration.

Sincerely,  
Kirk Barnum, Administrator

**MOVED by Alderman Loncar**                      **SECONDED by Alderman Lavey**  
That the Common Council hereby grants approval for the Christian Academy of Western New York (CAWNY), to place a sign at the corner of Wheatfield and Nash, beginning on March 13<sup>th</sup> till March 25<sup>th</sup>, to promote their annual "Spring Fundraiser".  
Ayes: Alderman Lavey, Loncar, Marranca, DiBernardo (4)  
Nays: None (0)  
**CARRIED.**

**O.**  
**Joseph Marranca III**

February 14, 2023

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

Re: Commission of Deeds

Dear Honorable Body:

I, Joseph Marranca III, residing at 439 Deerfield Drive, North Tonawanda, NY 14120, am hereby requesting to be appointed as a Commissioner of Deeds for the City of North Tonawanda.

Respectfully submitted,  
Joseph Marranca III

**MOVED by Alderman Lavey**                      **SECONDED by Alderman Loncar**  
That the Common Council hereby grants approval for Joseph Marranca III, 439 Deerfield Drive, North Tonawanda, NY 14120 to be appointed as Commissioner of Deeds for the City of North Tonawanda effective February 22, 2023 and expiring February 21, 2025.  
Ayes: Alderman Lavey, Loncar, Marranca, DiBernardo (4)  
Nays: None (0)  
**CARRIED.**

**P.**  
**Canal Fest of the Tonawandas**

February 15, 2023

Hon. Mayor and Common Council  
216 Payne Avenue / City Hall  
North Tonawanda, NY 14120

Dear President DiBernardo,

Attached is the request for the 40<sup>th</sup> Canal Fest of the Tonawanda's. As in years past I have included everything that I can think of so we can discuss and arrive at a solution to be agreeable to all parties involved. I have requested use of Main Street for the rides understanding we may have tough decisions to make in order to make the event work for everyone involved. As you know putting on Canal Fest is a logistical nightmare and in order to be able to put on the event, we need to get a basic agreement approved in order to get all the necessary permits in a timely fashion for the event. We the Board of directors understand that this is the basic request and details will be as in years past and the Ride



portion will be needed to be worked out. But I ask for approvals with a memorandum stating the Campus area will need to be worked on based on what is agreed upon on the rides. The rest of the campus area should be a nonissue as it is the same as what has happened in years past. Canal fest is committed in discussing and working out the basic agreement asap so we can start the permitting process.

I want to thank you and the Common Council for your input and working on approval for the 40<sup>th</sup> event for 2023.

Canal fest looks forward to another successful event for our membership and the Twin Cities. North Tonawanda has always contributed to this success, and we hope to maintain our good working relationship for many years to come.

Respectfully,  
Peter R. Chenier, President

MOVED by Alderman Lavey                      SECONDED by Alderman DiBernardo  
That the Common Council hereby grants permission to the Canal Fest of the Tonawandas, Inc. to hold their annual Canal Fest Sunday, July 16, 2023 to Sunday, July 23, 2023 with provisions outlined in updated agreement from the City Attorney's Office between City of North Tonawanda and Canal Fest of the Tonawandas, Inc.

Ayes: Alderman Lavey, Loncar, Marranca, DiBernardo (4)

Nays: None (0)

CARRIED.

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#### AUDIENCE PARTICIPATION

Eric Zadzilka, 927 Fairmont Avenue – Asked questions regarding Greenlight, why the agreement is with Gratwick Hose, and who approached them.

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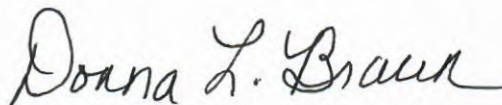
#### ADJOURNMENT

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

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Time of Adjournment: 7:13 P.M.

Respectfully submitted,



Donna L. Braun  
City Clerk-Treasurer