

# City of North Tonawanda

DONNA L. BRAUN  
City Clerk-Treasurer  
dbraun@northtonawanda.org

Lori Swartz  
Assistant City Clerk

Denise Proefrock  
Assistant City Treasurer

OFFICE OF THE CITY CLERK - TREASURER  
VITAL STATISTICS  
CITY HALL  
216 PAYNE AVENUE  
NORTH TONAWANDA, N.Y. 14120

Treasurer's Office: (716) 695-8575  
Clerk's Office: (716) 695-8555  
Fax: (716) 695-8557

**October 12, 2023**

The following meetings have been scheduled for **TUESDAY, OCTOBER 17, 2023:**

**6:15PM Common Council Meeting Discussion**

**\*\*PRESENTATION OF PLAQUE FOR THE CITY MARKET BEING  
VOTED #1 MARKET IN AMERICA\*\***

**6:30PM Common Council Meeting in Common Council Chambers**

Respectfully submitted,



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

**TO: Honorable Mayor & Common Council  
Alderman Schmigel, DiBernardo, Lavey, Loncar, Marranta**

**FROM: Donna L. Braun, City Clerk-Treasurer**

**RE: Agenda for Regular Session TUESDAY OCTOBER 17, 2023 6:30PM**

**AUDIENCE PARTICIPATION – Agenda items only, not to exceed 90 minutes with each speaker limited to a five-minute maximum.**

**\*\*PRESENTATION OF PLAQUE FOR THE CITY MARKET BEING  
VOTED #1 MARKET IN AMERICA\*\***

**PROOF OF PUBLICATION PUBLISHED 09/30/2023**

- 1) Legal Notice – Request for Sealed Proposals for Engineering Firms to provide Engineering Design Services for the Carbon Filter Building Process Piping Rehabilitation at the Wastewater Treatment Plant – Supt. Wastewater/Water

**PROOF OF PUBLICATION PUBLISHED 10/7/2023**

- 1) Legal Notice – Public Hearing – Local Law No. 2 for 2023 Establishing Sewer Rates for 2024 and Thereafter – City Clerk-Treasurer

**PROOF OF PUBLICATION PUBLISHED 10/10/2023**

- 1) Legal Notice – Request for Proposals for Engineering Firms to provide Design Services for the Water Distribution Capital Improvement Plan and Sanitary and Storm Sewer Capital Improvements – City Engineer

**COMMUNICATIONS FROM CITY OFFICIALS**

**I.1 Mayor - Re: Receive and File the appointment of Adam Abramo as the North Tonawanda Building Maintenance Supervisor**

**I.2 Mayor - Re: Approval of the Inter-Municipal Agreement between Niagara County and the City of North Tonawanda – 500 Wheatfield Street**

- I.3 Mayor** - **Re: Approval of proposed Agreement between the City of North Tonawanda and The Office and Professionals Employees International Union (OPEIU)**
- III. Clerk-Treasurer** - **Re: Approval of Sale of City Owned Property**
- IV. Engineer** - **Re: Approval of the WSP Agreement Amendment No. 1 for the Meadow/Payne Intersection Improvements**
- VII.1 Accountant** - **Re: Payment of the Abstract of Claims Dated October 17, 2023**
- VII.2 Accountant** - **Re: Budgetary Transfer – To use remaining funds for vacated Fire Mechanic to cover cost of repair of Fire Ladder Truck**
- XXV. Monthly Reports**
- .1 Clerk Treasurer .2 Senior Citizen Center**

### **COMMUNICATIONS FROM OTHERS**

- A.**
- Bammel Architects, PC** - **Re: Approval of the usage of City Public Way For a fabric awning for The Vegan Grocery Store, located at 342 Oliver Street**

Respectfully submitted,



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

OCT 17 2023

CITY CLERK'S OFFICE  
RECEIVED

2023 OCT 10 AM 8:25  
NORTH TONAWANDA NY

Jackie Bilogan, of said county, being duly sworn, deposes and says that she is now and during the whole time hereinafter mentioned was the Clerk of

NIAGARA GAZETTE

A newspaper published in the County and State aforesaid,  
and that the annexed printed legal # 323427  
was printed and published in said paper on the following dates:

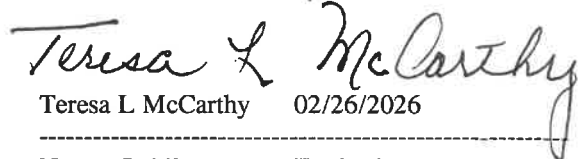
09/30/2023



Principal Clerk

Subscribed and sworn to before me this

10.3-23



Teresa L. McCarthy 02/26/2026

Notary Public Expiration Date

TERESA L MCCARTHY  
Notary Public - State of New York  
No. 01MC4962698  
Qualified in Niagara County  
My Comm. Expires Feb. 26, 2026

**Legal Notice**  
**Request for Proposals**

Sealed proposals will be received by the City of North Tonawanda at the Wastewater Treatment Plant, 830 River Rd, North Tonawanda, NY 14120, until October 23, 2023, at 3:00pm (EST) from engineering firms, located and authorized to do business in the State of New York, to provide engineering design services on the carbong filter building process piping rehabilitation for the City of North Tonawanda.

