

**THE HONORABLE BODY  
Council Chambers  
Municipal Building  
North Tonawanda, New York 14120  
Tuesday, March 19, 2024  
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**

**Darlene Bolsover, 1337 Sweeney St. – Asked to pull the Attorney’s agenda item to have a public hearing.**

**Nick Csizmar, 771 Remington Dr. – Was very concerned about giving Solar Simplified a contract exclusively for the City.**

---

**APPROVAL OF THE MINUTES OF THE REGULAR SESSION MARCH 5, 2024**

**MOVED by Alderman Lavey                        SECONDED by Alderman Loncar  
That the minutes of the regular session held March 5, 2024 be approved as circulated and filed in the Office of the City Clerk.  
Ayes: Alderman Schmigel, Marranca, Loncar, Lavey, DiBernardo                       (5)  
Nays: None   (0)  
CARRIED.**

---

**PROOF OF PUBLICATION PUBLISHED 02/17/2024**

**1) Legal Notice – Request for Bids for Wastewater Treatment Plant Solids Handling Improvements – Supt. Water/Wastewater**

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

---

**COMMUNICATIONS FROM CITY OFFICIALS**

**#1. Maureen Harding**

**February 6, 2024**

**Mayor Austin Tylec  
216 Payne Avenue  
North Tonawanda, NY 14120**

**Re: Resignation from Planning Commission**

**Dear Mayor:**

**I am, hereby, submitting my resignation from the Planning Commission effective immediately. Thank you for the opportunity to serve.**

**Very truly yours,  
Maureen A. Harding**

<b>MOVED by Alderman Marranca</b>	<b>SECONDED by Alderman Loncar</b>
<b>That the Common Council hereby receives and files the letter of resignation from Maureen Harding from the Planning Commission effective February 6, 2024.</b>	
<b>Ayes: Alderman Schmigel, Marranca, Loncar, Lavey, DiBernardo</b>	<b>(5)</b>
<b>Nays: None</b>	<b>(0)</b>
<b>CARRIED.</b>	

**#2. Alderman Lavey & Marranca**

**March 14, 2024**

**RESOLUTION TO OFFICIALLY REDESIGNATE  
COMMON COUNCIL – CITY DEPARTMENT LIAISONS**

**Submitted by Alderman Lavey & Marranca**

**MOVED by Alderman Lavey                          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 March 19<sup>th</sup>, 2024, approved the Resolution to Officially Redesignate Common Council -City Department Liaisons and it reads as follows:**

**WHEREAS,** the City of North Tonawanda has a history of successful collaboration between the Common Council and various city departments; and

**WHEREAS,** maintaining communication between council members and department heads is crucial for keeping constituents and fellow council members informed of ongoing projects and initiatives throughout the city; and

**WHEREAS,** the redesignation of the Common Council – Department Liaisons is based on the recognition of its past success in promoting effective legislating and fostering more collaboration within the city government; and

**WHEREAS,** it provides council members, who compose the city’s legislative body, with firsthand knowledge and understanding of departmental operations and challenges; and

**WHEREAS,** the appointed liaisons for each department will be as follows:

**SCHMIGEL – “ECONOMIC & PROPERTY DEVELOPMENT”**  
**(Lumber City Development Corp., Community Development, & Assessor)**

**DIBERNARDO – “ADMINISTRATIVE”**  
**(Accountant, Code Enforcement, & Building/Plumbing Inspectors)**

**MARRANCA – “INFRASTRUCTURE”**  
**(Public Works, Engineering, & Water/Wastewater)**

**LAVEY – “PUBLIC SAFETY”**  
**(Police & Fire Departments)**

**LONCAR – “COMMUNITY SERVICES”**  
**(Parks & Recreation);**

**NOW, THEREFORE, LET IT BE RESOLVED**, that the Common Council of the City of North Tonawanda hereby designates the Council Members mentioned above as the liaison to their respective departments for the remainder of the 2024 Legislative Session.

