

THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, April 18, 2023
6:30 P.M.

REGULAR SESSION CALLED TO ORDER BY PRESIDENT DIBERNARDO

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: President DiBernardo
Alderman Schmigel, Lavey, Loncar, Marranca

Absent: None

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

AUDIENCE PARTICIPATION

Carl Bauer, 278 River Road – Stated that he feels that the approval for the raises were a proper compensation and that they were well overdue and a step in the right direction.

APPROVAL OF THE MINUTES OF THE REGULAR MEETING APRIL 4, 2023

MOVED by Alderman Schmigel SECONDED by Alderman Lavey
That the minutes of the regular meeting held April 4, 2023 be approved as circulated and filed in the office of the City Clerk.

Ayes: Alderman Schmigel, Lavey, Loncar, Marranca, DiBernardo (5)

Nays: None (0)

CARRIED.

COMMUNICATIONS FROM CITY OFFICIALS

I. Mayor

April 10, 2023

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

Re: Municipal Cooperation Agreement with the City of Lockport, NY

Common Council,

After our last major winter storm, Mayor Michelle Roman of Lockport reached out to my office with concerns regarding access to their Raw Water Pump Station located on River Rd in North Tonawanda during extreme inclement weather or a State of Emergency.

Representatives from Lockport's and North Tonawanda's Water Departments met to discuss a Cooperative Municipal Agreement between us that would allow our Water Treatment Plant Employees to access & service the Pump Station during State of Emergency situations. This agreement would allow us to assist our neighboring city in ensuring the safety of employees and eliminate the possibility of disruptions to Lockport's water supply during emergency situations.

Please see the attached terms of agreement between the City of North Tonawanda and the City of Lockport. We are excited to be working with our neighboring city for many years to come.

If there are any questions, please do not hesitate to reach out.

Respectfully,
Austin Tylec
Mayor

MOVED by Alderman Schmigel **SECONDED** by Alderman Marranca
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 April 18th, 2023 approved the attached Agreement between City of North Tonawanda and the City of Lockport to allow the Water Treatment Plant Employees to Access & Service Lockport's Raw Water Pump Station located on River Road, during State of Emergency situations.

Ayes: Alderman Schmigel, Lavey, Loncar, Marranca, DiBernardo (5)

Nays: None (0)

CARRIED.

II. Attorney

March 24, 2023

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

Re: Proposed Revision of City of North Tonawanda Request for Public Records Form and Fee Schedule Under the Freedom of Information Act

Dear Honorable Body:

Please be advised that due to the increased volume and complexity of the FOIL requests coming into the City of North Tonawanda for response, a thorough review has been undertaken by the city attorney, city clerk, and the police department to update and streamline our process for handling these requests. As part of the review, information was gathered from neighboring municipalities to study how they are processing these requests. As a result, we have updated our FOIL request form to reflect current state laws, and have updated our schedule of fees, as attached.

Should your Honorable Body agree, please pass a resolution to allow for the revision of our form and fee schedule as attached, subject to any further review by the City Attorney.

Should your Honorable Body need more information, please do not hesitate to contact me.

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

MOVED by Alderman Lavey **SECONDED** by Alderman Schmigel
That the Common Council hereby tables the aforementioned Revision of the North Tonawanda Public Records Form (FOIL) and Fee Schedule.

Ayes: Alderman Schmigel, Lavey, Loncar, Marranca, DiBernardo (5)

Nays: None
CARRIED.

(0)

III.1 Clerk-Treasurer

April 5, 2023

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

Re: Collection of 2023 City Taxes

Dear Common Council:

I am requesting that the Council approve the Collector's Warrant for the collection of the 2023 City Taxes. The collection period will begin on April 1st, 2023 and conclude on May 5th, 2023. Taxes paid after May 5th will be subject to interest and fees.

Regards,
Donna L. Braun
City Clerk-Treasurer

MOVED by Alderman Lavey

SECONDED by Alderman Schmigel

That the Common Council hereby approves the Collector's Warrant for the 2023 City Taxes beginning on April 1st, 2023 and concluding on May 5th, 2023, in the amount of \$20,096,838.41, and directs the Mayor to sign said Warrant.

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

(5)

Nays: None

(0)

CARRIED.