The Request for Proposals (RFP) shall be available in the following formats: hard copy (paper) and electronic email (Adobe Acrobat \*.PDF format) upon request by contacting Donna Braun at (716)-695-8555 or email to: [dbraun@northtonawanda.org](mailto:dbraun@northtonawanda.org). Each proposal shall contain the full name and address of each person or company submitting the proposal. Proposals shall be delivered NO LATER THAN Monday, October 23, 2023, at 3:00pm (EST) to:

Jason W. Koepsell  
Superintendent of Water/ Wastewater  
City of North Tonawanda  
830 River Rd  
North Tonawanda, NY 14120

All questions shall be submitted in writing and shall be mailed or emailed to: Jason Koepsell, Superintendent of Water/ Wastewater, 830 River Rd North Tonawanda, NY 14120, or [Jkoepsell@northtonawanda.org](mailto:Jkoepsell@northtonawanda.org).

All proposals must be received on time and in full compliance with the instructions contained in the RFP. The City of North Tonawanda reserves the right to reject any and all Proposals, and to withdraw this solicitation at any time.

N#323427 9/30/2023

STATE OF NEW YORK  
NIAGARA COUNTY, } SS, \_\_\_\_\_

OCT 17 2023

Jackie Bilogan, of said county, being duly sworn, deposes and says that she is now and during the whole time hereinafter mentioned was the Clerk of

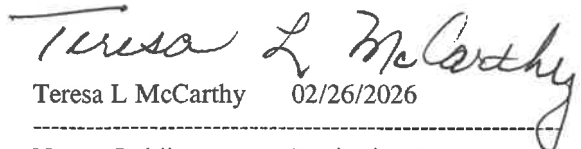
NIAGARA GAZETTE

A newspaper published in the County and State aforesaid,  
and that the annexed printed legal # 323607  
was printed and published in said paper on the following dates:

10/07/2023

  
\_\_\_\_\_  
Principal Clerk

Subscribed and sworn to before me this  
10.9.23

  
Teresa L McCarthy      02/26/2026  
-----  
Notary Public                  Expiration Date

2023 OCT 11 AM 10:10  
NORTH TONAWANDA NY

RECEIVED  
CITY CLERK'S OFFICE

**TERESA L MCCARTHY**  
Notary Public - State of New York  
No. 01MC4962698  
Qualified in Niagara County  
My Comm. Expires Feb. 26, 2026

**Local Law No. 2 for 2023**

**Establishing Sewer Rates for 2024 and Thereafter**

Section 75-15 of the City Code of the City of North Tonawanda, is hereby amended to read:

**Section 75-15. Establishment of Rates**

(a) The sewer rent for 2024 and thereafter is established according to a formula wherein the Capital costs for such sanitary sewer system are recovered on hundred percent (100%) from water consumption through the sewer fund, and the costs of operation and maintenance of the sewage treatment system are recovered one hundred percent (100%) from water consumption through the sewer fund.

(b) Billing Schedule, additional charges.

1. A minimum charge of fifteen dollars (\$15.00) per quarter is established and the gallons of consumption used associated with minimum will be zero.

2. The sewer rent rate for 2023 and thereafter for a meter consumption shall be five dollars (\$5.00) per thousand gallons of water consumption and shall be assessed and collected in conformance with the following schedule:

**Billing Month**

June  
September  
December  
March

Section C to be Omitted

(c) The sewer rent rate for 2023 for unmetered consumers shall be a flat rate charge of ten dollars and ninety-six cents (\$10.96) per equivalent fixture unit per year, to result in the following schedule charges.

**SEWER FUND FLAT RATE CHARGE SCHEDULE FOR 2023**

**Equivalent Fixture Unit**

Type	Fixture Unit Charge
Room	\$10.96
Wash Basin	\$10.96
Bath or Shower	\$35.22
Toilet	\$40.71
Laundry Tub or Washing Machine	\$28.17
Swimming Pool (permanent)	\$93.91
Boathouse	\$46.85
Garden Tap	\$37.53

Front-foot service charge per foot with a maximum of 70 feet \$1.95

(d) A ten percent (10%) surcharge shall be placed on all sewer rent account balances that are due in September and remain unpaid by mid-November of each year and shall be levied on the subsequent year real property tax bill.

**Highlighted section in Section E to be updated from \$12.00 to \$15.00**

(e) Multi-dwelling unit homes and apartments that have only one master water meter would be subject to the existing \$15.00 minimum sewer charge and would receive an additional minimum sewer charge and would receive an additional minimum sewer charge of \$15.00 for each additional dwelling unit which does not have a water meter.

**Section 2.** This Local Law shall take effect immediately upon filing with the Secretary of State and shall apply to the March 2024 billing and all billings until otherwise amended.

STATE OF NEW YORK  
NIAGARA COUNTY, } SS, \_\_\_\_\_

RECEIVED  
CITY CLERK'S OFFICE

2023 OCT 12 10:09:52  
NORTH TONAWANDA NY

Jackie Bilogan, of said county, being duly sworn, deposes and says that she is now and during the whole time hereinafter mentioned was the Clerk of

NIAGARA GAZETTE

A newspaper published in the County and State aforesaid, and that the annexed printed legal # 323777 was printed and published in said paper on the following dates:

10/10/2023

*J. Bilog*  
Principal Clerk

Subscribed and sworn to before me this  
10-10-23

*Teresa L. McCarthy*  
Teresa L. McCarthy 02/26/2026  
Notary Public Expiration Date

TERESA L. MCCARTHY  
Notary Public - State of New York  
No. 01MC4962698  
Qualified in Niagara County  
My Comm. Expires Feb. 21, 2026

**Legal Notice  
Request for Proposals**

Sealed proposals will be received by the City of North Tonawanda in the Engineer's Office, 216 Payne Avenue, North Tonawanda, NY 14120, until Tuesday, November 14, 2023, at 4:00pm (EST) from qualified engineering firms, located and authorized to do business in the State of New York, to provide design services for the Water Distribution Capital Improvements Plan and Sanitary and Storm Sewer Capital Improvements Plan in the City of North Tonawanda.