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

**I.1 Mayor**

**March 1, 2024**

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

**Re: Appointment to Land Bank’s Board of Directors**

**Dear Honorable Body:**

**Please be advised that I am re-appointing Robert C. DePaolo, 304 Shartle Pl, Apt.1, North Tonawanda, NY 14120 to the Land Bank’s Board of Directors for a two (2) year term effective retroactively from December 5, 2023, to December 4, 2025.**

**Thank you for your attention to this matter.**

**Sincerely,**  
**Austin Tylec**  
**Mayor**

**MOVED by Alderman Lavey                      SECONDED by Alderman Schmigel**  
**That the Common Council hereby receives and files the re-appointment of Robert C. DePaolo, 304 Shartle Pl, Apt.1, North Tonawanda, NY 14120 to the Land Bank’s Board of Directors for a two (2) year term effective retroactively from December 5, 2023, to December 4, 2025.**

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

**I.2 Mayor**

**March 13, 2024**

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

**Re: Solar Simplified Municipal Agreement**

**Dear Honorable Body:**

As presented at a previous Council meeting, attached is a proposal to enter into an agreement with Solar Simplified for an opt-in community solar program. This program utilizes large solar installations outside of our city to provide a 10% guaranteed savings through Solar Credits for property owners. No installation is required for residents or businesses to enter, and all electricity billing remains unchanged for those who do decide to join the program.

In addition, Solar Simplified would navigate this program with the Climate Smart Task Force. If we are successful in enrolling 100+ individuals, this could lead to a \$20,000 NYSERDA grant which could assist in various green initiatives that benefit the city.

As we all continue to see increases in our utility bills, this program provides a hassle-free way to reduce monthly electricity costs. If approved, Solar Simplified can immediately start to enroll those who are interested in opting-in.

Thank you for your consideration of this matter.

Respectfully,  
Austin Tylec  
Mayor

**MOVED** by Alderman Lavey                      **SECONDED** by Alderman Marranta  
That the Common Council hereby approves the attached Solar Simplified municipal agreement.

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

**Nays:** None (0)

**CARRIED.**

**II. Attorney**

March 13, 2024

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

**Re: Ordinance Revisions – Chapter 70A – Article II – Consumption of Alcohol, Tobacco, Marijuana and/or Illegal Drugs by Minors and Chapter 79A – Smoke and Air Pollution**

**Dear Honorable Body:**

Attached, for your consideration, are two proposed ordinances suggested by CHANT as well as Reality Check of Erie and Niagara, to promote public health and protect our community's youth:

**Chapter 70A – Article II – Consumption of Alcohol, Tobacco, Marijuana and/or Illegal drugs by minors; Social Hosting – is an update/enhancement to the existing Article II to include newer forms of tobacco and illegal drugs that are now available to the public.**

**Chapter 79A – Smoke and Air Pollution – is an update/enhancement of the existing Chapter 79A – Smoking – to account for newer forms of tobacco and illegal substances which are now accessible to the public.**

If your Honorable Body concurs, please pass the appropriate resolutions for the City of North Tonawanda to allow these additions to our North Tonawanda City Code, subject to further review by the City Attorney.

Very truly yours,  
Edward A. Zebulske III  
City Attorney

**MOVED by Alderman Lavey                      SECONDED by Alderman Marrantca**  
**That the Common Council hereby tables the aforementioned city code change for further review.**

**Ayes: Alderman Schmigel, Marrantca, Loncar, Lavey, DiBernardo**

**(5)**

**Nays: None**

**(0)**

**CARRIED.**

### III. Clerk-Treasurer

March 8, 2024

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

**Re: Volunteer Fire Companies Fundraising 2024**

**Dear Honorable Body:**

As you have been made aware by the North Tonawanda Fire Chief, and in accordance with the NYS Comptroller's Office; all (6) North Tonawanda Volunteer Fire Companies are required to provide the City with a list of all fundraising activities on an annual bases.

In accordance with these regulations, I have reviewed the correspondence that I have received with the Fire Chief and have found them to be in order and in proper form.

I respectfully request that your Honorable Body vote in a affirmative to grant Live Hose #4, Columbia Hook & Ladder #1, Gratwick Hose Co. #6, Sweeney Hose Co. #7, Rescue Co. #5 and Active Hose Co. #2 permission to run their respective fundraisers for 2024.

I thank you in advance for your anticipated cooperation.

