

**THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, December 19, 2023
6:50 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
Edward Zebulske, III**

AUDIENCE PARTICIPATION - None

APPROVAL OF THE MINUTES OF THE REGULAR SESSION DECEMBER 5, 2023

**MOVED by Alderman Marranca SECONDED by Alderman Lavey
That the minutes of the regular session held December 5, 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

#1. Nicholas Robinson

December 13, 2023

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

Dear Hon. Mayor and Hon. Council,

**Please accept this letter as my formal notification that I am resigning from my position as
Assistant City Attorney with the City of North Tonawanda as of January 1, 2024.**

**Thank you so much for the opportunity to work in this position for as long as I have. I've
greatly enjoyed and appreciated the opportunity I've had within the City of North
Tonawanda.**

I wish the City of North Tonawanda employees and residents the best.

12-19-2023

Respectfully,
Austin Tylec
Mayor

MOVED by Alderman Schmigel **SECONDED** by Alderman Lavey
That the Common Council hereby receives and files the re-appointment of Benson Lew, 361 Walck Rd., North Tonawanda, NY 14120, as Bingo Commissioner, for a one (1) year term, effective January 1, 2024 and expiring December 31, 2024.

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

I.3 Mayor

December 19, 2023

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

Re: Re-Appointment to the North Tonawanda Zoning Board of Appeals

Dear Honorable Body:

Please be advised that I am re-appointing Katelyn Wistner, 684 Deerfield Drive, North Tonawanda, NY 14120 to the North Tonawanda Zoning Board of Appeals, effective January 1, 2024 for a term of five (5) years, expiring December 31, 2028.

Thank you for your attention to this matter.

Respectfully,
Austin Tylec
Mayor

MOVED by Alderman Lavey **SECONDED** by Alderman Marranca
That the Common Council hereby receives and files the re-appointment of Katelyn Wistner, 684 Deerfield Drive, North Tonawanda, NY 14120 to the North Tonawanda Zoning Board of Appeals, for a term of five (5) years effective January 1, 2024 and expiring December 31, 2028

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

I.4 Mayor

December 19, 2023

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

Re: Appointments to the North Tonawanda Traffic Safety Committee

Dear Honorable Body:

Please be advised that I am re-appointing the following individuals for the following terms to the Traffic Safety Committee:

1. Robert Frank, 316 Brentwood Drive, North Tonawanda, NY 14120, effective January 1, 2024 for a term of two (2) years, and expiring December 31, 2025

2. **Matthew Meisenburg, 411 Homestead Dr., North Tonawanda, NY 14120, effective January 1, 2024, for a term of two (2) years, and expiring December 31, 2025**

I am also appointing Nicholas Phelps, 1419 Doebler Drive, North Tonawanda, NY 14120 effective January 1, 2024 for a term of two (2) years, and expiring December 31, 2025.

In addition, I am designating Matthew Meisenburg to serve as Board Chair.

Thank you for your attention to this matter.

Respectfully,
Austin Tylec
Mayor

MOVED by Alderman Loncar SECONDED by Alderman Lavey
That the Common Council hereby receives and files the re-appointment of the following to the Traffic Safety Committee:

1. **Robert Frank, 316 Brentwood Drive, North Tonawanda, NY 14120, effective January 1, 2024 for a term of two (2) years, and expiring December 31, 2025**
2. **Matthew Meisenburg, 411 Homestead Dr., North Tonawanda, NY 14120, effective January 1, 2024, for a term of two (2) years, and expiring December 31, 2025**

Also, the Appointment of Nicholas Phelps, 1419 Doebler Drive, North Tonawanda, NY 14120, for a term of two (2) years effective January 1, 2024 and expiring December 31, 2025, and the designation of Matthew Meisenburg to serve as Board Chair.

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

I.5 Mayor

December 19, 2023

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

Re: Re-Appointments to the Plumbing Board

Dear Honorable Body:

Please be advised that I am re-appointing Rudolph Wolf, 239 Zimmerman St., North Tonawanda, NY 14120 and Daniel Ohrum, 1151 Sweeney Street to the Plumbing Board effective January 1, 2024, for a term of two (2) years, expiring December 31, 2025.

Thank you for your attention to this matter.

Respectfully,
Austin Tylec
Mayor

MOVED by Alderman Lavey SECONDED by Alderman Schmigel
That the Common Council hereby receives and files the re-appointment of the following to the Plumbing Board:

1. **Rudolph Wolf, 239 Zimmerman St., North Tonawanda, NY 14120, effective January 1, 2024 for a term of two (2) years, and expiring December 31, 2025**

- 2. Daniel Ohrum, 1151 Sweeney St., North Tonawanda, NY 14120, effective January 1, 2024, for a term of two (2) years, and expiring December 31, 2025

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

I.6 Mayor

December 19, 2023

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

Re: Appointment of Housing Authority Board

Dear Honorable Body:

Please be advised that I am appointing Krista Vince Garland, 238 Tremont Street, North Tonawanda, NY 14120 to the Housing Authority effective February 1, 2024, for a five (5) year term, expiring January 31, 2029.