The Request for Proposals (RFP) shall be available in the following formats: hard copy (paper) and electronic email (Adobe Acrobat \*.PDF format) upon request by contacting Chelsea L. Spahr at (716)-695-8565 or email to: cspahr@northtonawanda.org. Each proposal shall contain the full name and address of each person or company submitting the proposal. Proposals shall be delivered NO LATER THAN Tuesday, November 14, 2023, at 4:00pm (EST) to:

Chelsea L. Spahr, P.E.  
City Engineer  
City of North Tonawanda  
216 Payne Avenue  
North Tonawanda, NY 14120

All questions shall be submitted in writing and shall be mailed, emailed or faxed to: Chelsea L. Spahr, City Engineer, 216 Payne Avenue, North Tonawanda, NY 14120, or cspahr@northtonawanda.org, or fax: (716)-695-8568.

All proposals must be received on time and in full compliance with the instructions contained in the RFP. The City of North Tonawanda reserves the right to reject any and all Proposals, and to withdraw this solicitation at any time.

N#323777 10/10/2023

CITY OF NORTH TONAWANDA

*I.1*

*Office of the Mayor*

OCT 17 2023

AUSTIN J. TYLEC

September 29, 2023

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

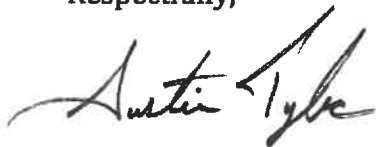
Re: Appointment of Maintenance Supervisor

Dear Honorable Body,

Please receive and file the following notice that the Civil Service Certified Eligible List has been received for the North Tonawanda Building Maintenance Supervisor position. I am appointing Adam Abramo as Building Maintenance Supervisor with a six-month probationary period effective September 29<sup>th</sup>, 2023.

Thank you for your attention and Congratulations to Adam!

Respectfully,



Austin Tylec  
Mayor

2023 OCT 4 AM 8:18  
NORTH TONAWANDA NY

RECEIVED  
CITY CLERK'S OFFICE



*IT*

*Office of the Mayor*

AUSTIN J. TYLEC

OCT 17 2023

October 11, 2023

North Tonawanda Common Council  
216 Payne Ave (City Hall)  
North Tonawanda, NY 14120

**Re: Inter-Municipal Agreement – 500 Wheatfield Street**

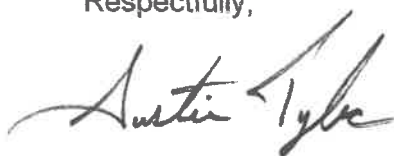
Dear Honorable Body,

Attached is the proposed lease agreement between Niagara County and the City of North Tonawanda for the County's use of 500 Wheatfield Street, North Tonawanda NY.

After a year and a half of negotiations, we were able to secure \$175,000 for past rent that will cover the cost of necessary repairs to mechanical and structural components. The agreement also includes a new lease agreement of \$3,000 per month that will begin in January 2025.

Thank you for your consideration of this matter.

Respectfully,



Austin Tylec  
Mayor

## **INTER-MUNICIPAL AGREEMENT-MAINTENANCE AND CARE AGREEMENT**

**THIS AGREEMENT**, entered into by and between the County of Niagara (the “County”), with offices at 175 Hawley Street, Lockport, New York 14094 and the City of North Tonawanda, New York (the “City”), with offices at City Hall, 216 Payne Avenue, North Tonawanda, NY 14120;

**WHEREAS**, the City of North Tonawanda currently owns 611 Shad Street (a/k/a 500 Wheatfield Street), North Tonawanda, New York 14120, SBL 182.14-1-1 (the “Property”), and

**WHEREAS**, the County of Niagara currently provides Department of Motor Vehicle and Probation Services to residents of the City at the Property, and

**WHEREAS**, it is beneficial to the residents of North Tonawanda to have a DMV location within their City for convenient access to its services, as well as for residents for Probation Services, and

**WHEREAS**, the County and City both agree to this approach and recommend a plan to continue to provide said services as set forth in this agreement,

**NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL COVENANTS HEREIN CONTAINED:**

- 1) **Term.** The Term of this contract shall commence on the date of signing said agreement and continue until December 31, 2024. Upon the expiration of this agreement, the County shall pay \$3000 per month as a month to month tenant.
- 2) **Amendment or Termination.** This contract may be amended at any time during the term hereof by mutual written agreement of the parties. This contract may be terminated at any time by either party upon the giving of thirty (30) days notice to the other party; however, in the event either the City or the County defaults in the performance of any of its obligations under this contract, the other party may terminate the contract effective upon written notice at any time.
- 3) **Payment.** The County shall pay the City One Hundred and Seventy-Five Thousand Dollars (\$175,000.00) as a lump sum payment to continue providing services to the residents at the Property. It is agreed between the parties that One Hundred and Fifty Thousand (\$150,000) of that payment shall be used towards capital improvements on the property. This payment covers all amounts owed by the County to the City from the expiration of the contract for sale/lease through the end of the term of this agreement.
- 4) **Maintenance/Utilities.** The City will continue to be responsible for all maintenance and cleaning at the Property. The City will continue to pay their proportionate share of utility charges.
- 5) **Space.** The DMV will be able to use 3,165 sq. ft usable plus 865 common for a total of 4,020 sq. ft to provide services. Probation will be able to use 1,536 sq ft. usable plus 421 common for a total of 1,957 sq. ft to provide services. Any change to the location and size within the building will be mutually agreed upon by both parties in writing.
- 6) **Indemnification.** The City agrees to defend and indemnify the County, their officers and employees, and shall hold them harmless from any and all risks of every kind, nature and description resulting from or arising out of the work and/or service performed by the City,