Sincerely,  
Donna L. Braun  
City Clerk-Treasurer

**MOVED by Alderman Lavey                      SECONDED by Alderman DiBernardo**  
**That the Common Council hereby grants approval for Live Hose #4, Columbia Hook & Ladder #1, Gratwick Hose Co. #6, Sweeney Hose Co. #7, Rescue Co. #5 and Active Hose Co. #2 permission to run their respective fundraisers for 2024.**

**Ayes: Alderman Schmigel, Marrantca, Loncar, Lavey, DiBernardo**

**(5)**

**Nays: None**

**(0)**

**CARRIED.**

### IV. Engineer

March 11, 2024

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

**Re: Water Distribution and Sewer Collection Capital Improvement Plans  
Supplemental Agreement No.1 – LCRR/LCRI Compliance Assistance**

**Dear Honorable Body:**

In 2022, the City allocated funding on an engineering report to apply for grant funding under the NYS Bipartisan Infrastructure Law (BIL)/NYS Drinking Water State Revolving Fund (DWSRF) to aid the City in their phase 1 initiative of a lead service line inventory (SLI) to comply with the Lead and Copper Rule (LCRR)/Lead and Copper Rule Improvements (LCRI) mandates from the EPA. The City was unsuccessful in the 2022 grant funding cycle, and reapplied for the funding in 2023. The grant funding for the 2023 round has yet to be announced, but the City has bonded monies in 2024 to meet the October 2024 deadline for the lead SLI to comply with this mandate.

With the recent award of the Water Distribution Capital Improvements Plan (CIP) to Hazen, a thorough review of their firm and staff was done in relation to their ability to assist the City by Engineering, Community Development, the Department of Public Works, Water Distribution, Accounting, and the Mayor's office. With that being said, it was determined that the best approach to effectively complete the LCRR/LCRI mandates including the SLI would be to utilize the same Hazen team in conjunction with completing the Water Distribution CIP. A supplemental proposal for the LCRR/LCRI compliance Assistance from Hazen is attached. The four main tasks we are looking to achieve are a records review, service line inventory improvements, development of a lead service line replacement plan, and an updated sampling plan. The compliance assistance will take us through 2027 to meet some of the additional EPA deadlines.

I therefore recommend that the Common Council authorize the Mayor to sign a contract for Supplemental Agreement No.1 for the additional design scope with Hazen and Sawyer, 1 Seneca Street, Suite 2875, Buffalo, NY 14203; in an amount of \$270,000; subject to review by the City Attorney.

Please let me know if you have any further questions or concerns. Thank you for your consideration.

Very truly yours,  
Chelsea L. Spahr, P.E.  
City Engineer

**MOVED** by Alderman Schmigel                      **SECONDED** by Alderman Marranta  
That the Common Council hereby approves the Supplemental Agreement No.1 for additional design scope with Hazen and Sawyer, 1 Seneca Street, Suite 2875, Buffalo, NY 14203; in an amount of \$270,000; and authorizes the Mayor to sign said contract.

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

**Nays:** None (0)

**CARRIED.**

---

**V. Supt. Water/Wastewater**

March 14, 2024

**Hon. Mayor Austin Tylec  
And Common Council  
216 Payne Ave. / City Hall  
North Tonawanda, NY 14120**

**Honorable Body:**

On February 28, 2024 we received two (2) bids for the Wastewater and Water Plant Chlorine. The low bid violated our language set in the bid "escalator clauses or other

conditions will not be considered and will negate the bid". The high bid is considerably higher in price and should not be accepted.

Therefore, I recommend that you formally reject all of the above mentioned bids.

Thank you for your time and consideration of my request.

Sincerely,  
Jason W. Koepsell  
Supt. Water/Wastewater

**MOVED by Alderman Lavey                      SECONDED by Alderman Loncar**  
That the Common Council hereby rejects all bids received for Chlorine Supply for the Water and Wastewater Treatment Plants.

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

**Nays: None                      (0)**

**CARRIED.**

**VII.1 Accountant**

**March 14, 2024**

**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 March 19<sup>th</sup>, 2024 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 Marranca                      SECONDED by Alderman Lavey**  
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated March 19<sup>th</sup>, 2024, and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

<b>01</b>	<b>General Fund</b>	<b>\$285,755.67</b>
<b>02</b>	<b>Water Fund</b>	<b>\$48,443.33</b>
<b>04</b>	<b>Sewer Fund</b>	<b>\$136,073.79</b>
<b>06</b>	<b>Capital Project Fund</b>	<b>\$156,040.67</b>
<b>07</b>	<b>Trust &amp; Agency Fund</b>	<b>\$5,900.04</b>
<b>00</b>	<b>Final Total</b>	<b><u>\$632,213.50</u></b>

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

**Nays: None                      (0)**

**CARRIED.**

VII.2 Accountant

March 11, 2024

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 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 2024 appropriations, based on the request of the Department Head, copy attached.