Thank you for your attention to this matter.

**Respectfully,
 Austin Tylec
 Mayor**

MOVED by Alderman Marranta SECONDED by Alderman DiBernardo
That the Common Council hereby receives and files the appointment of Krista Vince Garland, 238 Tremont Street, North Tonawanda, NY 14120 to the Housing Authority Board, for a five (5) year term effective February 1, 2024 and expiring January 31, 2029.
 Ayes: Alderman Schmigel, Lavey, Loncar, Marranta, DiBernardo (5)
 Nays: None (0)
CARRIED.

I.7 Mayor

December 19, 2023

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

Re: Re-Appointment of City Market Clerk

Dear Honorable Body:

Please be advised that I am re-appointing Christian Delprince, 800 W Thomas Fox Dr., North Tonawanda, NY 14120 as the North Tonawanda City Market Clerk, effective January 1, 2024, for a one (1) year term expiring December 31, 2024.

Thank you for your attention to this matter.

**Respectfully,
 Austin Tylec
 Mayor**

MOVED by Alderman Lavey **SECONDED** by Alderman Loncar
 That the Common Council hereby receives and files the re-appointment of Christian Delprince, 800 W Thomas Fox Dr., North Tonawanda, NY 14120 as the North Tonawanda City Market Clerk, for a term of one (1) year effective January 1, 2024 and expiring December 31, 2024.

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

I.8 Mayor

December 19, 2023

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

Re: Re-Appointment of City Historian

Dear Honorable Body:

Please be advised that I am re-appointing Susan Taylor, 451 Goundry St., North Tonawanda, NY 14120 as City Historian, effective January 1, 2024, for a one (1) year term, expiring December 31, 2024.

Thank you for your attention to this matter.

Respectfully,
 Austin Tylec
 Mayor

MOVED by Alderman Marranca **SECONDED** by Alderman Schmigel
 That the Common Council hereby receives and files the re-appointment of Susan Taylor, 451 Goundry St., North Tonawanda, NY 14120 as City Historian, for a term of one (1) year effective January 1, 2024 and expiring December 31, 2024.

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

I.9 Mayor

December 19, 2023

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

Re: Appointments to the North Tonawanda Waterfront Commission

Dear Honorable Body:

Please be advised that I am re-appointing the following individuals for the following terms on the Waterfront Commission:

1. Joseph Petrie, 183 East Ave., North Tonawanda, NY 14120, effective January 1, 2024, for a term of two (2) years, and expiring December 31, 2025
2. Emily Root, 425 Wheatfield St., North Tonawanda, NY 14120, effective January 1, 2024, for a term of two (2) years, and expiring December 31, 2025
3. Tim Martin, 949 Sweeney St., North Tonawanda, NY 14120, effective January 1, 2024, for a term of two (2) years, and expiring December 31, 2025

budget transfers or amendments for sanctioned expenditures, accrued liabilities, accounts payable and encumbrances, at December 31st, 2023.

It should be noted that Department heads are still responsible and accountable for their financial actions. Approval of this recommendation will ensure that no appropriation accounts or operating funds are over-obligated at year-end.

These Actions will be reflected in the municipality's year end appropriation ledgers, the audited 2023 financial statements and our Annual Update Document, which is sent to the New York State Comptroller's Office. If I can be any further assistance, please do not hesitate to reach out.

Warm regards,
Jeffrey Zellner
City Accountant

MOVED by Alderman DiBernardo **SECONDED** by Alderman Lavey
That the Common Council hereby grants permission for the City Accountant to make any necessary budget transfers or amendments for sanctioned expenditures, accrued liabilities, accounts payable and encumbrances, for year ending December 31, 2023.

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

Nays: None (0)

CARRIED.

XIV.1 Youth, Recreation, Parks & Seniors

December 7, 2023

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

Dear Mayor Tylec and Common Council,

Attached are the proposed fee schedules for recreational programs and facility charges for the 2024 season. Items highlighted in yellow reflect price increases from the 2023 fee structure. These price increases are in correlation with the continues rise in product expenses and staffing costs (state minimum wage increases) that are required to provide programs and services for the public at the same level that our community has come to expect.

Please note that despite the fee increases, our research found that many of our price points continue to be a value compared to similar program/facility rates in the Town of Tonawanda, City of Tonawanda, Amherst, Buffalo, Lockport and Wheatfield. Furthermore, I would be remised should I not emphasize that our North Tonawanda Youth Board offers program tuition assistance with their "Everyone Plays Recreation Program Scholarship". This scholarship program is meant to ensure that program costs are not a barrier for a youth to participate, by providing financial assistance to cover the program cost for a youth participant in a low-income household. More information on our Everyone Plays Scholarship can be found at our website www.ntparksrec.com.