their officers and employees, consultants, agents or contractors under this contract; provided however, that City shall not be required to indemnify to County with respect to such risks to the extent caused by the negligence or intentional misconduct of the County or the County's consultants, over whom the City has no authority or control.

The City by agreeing to defend the County as set forth above, agrees that if the County receives a claim, complaint, or issued under this contract pertaining to their work, acts or services; then this contractor agrees to pay all attorney fees and expenses; the selection of such attorney to represent Niagara County shall be the sole and exclusive determination of Niagara County.

The County furthermore agrees to defend and indemnify the City, their officers and employees, and shall hold them harmless from any and all risks of every kind, nature and description resulting from or arising out of the work and/or service performed by the County, their officers and employees, consultants, agents or contractors under this contract; provided however, that County shall not be required to indemnify to City with respect to such risks to the extent caused by the negligence or intentional misconduct of the City or the City's consultants, over whom the County has no authority or control.

7) Insurance:

- a. The County is a self-insured Municipal Corporation. The County will maintain sufficient insurance coverage to fulfill its obligations under this Contract.
- b. The City is a self-insured Municipal Corporation. The City will maintain sufficient insurance coverage to fulfill its obligations under this Contract.

8) This is an Inter-Municipal Agreement pursuant to Article 5-G of the General Municipal Law.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date that the last of the two parties affixed and dated its signature below:

COUNTY OF NIAGARA, NEW YORK  
YORK

CITY OF NORTH TONAWANDA, NEW YORK

By: \_\_\_\_\_

By: \_\_\_\_\_

RICHARD UPDEGROVE, COUNTY MANAGER

AUSTIN TYLEC, MAYOR

APPROVED TO FORM: NIAGARA COUNTY ATTORNEY

\_\_\_\_\_

RES.# IF-

STATE OF NEW YORK )

) ss:

COUNTY OF NIAGARA )

On the \_\_\_\_ day of \_\_\_\_\_ in the year 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared RICHARD UPDEGROVE, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity as COUNTY MANAGER of Niagara County, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_

NOTARY PUBLIC

STATE OF NEW YORK )

) ss:

COUNTY OF NIAGARA )

On the \_\_\_\_\_ day of \_\_\_\_\_, in the year 2023, before me the undersigned, a notary public in and for said state, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_

NOTARY PUBLIC

CITY OF NORTH TONAWANDA

I.3

*Office of the Mayor*

OCT 17 2023

AUSTIN J. TYLEC

October 11, 2023

North Tonawanda Common Council  
216 Payne Ave (City Hall)  
North Tonawanda, NY 14120

**Re:** Request to move on agreement between City of North Tonawanda and The Office and Professionals Employees International Union (OPEIU)

Dear Honorable Body,

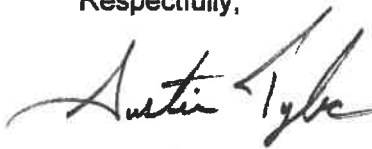
Department Heads of The OPEIU respectfully request the City Council's consideration of the attached collective bargaining agreement. We seek your approval, denial, or potential amendments to provide a clear direction for our future actions. It is important to note that the Union has unanimously approved the proposed changes and terms outlined in the agreement.

The Union understands that the Council may have concerns regarding the inclusion of Item 1, "Add City Treasurer." In response to this potential concern, the Union is willing to proceed with the contract's approval, omitting this item until the outcome of the Charter Referendum is determined.

In the event that there are any other aspects of the agreement that raise questions or require further discussion, we kindly request that you vote to either amend or decline the attached contract. This will allow for continued negotiations between the City and OPEIU, ensuring the best possible outcome for all parties involved.

We appreciate your time and consideration of this important matter.

Respectfully,



Austin Tylec  
Mayor

RECEIVED  
CITY CLERK'S OFFICE

# City of North Tonawanda

OFFICE OF THE CITY ATTORNEY  
CITY HALL  
216 PAYNE AVENUE  
NORTH TONAWANDA, N.Y. 14120-5489

EDWARD A. ZEBULSKE, III  
CITY ATTORNEY

NICHOLAS B. ROBINSON  
ASSISTANT CITY ATTORNEY

TELEPHONE  
(716) 695-8590  
FAX (716) 695-8592

September 28, 2023

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

Re: Proposed Contract Agreement between City of North Tonawanda and  
The Office and Professionals Employees International Union

Dear Honorable Body:

The City negotiating committee met with the OPEIU negotiating team on multiple occasions beginning in early 2023. I have attached the contract in its entirety with the proposed changes in bold and have provided below a brief explanation of the changes to the agreement:

1. Included Section – Add City Treasurer
2. §1.2.1 & §2.3.1 – Makes this a 6-year agreement from 1/1/24 through 12/31/29.
3. §6.1.1– City agrees to the following salary schedule:

Effective January 1, 2024, the salary shall be increased by 3.0% over the 2023 salary levels.