<u>Amount</u>	<u>Increase Account</u>	<u>Decrease Account</u>
\$18,000	002.8340.0232	002.8340.0420
	Water Distribution – Pickup Truck	Water Distribution – Repairs & Maintenance

<u>Amount</u>	<u>Increase Account</u>	<u>Decrease Account</u>
\$12,000	002.8340.0232	002.8340.0420
	Water Distribution – Pickup Truck	Water Distribution – Water Meters & Parts

Reason: Addressing high need in replacing Water Distributions box truck.

Warm Regards,  
Jeffrey Zellner  
City Accountant

**MOVED by Alderman Lavey                  SECONDED by Alderman Schmigel**  
**That the Common Council hereby authorizes the City Accountant to make the following Budgetary Transfer of fiscal year 2024 appropriations, based on the request of the Department Head:**

<u>Amount</u>	<u>Increase Account</u>	<u>Decrease Account</u>
\$18,000	002.8340.0232	002.8340.0420
	Water Distribution – Pickup Truck	Water Distribution – Repairs & Maintenance

<u>Amount</u>	<u>Increase Account</u>	<u>Decrease Account</u>
\$12,000	002.8340.0232	002.8340.0420
	Water Distribution – Pickup Truck	Water Distribution – Water Meters & Parts

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

VII.3 Accountant

March 14, 2024

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



**Dear Honorable Body:**

**In accordance with the City of North Tonawanda 2024 Capital Improvement Plan, please find a serial bond resolution in the aggregate amount of \$11,064,260 from our Bond Counsel, Harris Beach, LLP.**

**Accordingly, please have this resolution adopted by at least a two-thirds vote of the body and have it published in the official newspaper of the City, together with the legal notice of estoppel.**

**This resolution is for the 2024 Capital Projects that have been agreed upon by the department heads along with the Mayor.**

**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 March 19<sup>th</sup>, 2024, approved the Amended Serial Bond Resolution for Various Public Improvements and it reads as follows:**

**BOND RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF NORTH TONAWANDA, NIAGARA COUNTY, NEW YORK (THE "CITY") AUTHORIZING THE ISSUANCE OF \$11,064,260 IN SERIAL BONDS OF THE CITY TO FINANCE VARIOUS PUBLIC IMPROVEMENTS**

**WHEREAS**, the Common Council of the City of North Tonawanda (the "City") proposes to authorize the issuance of \$11,064,260 in serial bonds of the City to finance various public improvements and purposes, as described herein, appropriate funds for such purposes, and to make certain determinations in connection with such purposes; and

**WHEREAS**, all conditions precedent to the financing of each of the objects or purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act (collectively, "SEQRA"), have been performed and therefore no further action need be taken by the Common Council under SEQRA as a pre-condition to the adoption of this resolution; and

**WHEREAS**, the Common Council now wishes to appropriate funds for the various public improvements and purposes and to authorize the issuance of the City's bonds and bond anticipation notes to be issued to finance said appropriation.

**NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF NORTH TONAWANDA, NIAGARA COUNTY, NEW YORK HEREBY RESOLVES (by the affirmative vote of not less than two-thirds of all the members of such body), AS FOLLOWS:**

**SECTION 1.** The City is hereby authorized to issue \$257,500 principal amount of serial bonds pursuant to the provisions of the Local Finance Law (the "Law") to finance the estimated cost of certain improvements to the Live Hose Co. #4 building located at the intersection of Vandervoort Street and Goundry Street, consisting of the construction or reconstruction of the floor within the firehouse and including support beams and structural columns, and any appurtenant and incidental costs and expenses. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$257,500, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of up to \$257,500 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, (ii) the application of Federal, State and local grant monies expected to be received by the City to either directly pay or reimburse a portion of the cost of the project and/or to repay a portion of any such bond anticipation notes issued under the authority of this resolution, and (iii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest

thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is twenty-five (25) years, pursuant to subdivision 12(a)(1). of paragraph a. of Section 11.00 of the Law.

