



Dear Honorable Body:

Approval of Change Order No. 1, balancing the project and addressing extra work, and final acceptance of the Main Street Mill and Overlay Project is hereby requested. The change order is a deduct change order. Attached is the charge order showing the additions and deductions at the end of the project.

Accordingly, I respectfully request that the Common Council approve the deduct Change Order No. 1 for the Main Street Mill and Overlay Project in the amount of \$26,566.99 with D&H Paving LLC, 485 Kennedy Road, Buffalo, NY 14227; decreasing the contract amount from \$134,573.40; to the final contract amount of \$108,006.41; authorizing the mayor to sign said change order. Further, that the Common Council accept this project as complete and approve the final payment subject to review by the City Attorney.

Very truly yours,  
Mark Zellner  
Supt. Public Works

**MOVED** by Alderman Marranca                      **SECONDED** by Alderman Loncar  
That the Common Council hereby approves the deduct Change Order No. 1 for the Main Street Mill and Overlay Project in the amount of \$26,566.99 with D&H Paving LLC, 485 Kennedy Road, Buffalo, NY 14227; decreasing the contract amount from \$134,573.40; to the final contract amount of \$108,006.41 and authorizes the mayor to sign said change order. Further the Common Council accepts this project as complete.

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

Nays: None (0)

**CARRIED.**

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**VII.1 Accountant**

September 28, 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 October 3<sup>rd</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 DiBernardo  
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated October 3<sup>rd</sup>, 2023, and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$214,287.78
02	Water Fund	\$39,198.04
04	Sewer Fund	\$65,025.08
06	Capital Project Fund	\$290,059.63
07	Trust & Agency Fund	<u>\$5,364.00</u>

00 Final Total

\$613,934.53

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

**VII.2 Accountant**

September 28, 2023

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

Dear Honorable Body:

Mr. Matthew Montalbo, Partner, and Megan Wnek, Manager from Dresher and Malecki will be at the October 3<sup>rd</sup> Common Council meeting to present to you the City's Audited Financial Statements for the Fiscal Year Ended December 31, 2022.

Please pass the attached resolution, subsequent to Mr. Montalbo's presentation, to acknowledge presentation and receipt of the attached 12.31.2022 Financial Statements.

Resolution to accept the 12.31.2022 Financial Statements as presented by Dresher & Malecki, LLP

Whereas, Dresher & Malecki LLP has audited and prepared the City of North Tonawanda's Financial Statements for the fiscal year ended December 31, 2023; and

Whereas, a representative of Dresher & Malecki LLP presented the 12.31.2022 Financial Statements to the Common Council at a meeting held October 3<sup>rd</sup>, 2023 to consider, accept and file the 12.31.2022 City of North Tonawanda Audited financial Statements.

Now, therefore, be it resolved, that the Common Council of the City of North Tonawanda, Niagara County New York, acknowledges receipts of the 12.31.2022 City of North Tonawanda Audited Financial Statements and that a copy of said statements be placed on file in the Office of the City Clerk-Treasurer.

Warm regards,  
 Jeffrey Zellner  
 City Accountant

**MOVED** by Alderman Marranca      **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 October 3<sup>rd</sup>, 2023 approves the Resolution for the Financial Statements of fiscal year ended December 31, 2022, and it reads as follows:

**WHEREAS**, Dresher & Malecki LLP has audited and prepared the City of North Tonawanda's Financial Statements for the fiscal year ended December 31, 2023; and

**WHEREAS**, a representative of Dresher & Malecki LLP presented the 12.31.2022 Financial Statements to the Common Council at a meeting held October 3<sup>rd</sup>, 2023 to consider, accept and file the 12.31.2022 City of North Tonawanda Audited financial Statements.

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council of the City of North Tonawanda, Niagara County New York, acknowledges receipts of the 12.31.2022 City of North Tonawanda Audited Financial Statements and that a copy of said statements be placed on file in the Office of the City Clerk-Treasurer.

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

**XVII. Traffic Safety Committee**

September 18, 2023

**Donna Braun**  
**City Clerk-Treasurer**  
**216 Payne Avenue**  
**North Tonawanda, NY 14120**

**Traffic Safety Minutes:**

The September 2023 meeting of the North Tonawanda Traffic Safety Committee was called to order at 1800 hours. Roll call showed the following members present: R. Frank, J. Sikora, M. Meisenburg, M. Lemke, A. DiBernardo, B. Brennan, N. Ferguson. The minutes from the previous meeting were read and accepted, the following new concerns/requests were discussed, and recommendations made.

- 1) Member Brennan received a request for additional signs at the intersection of Ruie Road and Abington Place. The committee agreed that more signs were not needed and that more traffic enforcement in that area was needed with school back in session. The traffic officer and ADP have been monitoring the intersection and issuing tickets. The speed sign was also placed there to track the speeds.
- 2) Joyce Santiago from the Mayor's Office requested extra checks of Schenck Street for big trucks being off their route. NTPD has been checking the area and Chief Glass spoke to some local companies about advising their drivers to use the proper truck routes.
- 3) Member Sikora received a request to move the stop line at Payne Avenue and Walck Road to help vehicles that are trying to make their turn at that intersection. The committee agreed as it would also help with the fire station entrance that is at the same intersection. Member Meisenburg will repaint the new lines and remove the old ones.
- 4) Member Brennan requested placing a "No Turn on Red" sign on the stop light at Felton Street and Oliver Street that will match the sign that is on the terrace. Brennan believes that the sign being up will be more visible. Member Meisenburg will add the new sign.

The next Traffic Safety Meeting will be held October 16<sup>th</sup>, 2023.

Travel safely,  
 Robert J. Frank

**MOVED** by Alderman Lavey                      **SECONDED** by Alderman Schmigel  
**That the Common Council hereby approves Traffic Safety recommendation #3 and recommendation #4 and receives and files the Traffic Safety minutes from their September meeting.**

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



**Rich Madej, 499 Witmer Road** – Had more questions on the storm sewer on Witmer Road and would like a meeting with the Council and other Department Heads if possible.

**Mark Berube, 1258 Payne Avenue** – Wanted to know why there has not been any public outreach for the new City Charter that is up for vote.

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**ADJOURNMENT**

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

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**Time of Adjournment: 7:35 P.M.**

**MOVED** by Alderman Loncar      **SECONDED** by Alderman Schmigel  
**To go into an Executive Session.**  
**Ayes: Alderman Schmigel, Lavey, Loncar, Marranca, DiBernardo**      (5)  
**Nays: None**      (0)  
**CARRIED.**

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**MOVED** by Alderman Marranca      **SECONDED** by Alderman DiBernardo  
**To go out of the Executive Session.**  
**Ayes: Alderman Schmigel, Lavey, Loncar, Marranca, DiBernardo**      (5)  
**Nays: None**      (0)  
**CARRIED.**

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**Time of Adjournment: 8:10 P.M.**

Respectfully submitted,

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