Effective January 1, 2025, the salary shall be increased by 3.0% over the 2024 salary levels.

Effective January 1, 2026, the salary shall be increased by 3.0% over the 2025 salary levels.

Effective January 1, 2027, the salary shall be increased by 4.0% over the 2026 salary levels.

Effective January 1, 2028, the salary shall be increased by 4.0% over the 2027 salary levels.

Effective January 1, 2029, the salary shall be increased by 4.0% over the 2028 salary levels.

4. §9.6.1 – Add a lite duty policy.
5. §11 – Remove all referrals to Blue Cross/ Blue Shield or individual plan numbers.
6. §11.1.2c – For employees newly hired by the City after 1/1/24 they will be able to choose from NT HAS and NT #3 and their contributions will be 30% for the first 9 years of employment then 20% for their remainder of their tenure.
7. §11.1.3 – Change language: Retirees shall remain with the above insurance until the retiree, or their spouse reaches the Medicare eligibility age, at which point they shall move to the Medicare Advantage Plan provided by the City with coverage equal to or better than the coverage shown in Exhibit 1.
8. §11.3.1 – Increases longevity payments as follows: 5-9 years \$1,450, 10-14 years \$1,750, 15-19 years \$2,350, 20-34 years \$2,700 and 35 years or more \$3,700.
9. §13.2.2 – Include an employee may take home a vehicle in case of emergency or prior approval from the mayor.
10. §15.1.2 – An OPEIU employee shall be granted the opportunity of accumulating his/her hours worked in excess of the normal thirty-five (35) or forty (40) hour workweek, at the Time and 1/2 rate, up to a maximum of one hundred seventy (170) hours for a thirty-five (35) hour employee and one hundred eighty (180) hours for a forty (40) hour employee. Such time may be taken off from work on a one hour for one-hour basis. Employees may cash in seventy (70) hours for a thirty-five (35) hour employee and eighty (80) hours for a forty (40) hour employee up to two (2) times per year at any time during the year. The first available time to cash in will be after January 1, the second time will be after April 1 of the calendar year. Employees shall submit a bi-weekly Compensatory Time report to the Mayor.
11. §15.1.3– For pre-scheduled, non-operational meetings after normal work hours, the employee will receive flex time. This will be any meeting scheduled with a minimum of forty-eight (48) business hours' notice. This flex time will be earned as straight time and will need to be used within thirty (30) days of earning the hours otherwise the time will be forfeited.
12. The residency rule will only apply to the following titles: Superintendent of Public Works, Assistant Superintendent of Public Works, Police Chief, Fire Chief and Waster/Wastewater Superintendent.

13. Paid maternity and/or paternity leave shall be granted to any member of the OPEIU up to ten (10) paid working days immediately following the birth or adoption of a child.

Following city paid maternity and/or paternity leave, a OPEIU member shall be granted use of their sick time for additional maternity and/or paternity leave.

In the case of application for maternity/paternity leave, upon exhaustion of said OPEIU member's sick leave, the member shall be permitted to apply to the sick leave bank up to the number of sick bank days agreed upon by the union.

14. §9.5.2d - In the case of application for maternity/paternity leave, upon exhaustion of said OPEIU member's sick leave, the member shall be permitted to apply to the sick leave bank up to the number of sick bank days agreed upon by the union.

15. Employees will receive no more than 100 hours of pay at a straight time rate for hours worked outside of their normal shift during a declared State of Emergency.

If these changes meet with the Council's approve, I would request that you approve the OPEIU contract with the noted changes for the Mayor's signature. Thank you.

Very truly yours,

Nicholas B. Robinson  
Assistant City Attorney



# City of North Tonawanda

OFFICE OF THE CITY CLERK - TREASURER  
VITAL STATISTICS  
CITY HALL  
216 PAYNE AVENUE  
NORTH TONAWANDA, N.Y. 14120

DONNA L. BRAUN  
City Clerk-Treasurer  
dbraun@northtonawanda.org

Lori Swartz  
Assistant City Clerk

Denise Proefrock  
Assistant City Treasurer

Treasurer's Office: (716) 695-8575  
Clerk's Office: (716) 695-8555  
Fax: (716) 695-8557

III. 1

NOV 01 2022  
tabbed

III.

OCT 17 2023

October 26, 2022

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

Re: Sale of City Property

Dear Honorable Body,

I respectfully request your honorable body's decision on a proposed Sale of Property to Cosimo Capozzi at 1780 Sweeney Street. Mr. Capozzi would like to purchase city property directly behind his home. Per the City Assessor the lot size would measure 70' x 60' and recommends a purchase price of \$2000.00. Upon approval, this sale would be finalized with the City Attorney's office.