**SECTION 2.** The City is hereby authorized to issue \$315,695 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of acquiring various pieces of equipment for use at the Deerwood Golf Course, including any appurtenant and incidental costs and expenses. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$315,695, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of up to \$315,695 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds and (ii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is fifteen (15) years, pursuant to subdivision 28. of paragraph a. of Section 11.00 of the Law.

**SECTION 3.** The City is hereby authorized to issue \$283,250 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of a capital improvement plan to conduct a city-wide “lead service line replacement inventory” as required by the United States Environmental Protection Agency, including any appurtenant and incidental costs and expenses. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$283,250, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of up to \$283,250 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds and (ii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is five (5) years, pursuant to subdivision 62(a)(2<sup>nd</sup>). of paragraph a. of Section 11.00 of the Law.

**SECTION 4.** The City is hereby authorized to issue \$312,863 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of a capital improvement plan to aid in determining future improvements to the City’s water distribution system, including preliminary and incidental costs related thereto. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$312,863, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of up to \$312,863 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, (ii) certain other funds of the City, and (iii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is forty (40) years, pursuant to subdivisions 62(a)(2<sup>nd</sup>). and 4. of paragraph a. of Section 11.00 of the Law.

**SECTION 5.** The City is hereby authorized to issue \$312,862 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of a capital improvement plan to aid in determining future improvements to the City’s sanitary and storm sewer infrastructure, including any preliminary and incidental costs related thereto. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$312,862, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of up to \$312,862 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, (ii) certain other funds of the City, and (iii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is forty (40) years, pursuant to subdivisions 62(a)(2<sup>nd</sup>). and 4. of paragraph a. of Section 11.00 of the Law.

**SECTION 6.** The City is hereby authorized to issue \$1,030,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of a capital improvement plan to study the feasibility of future development and/or expansion at the Niagara County Parks and Recreation Department located at 500 Wheatfield Street, including any appurtenant and incidental costs and expenses. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$1,030,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of up to \$1,030,000 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, (ii) the application of Federal, State and local grant monies expected to be received by the City to either directly pay or reimburse a portion of the cost of the project and/or to repay a portion of any such bond anticipation notes issued under the authority of this resolution, and (iii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is fifteen (15) years, pursuant to subdivisions 62(a)(2nd). and 12(a)(2). of paragraph a. of Section 11.00 of the Law.

**SECTION 7.** The City is hereby authorized to issue \$147,290 principal amount of serial bonds pursuant to the provisions of the Law to finance the construction of alterations and/or renovations to the City's Police Department located at 216 Payne Avenue, including any appurtenant and incidental costs and expenses. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$147,290, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of up to \$147,290 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds and (ii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is twenty-five (25) years, pursuant to subdivision 12(a)(1). of paragraph a. of Section 11.00 of the Law.

**SECTION 8.** The City is hereby authorized to issue \$8,404,800 principal amount of serial bonds pursuant to the provisions of the Law to finance the construction of a replacement municipal swimming pool at Memorial Park, including the construction of a new pool house, related site improvements and any appurtenant and incidental costs and expenses. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$8,404,800, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of up to \$8,404,800 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, (ii) the application of Federal, State and local grant monies expected to be received by the City to either directly pay or reimburse a portion of the cost of the project and/or to repay a portion of any such bond anticipation notes issued under the authority of this resolution, and (iii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is twenty (20) years, pursuant to subdivision 61. of paragraph a. of Section 11.00 of the Law.

**SECTION 9.** The temporary use of available funds of the City, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. This resolution shall constitute a declaration of "official intent" to reimburse the expenditures as part of the projects described herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulation Section 1.150-2.

**SECTION 10.** Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the City, payable as to both principal and interest by a general tax upon all the real property within the City without legal or

constitutional limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

**SECTION 11.** Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations, and of Section 21.00, Section 50.00, Section 54.90, Sections 56.00 through 60.00, Section 62.10 and Section 63.00 of the Law, the powers and duties of the Common Council relative to authorizing bond anticipation notes and prescribing the terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the City Clerk-Treasurer, the chief fiscal officer of the City. Further, in connection with bonds and bond anticipation notes issued under the authority of Sections 4 and 5 hereof, the power to contract with and sell bonds and bond anticipation notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Law and to approve the terms, form and content of such bonds and bond anticipation notes, consistent with the provisions of the Law, is hereby delegated to the City Clerk-Treasurer. Further, pursuant to subdivision b. of Section 11.00 of the Law, in the event that bonds to be issued for any of the objects or purposes authorized by this resolution are combined for sale, pursuant to subdivision c. of Section 57.00 of the Law, with bonds to be issued for one or more other objects or purposes authorized by this resolution or other resolutions of the Common Council, then the power of the Common Council to determine the “weighted average period of probable usefulness” (within the meaning of subdivision a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the City Clerk-Treasurer, as the chief fiscal officer of the City.