III.2 Clerk-Treasurer

March 28, 2023

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

Re: Increase in Elected Officials Salary's

Dear Honorable Body,

Please consider this as a formal request to review and increase the salaries of the City Clerk, City Treasurer, Mayor, and Common Council's Salary. As you are aware the Salaries for these elected positions have not been addressed since 2009, for Clerk/Treasurer and 2003 for both the Common Council and the Mayor.

The proposed Salary increases would take effect January 1, 2024. The increase would increase budgeting by \$46,000.00.

Should your Honorable Body concur with the increases below, please pass a resolution to amend the North Tonawanda City Code, Chapter 62B as outlined in the letter that follows. Salary increases would take effect January 1, 2024. The amount of increase to the 2024 Budget would be \$46,000.00 for the increases proposed.

City Clerk:	Salary increases form \$27,000.00 to \$33,500.00
City Treasurer:	Salary increases from \$27,000.00 to \$33,500.00
Mayor:	Salary increases from \$50,000.00 to \$68,000.00

VII. Accountant

April 13, 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 April 18th, 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 Marranta
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated April 18th, 2023, and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:**

01	General Fund	\$349,666.05
02	Water Fund	\$17,280.81
04	Sewer Fund	\$39,369.83
06	Capital Project Fund	\$342,266.46
07	Trust & Agency Fund	<u>\$6,957.20</u>
00	Final Total	<u>\$755,540.35</u>

Ayes: Alderman Schmigel, Lavey, Loncar, Marranta, DiBernardo (5)
Nays: None (0)
CARRIED.

XXV. Monthly Reports

.1 Clerk-Treasurer .2 Senior Citizen Center

**MOVED by Alderman Lavey SECONDED by Alderman Schmigel
That the Common Council hereby receives and files the aforementioned Monthly Reports.
Ayes: Alderman Schmigel, Lavey, Loncar, Marranta, DiBernardo (5)
Nays: None (0)
CARRIED.**

COMMUNICATIONS FROM OTHERS

A.
Historic Preservation Commission

March 23, 2023

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

Re: Preserve New York Grant – Bennett Kit Home Historic District

Dear Honorable Body,

The North Tonawanda Historic Preservation Commission has been encouraged to apply to the Preserve New York Grant program from the Preservation League of New York State. These funds would go towards expanding and finalizing the Cultural Resource Survey of Bennett and other Kit homes in North Tonawanda. The City of North Tonawanda has the required 20% match through the awarded CLG funds (\$10,000 for the Cultural Resource Survey) and will not have to allocate new funds towards this grant. This additional work will address the research and contributing status of Bennett and other Kit homes with a focus on, but not limited to, the area encompassing Bennett, Stanley, Evans and Wheatfield Streets, and associated cross-streets.

Launched in 1993, Preserve New York makes grants for historic structure reports, building condition reports, cultural landscape reports, and cultural resource surveys. Applicants must be a unit of local government or a nonprofit group with tax-exempt status. State agencies and religious institutions are not eligible to apply. The program provides support up to 80% of the project cost. Applicants must provide 20% of the total project cost as a cash match. Grants are likely to range between \$5,000 and \$14,000, the North Tonawanda Historic Preservation Commission will be requesting \$14,000 from this program.

I am hereby requesting this honorable body consider approval to apply to the Preserve New York grant in the amount of \$14,000.

Sincerely,
Kristin Derby

MOVED by Alderman Lavey **SECONDED** by Alderman Marranta
That the Common Council hereby grants permission for the Historic Preservation Commission to apply to the Preserve New York Grant Program for funds to expand and finalize the Cultural Resource Survey of Bennett and other Kit homes in North Tonawanda.

Ayes: Alderman Schmigel, Lavey, Loncar, Marranta, DiBernardo (5)

Nays: None (0)

CARRIED.

AUDIENCE PARTICIPATION

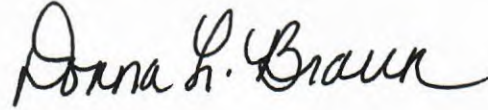
Mike Sattler, 41 Maple Terrace – Wanted to let the Council know that Maple Terrace is in very bad condition and needs to be repaired.

ADJOURNMENT

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

Time of Adjournment: 7:37 P.M.

Respectfully submitted,



Donna L. Braun
City Clerk-Treasurer