Respectfully submitted,
Alex Domaradzki
Dir. Youth, Recreation, Parks & Seniors

MOVED by Alderman Loncar **SECONDED** by Alderman DiBernardo
That the Common Council hereby approves the attached fee schedules for recreational programs and facility charges for the 2024 season.

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

Nays: None (0)

These funds are made available to New York State through the Federal Highway Administration and administered by the New York State Department of Transportation, and will assist the City in improving and upgrading signalized intersections throughout the City. The existing traffic signals are comprised of non-standard equipment, and equipment that is in disrepair and past its certain life. With the new proposed signals, it will improve traffic flow and operations, and pedestrian safety.

The NYSDOT will provide 80% of the total eligible project cost (up to \$5 Million) with a 20% local match. The concept cost estimate for this project is approximately up to \$4 Million. Through this upcoming grant application, we believe the City could be eligible for up to \$3.2 Million in TAP/CMAQ/CRP funds.

At this time we would like to request this Honorable Council to authorize the city submit a grant application to the TAP/CMAQ/CRP program.

Thank you for your time and consideration.

Sincerely,
 Laura K. Wilson
 Dir. Community Development

MOVED by Alderman Schmigel **SECONDED** by Alderman DiBernardo
 That the Common Council at a regular meeting, held at City Hall, 216 Payne Avenue, North Tonawanda, New York at 6:30 p.m. on December 19, 2023 approves the Resolution for the Authorization to Submit 2023 TAP-CMAQ-CRP Gant application to support the Traffic Signals Upgrade Project and reads as follows:

AUTHORIZATION TO SUBMIT 2023 TAP-CMAQ-CRP GRANT APPLICATION TO SUPPORT THE TRAFFIC SIGNALS UPGRADE PROJECT

WHEREAS, The City of North Tonawanda desires to improve and upgrade signalized intersections in the City where the existing signals are comprised of non-standard equipment, equipment is in disrepair, and equipment is past its useful life and lack certain features to improve traffic flow and operations; and

WHEREAS, the project is consistent with the priorities of the potential funding agency NYSDOT TAP-CMAQ-CRP Grant; and

WHEREAS, the TAP-CMAQ-CRP Grant would fund 80% with a City match of 20%; and

WHEREAS, the Project will result in substantial benefit to area residents by improving traffic mobility, reliability, and safety; now, therefore, be it

RESOLVED, that the City is hereby authorized to submit a grant application to the NYSDOT TAP-CMAQ-CRP Grant,

RESOLVED, that the City has committed to a 20% required match, and be it further

RESOLVED, that the Mayor is hereby authorized to execute documents between the City and the agencies and all related documents associated with the grant application, such documents to be subject to review and approval by the City Attorney.

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

(5)

Nays: None

(0)

CARRIED.

COMMUNICATIONS FROM OTHERS

A.
NT Neighborhood Watch

December 6, 2023

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

Dear Council and Mayor:

Looking ahead to April 1, 2024, we seek your support for our Dyngus Day Parade & Celebration in the city of North Tonawanda. Following the success of our 2023 event, we propose maintaining the same elements and schedule for the upcoming year, with the parade concluding at the City Market for the After-Party Celebration.

For the 2024 plan, we kindly request the following from the city:

- Permission/assistance to close Oliver Street from the blocks of Buffalo Bolt Way to Kiel Street to the City Market from 4:00 PM to 7:00 PM for the parade route.
- Use of the City Market property for the After-Party Celebration, as in the previous year, including access to restroom facilities on Monday, April 1, 2024, from 4:00 pm to 8:30 PM.
- Permission to display the parade banner on the City Market pavilion 2-4 weeks before the event for promotional purposes.
- The presence of North Tonawanda Auxiliary Police during the parade and after-party

We appreciate your ongoing support and consideration. We anticipate another successful collaboration with the city to ensure the success of this year's event. For any questions or concerns, please contact me at ntneighborhoodwatch@gmail.com or 716-909-5590.

Sincerely,
Joseph Marranca, Jr.
Chairman

MOVED by Alderman Lavey

SECONDED by Alderman Loncar

That the Common Council hereby grants permission for the NT Neighborhood Watch to hold their annual Dyngus Day Parade and After-Party on Monday, April 1st, 2024, and directs the Police and DPW to help with the following requests:

- Permission/assistance to close Oliver Street from the blocks of Buffalo Bolt Way to Kiel Street to the City Market from 4:00 PM to 7:00 PM for the parade route.
- Use of the City Market property for the After-Party Celebration, as in the previous year, including access to restroom facilities on Monday, April 1, 2024, from 4:00 pm to 8:30 PM.
- Permission to display the parade banner on the City Market pavilion 2-4 weeks before the event for promotional purposes.
- The presence of North Tonawanda Auxiliary Police during the parade and after-party

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

(5)

Nays: None

(0)

CARRIED.

AUDIENCE PARTICIPATION - None

ADJOURNMENT

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

Time of Adjournment: 7:12 P.M.

Respectfully submitted,



Donna L. Braun
City Clerk-Treasurer