2022 OCT 26 AM 11:24  
CITY CLERK'S OFFICE

Sincerely,  
Donna L Braun  
City Clerk-Treasurer



**City of North Tonawanda  
Department of Engineering**

City Hall, 216 Payne Avenue  
North Tonawanda, NY 14120-5493  
www.northtonawanda.org

**Chelsea L. Spahr, P.E.**  
City Engineer  
Phone: (716) 695-8565  
Fax: (716) 695-8568

October 2, 2023

**OCT 17 2023**

Austin J. Tylec, Mayor and Common Council Members  
City Hall North Tonawanda  
216 Payne Avenue  
North Tonawanda, New York

**Re: Meadow/Payne Intersection Improvements  
WSP Agreement Amendment No. 1  
Additional Engineering Services**

Honorable Body:

The Meadow/Payne Intersection Improvements Project were developed to 90% in 2018. Due to ROW and funding considerations the project was placed on hold at that time. The City is now moving ahead with the additional ROW acquisition needed for the intersection improvements and the design will need to be brought to 100% to go out to bid. Additionally, we are asking for construction support from WSP once construction has begun.

I therefore recommend that the Common Council authorize the Mayor to sign the enclosed agreement amendment no. 1 for the additional engineering services with WSP, 40 La Riviere Drive, Suite 320, Buffalo, NY 14202; in an amount of \$43,010; subject to review by the City Attorney.

Very truly yours,

Chelsea L. Spahr, P.E.  
City Engineer

CLS:cls

Cc: file, w/encls  
Edward A. Zebulske III, City Attorney, w/encls  
Mark Zellner, Superintendent of Public Works  
Augustine Taboni, PE., WSP

2023 OCT 2 AM 9:23  
NORTH TONAWANDA NY  
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CITY CLERK'S OFFICE



September 15, 2023

City of North Tonawanda Engineering  
216 Payne Avenue  
North Tonawanda, NY 14120

**Attention: Ms. Chelsea Spahr, PE**

**RE: Meadow - Payne Intersection  
Extra Work Request**

Dear Ms. Spahr:

WSP USA Inc. (WSP) developed and submitted 90% Design plans for the Meadow – Payne Intersection project in the City of North Tonawanda in 2018. Due to right-of-way and funding considerations the City placed the project on hold. It is our understanding that the City intends to proceed with the project and has requested WSP to finalize the design plans and to prepare final the PS&E (100% Design) bid package.

At the request of the former City Engineer (Dale Marshall), WSP performed additional scope of services to advance the design improvements to the intersection of Payne Avenue and Meadow Drive, specifically extending design west along 19<sup>th</sup> Street and extension of west side sidewalk along Payne Ave to the north. WSP incorporated these changes into the 90% design plans and utilized final design funds to complete these tasks. To support this effort, WSP is requesting an amendment to the original Meadow – Payne Intersection agreement with the City of North Tonawanda dated March 1, 2017, to replenish these funds and provide additional funding for new work tasks. This letter summarizes the scope and fee for these additional requested services. All terms and conditions of the initial contract will apply.

**Scope of Services:**

WSP performed the following additional scope of services:

- **19<sup>th</sup> Street Extension**  
Develop plans to incorporate the new curb and sidewalk, as the City determined the project should extend improvements approximately 150 west along 19<sup>th</sup> Street.

**Task Fee - \$2,424**

- **Payne Ave Extension**  
Develop plans to incorporate the new curb and sidewalk along Payne Ave., as the City determined the project should extend improvements north along Payne Avenue to establish the westerly sidewalk.

**Task Fee - \$2,630**

Suite 320  
40 LaRa Riviera Dr.  
Buffalo, NY 14202

Tel.: +1 716 853-1220  
Fax: +1 716 853-1322  
wsp.com



WSP will perform the following new tasks:

- **Review and Update 90% Drawings to 100% Bid documents**
  - Perform a site visit to confirm field existing conditions and update the design as necessary. Finalize plans and submit 100% Bid documents.
  - Provide support to the City during the bidding process, attending the pre-bid and bid opening meetings, and analyzing bids.
  - Update Construction cost estimate.

*Deliverables:*

- 2 – half size 100% Design Plan for Client review
- 5 - half size Final Plans
- Bid summary.

**Task Fee - \$12,975**

- **Construction Support**

Provide services during construction to commence upon the start of the construction work and continue for an estimated construction duration of 6 months. It is assumed that construction will begin in Spring of 2024.

- Review submittals (assume 10 @ 2 hrs/ submittal) and provide support answering contractor questions regarding proposed design.
- Perform periodic visits to the Project site to provide support to City staff and answer contractor questions. The time involved for these visits shall be approximately four (4) hours per visit once a week for 6-month construction.
- Perform a final walk through of the completed work and observe and record outstanding items.

**Task Fee - \$24,981**

**TOTAL FEE REQUESTED \$43,010.**

**Anticipated Design Schedule:**

- Field Visit and Plan Update – late September 2023
- Final PS&E Plans – October 20, 2023
- Construction to begin Spring 2024

**Assumptions**

- No major changes to existing topo.
- WSP to review 10 submittals during construction.
- City to print final bid package for contractors to purchase.
- City to advertise and administer distribution of contract plans during bidding process.
- City to provide daily Construction Inspection.
- Six-month Construction



Should you have any questions or require further information, please do not hesitate to call me at (716) 853-1220.

Very truly yours,

**WSP USA, Inc**



Augustine Taboni, PE  
Project Manager



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**Mark Tytko**  
Senior Vice President  
New York Upstate Local Business Line Leader, Transportation

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**Austin J. Tylec**  
Mayor, City of North Tonawanda

JEFFREY ZELLNER  
CITY ACCOUNTANT

JENNIFER CRESS  
PAYROLL PERSONNEL SPECIALIST

SHERI GAMPP  
JUNIOR ACCOUNTANT

# City of North Tonawanda

DEPARTMENT OF ACCOUNTING  
CITY HALL  
216 PAYNE AVENUE NORTH  
TONAWANDA, N.Y. 14120

TELEPHONE: (716) 695-8545

FAX: (716) 695-8573

XII.1

OCT 17 2023

October 12th, 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 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 17th, 2023, and further authorize the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant.

Warm Regards,

  
JEFFREY ZELLNER  
CITY ACCOUNTANT

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NORTH TONAWANDA NY

JEFFREY ZELLNER  
CITY ACCOUNTANT

JENNIFER CRESS  
PAYROLL PERSONNEL SPECIALIST

SHERI GAMPP  
JUNIOR ACCOUNTANT

# City of North Tonawanda

DEPARTMENT OF ACCOUNTING  
CITY HALL  
216 PAYNE AVENUE NORTH  
TONAWANDA, N.Y. 14120

TELEPHONE: (716) 695-8545  
FAX: (716) 695-8573

*VII.2*

OCT 17 2023

10/12/2023

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 2023 appropriations, based on the request of the Department Head, copy attached.

Dollar

<u>Amount</u>	<u>Increase Account</u>	<u>Decrease Account</u>
\$27,500	001.3410.0420	001.3410.0100
	Fire – Repairs and Maintenance	Fire – Personal Services

Reason: Using remaining funds for vacated Fire Mechanic to cover cost of repair for Fire Ladder Truck

Warm Regards,

  
JEFFREY ZELLNER  
CITY ACCOUNTANT

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NORTH TONAWANDA NY

# Budgetary Transfer Request Form

Department: Fire

Date: 10/12/2023

Appropriation Accounts and Documentation	
From Appropriation Account	Into Appropriation Account
001.3410.0100 Fire Protection - Personal services Account Number      Account Description	0011.3410.0420 Fire Protection - Repairs and Maintenance Account Number      Account Description
\$27,500	

**Explanation:**

Using the Remaining salary created from the vacated Fire mechanic to cover the unexpected cost of repairs for the Latter truck.

**Please Check One**

Common Council Action	NO Common Council Action
X	

 Department Head Signature	10/12/2023 Date
--	--------------------

**Budgetary Transfer Policy**

2.11 - Budgetary transfers can be initiated by a Department Head on his or her signature if all of the following criteria is met:

Using the Remaining salary created from the vacated Fire mechanic to cover the unexpected cost of repairs for the Latter truck.

1. Transfer appropriations must be less than \$250.00
2. Transfer only between existing appropriation accounts within your Department Budget
3. Accumulated transfers made into any one appropriation account can not total more than \$250.00 within any fiscal year

2.21 - Budgetary transfers can be initiated by a Department Head through the Common Council if one of the following Criteria is met:

1. Transfer appropriations must be over \$250.00
2. Creation of a new appropriation account your budget

**For Accounting Department Use Only**

	Department of Accounting Audit	Common Council Meeting Date
	9	10/17/2023



XXV.1  
OCT 17 2023

Account#	Account Description	Fee Description	Qty	Local Share
A1255	Minor Sales	Certified Copies - Marriage	9	90.00
			<b>Sub-Total:</b>	<b>\$90.00</b>
A1603	Misc. Fees	Birth Certificates	31	310.00
		Death Certificates	111	1,110.00
		Deaths Recorded	8	0.00
		Geneology Death	1	22.00
			<b>Sub-Total:</b>	<b>\$1,442.00</b>
A2110	Planning & Zoning Fees	Planning - Rezoning	1	100.00
			<b>Sub-Total:</b>	<b>\$100.00</b>
A2410	Minor Sales	Boathouse 2023	2	1,976.00
			<b>Sub-Total:</b>	<b>\$1,976.00</b>
A2501	Permit Fees	Food Truck	2	200.00
	Snowplow Permit	Snowplow Permit	2	50.00
			<b>Sub-Total:</b>	<b>\$250.00</b>
A2504	Minor Sales	Ordained Minister fee	1	25.00
			<b>Sub-Total:</b>	<b>\$25.00</b>
A2505	Marriage License Fee	Marriage License Fee	24	420.00
			<b>Sub-Total:</b>	<b>\$420.00</b>
A2506	Conservation	Conservation	20	337.26
			<b>Sub-Total:</b>	<b>\$337.26</b>
A2540	Racing & Wagering Fees	Bingo Proceeds	5	474.91
			<b>Sub-Total:</b>	<b>\$474.91</b>
A2542	Dog Licensing	Female, Spayed	86	774.00
		Female, Unspayed	6	102.00
		Male, Neutered	71	639.00
		Male, Unneutered	10	170.00
			<b>Sub-Total:</b>	<b>\$1,685.00</b>
A2610	Minor Sales	Parking Tickets	26	2,518.00
			<b>Sub-Total:</b>	<b>\$2,518.00</b>

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<u>Account#</u>	<u>Account Description</u>	<u>Fee Description</u>	<u>Qty</u>	<u>Local Share</u>
			<b>Total Local Shares Remitted:</b>	<b>\$9,318.17</b>
Amount paid to:	New York State Department of Health			517.50
Amount paid to:	NYS Ag. & Markets for spay/neuter program			205.00
Amount paid to:	NYS Environmental Conservation			5,777.74
<b>Total State, County &amp; Local Revenues:</b>		<b>\$15,818.41</b>	<b>Total Non-Local Revenues:</b>	<b>\$6,500.24</b>

Pursuant to Section 27, Sub 1, of the City Law, I hereby certify that the foregoing is a full and true statement of all fees and monies received by the City Clerks Office, City of North Tonawanda, during the period stated above, in connection with my office, excepting only such fees and monies, the application of which are otherwise provided for by law.

  
 \_\_\_\_\_  
 City Clerk-Treasurer

10/2/23  
 \_\_\_\_\_  
 Date


# City of North Tonawanda

DONNA L. BRAUN  
City Clerk-Treasurer  
dbraun@northtonawanda.org

Lori Swartz  
Assistant City Clerk

Denise Proefrock  
Assistant City Treasurer

OFFICE OF THE CITY CLERK - TREASURER  
VITAL STATISTICS  
CITY HALL  
216 PAYNE AVENUE  
NORTH TONAWANDA, N.Y. 14120

  
Treasurer's Office: (716) 695-8575  
Clerk's Office: (716) 695-8555  
Fax: (716) 695-8557

10/11/2023

**OCT 17 2023**  
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CITY CLERK'S OFFICE

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

Dear Sirs:

The status of the City of North Tonawanda accounts is reflected by this cash statement for the month of September 2023.

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NORTH TONAWANDA NY

## General Fund

Balance Fwd - Checking	963,086.04
Balance Fwd - Money Market	4,545,138.83
Investments	4,000,000.00
Receipts for the month	2,040,694.97
Warrants Drawn	(2,310,519.71)
	<u>\$9,238,400.13</u>

## Sewer Fund

Balance Fwd - Checking	47,688.97
Balance Fwd - Money Market	17,845.08
Investments	0.00
Receipts for the month	549,357.96
Warrants Drawn	(568,569.11)
	<u>\$46,322.90</u>

## Water Fund

Balance Fwd - Checking	948,900.47
Balance Fwd - Money Market	1,246,697.14
Investments	0.00
Receipts for the month	301,875.73
Warrants Drawn	(301,281.99)
	<u>\$2,196,191.35</u>

## Trust & Agency Fund

Balance Fwd - Checking	411,285.98
Receipts for the month	45,728.13
Warrants Drawn	(51,526.12)
	<u>\$405,487.99</u>

## Capital Construction Fund

Balance Fwd - Checking	1,852,472.09
Balance Fwd - Money Market	6,064,327.96
Investments	0.00
Receipts for the month	688,292.81
Warrants Drawn	(1,573,948.43)
	<hr/>
	\$7,031,144.43

## Community Development Fund

Balance Fwd - Checking	318,403.91
Receipts for the month	0.00
Warrants Drawn	0.00
	<hr/>
	\$318,403.91

## Rental Assistance Fund

Balance Fwd - Checking	0.00
Receipts for the month	301,514.00
Warrants Drawn	(301,514.00)
	<hr/>
	\$0.00

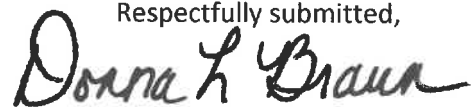
## Housing Rehabilitation Fund

Balance Fwd	1,480.25
Receipts for the month	0.61
Warrants Drawn	0.00
	<hr/>
	\$1,480.86

## Home Rehabilitation Fund

Balance Fwd	40,683.56
Receipts for the month	0.00
Warrants Drawn	0.00
	<hr/>
	\$40,683.56

Respectfully submitted,



Donna L. Braun  
City Clerk-Treasurer

**NORTH TONAWANDA**  
**Dept. of Youth, Recreation, Parks & Seniors**

500 Wheatfield Street  
North Tonawanda, NY 14120  
Phone: (716) 695-8520  
Fax: (716) 695-8533



[www.ntparksrec.com](http://www.ntparksrec.com)

September 29, 2023

The Honorable Mayor Austin Tylec  
And Common Council  
216 Payne Avenue  
North Tonawanda, New York 14120

*XXV.2*  
**OCT 17 2023**

Ladies and Gentlemen:

The following information is submitted for your perusal concerning participants in various programs offered at the Senior Citizen Center for the month of September 2023.

**Senior Center's Total Monthly Services      1,088**

**Unduplicated      257**

**Duplicated      831**

Please note: We also sponsor a "Little Free Food Pantry" and a "Little Library" both of these are available to the public 24/7.

Sincerely,

Pamela A. Hogan

Recreation & Senior Coordinator

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NORTH TONAWANDA NY



# Bammel Architects, PC

6264 West Quaker St., Orchard Park, NY 14127  
phone (716) 662-2482 fax (716) 662-2487

CFO. A.

OCT 17 2023

October 3, 2023

Frank DiBernardo  
c/o Dept. of Common Council  
216 Payne Avenue  
North Tonawanda, NY 14120

**Project:**  
Gabbie Richards  
The Vegan Grocery Store  
342 Oliver Street  
North Tonawanda, NY 14120

Dear Mr. DiBernardo,

On behalf of Gabbie Richards, owner of The Vegan Grocery Store, we are seeking approval for a new fabric awning to protrude 2'-0" from the face of the building along the entire street-facing facade. The awning will encroach approximately 1'-6" into the public way. City of North Tonawanda has been listed as additionally insured on the Owner's insurance policy. Corresponding documents have been provided.

Sincerely,

Bammel Architects, P.C.

2023 OCT 11 AM 10:09  
NORTH TONAWANDA NY