**SECTION 12.** The City Clerk-Treasurer is hereby further authorized to execute, on behalf of the City, a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific objects or purposes described in Sections 4 and 5 hereof, or a portion thereof, by a serial bond, and, or a bond anticipation note issue in the event of the sale of same to the New York State Environmental Facilities Corporation.

**SECTION 13.** The City Clerk-Treasurer is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for Federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the “Code”) and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as “qualified tax-exempt bonds” in accordance with Section 265(b)(3)(B)(i) of the Code.

**SECTION 14.** The City Clerk-Treasurer is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchaser of any of the bonds or notes authorized by this resolution in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

**SECTION 15.** The intent of this resolution is to give the City Clerk-Treasurer sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Common Council.

**SECTION 16.** The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the constitution.

**SECTION 17.** This resolution shall take effect immediately upon approval by the Mayor and the City Clerk-Treasurer is hereby authorized and directed to publish the foregoing resolution in full, or a summary thereof, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the official newspaper(s) of the City (a) for such publication, and (b) for the publication of the notice of sale in connection with any bonds issued pursuant to this resolution.

**The following vote was taken and recorded in the public or open session of said meeting:**

**AYES: Alderman Schmigel, Marranca, Loncar, Lavey, DiBernardo (5)**  
**NAYS: None (0)**

**This resolution shall take effect immediately.**

**STATE OF NEW YORK )**  
**COUNTY OF NIAGARA ) ss:**

I, the undersigned City Clerk-Treasurer of the City of North Tonawanda, Niagara County, New York (the "City"), DO HEREBY CERTIFY as follows:

1. I am the duly qualified and acting City Clerk-Treasurer of the City and the custodian of the records of the City, including the minutes of the proceedings of the Common Council of the City, and am duly authorized to execute this certificate.

2. A regular meeting of the Common Council of the City (the "Common Council") was held on March 19, 2024, Minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with the law for the purpose of recording the minutes of meetings of said Common Council. Attached hereto is a true and correct copy of a resolution duly adopted at said meeting and entitled:

**BOND RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF NORTH TONAWANDA, NIAGARA COUNTY, NEW YORK (THE "CITY") AUTHORIZING THE ISSUANCE OF \$11,064,260 IN SERIAL BONDS OF THE CITY TO FINANCE VARIOUS PUBLIC IMPROVEMENTS**

3. Public Notice of the time and place of said meeting was duly posted and duly given to the public and the news media in accordance with the Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, and that all members of said Board had due notice of said meeting. The meeting was duly convened and held and that said Bond Resolution was duly adopted in all respects in accordance with the law and regulations of the City. To the extent required by law or said regulations, due and proper notice of the meeting was given. A legal quorum of members of the Common Council was present throughout said meeting, and a legally sufficient number of members (2/3's of the Common Council) voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under the law, said regulations, or otherwise, incident to said meeting and the adoption of the resolution, including the publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

4. Following the adoption of said resolution, it was duly approved [or was deemed to have been approved] by the Mayor of the City on March 19<sup>th</sup>, 2024, in accordance with the requirements of Section 2.023 of the City's Charter and said resolution became effective upon such approval.

5. The seal appearing below constitutes the official seal of the City and was duly affixed by the undersigned at the time this certificate was signed.

**IN WITNESS WHEREOF**, I have hereunto set my hand and have hereunto affixed the corporate seal of the City of North Tonawanda this 19<sup>th</sup> day of March, 2024.

**CITY OF NORTH TONAWANDA**

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

**ESTOPPEL NOTICE**

The resolution, a summary of which is published herewith, has been adopted by the Common Council of the City of North Tonawanda on March 19, 2024, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the City of North Tonawanda, Niagara County, New York is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

Donna Braun, City Clerk-Treasurer  
City of North Tonawanda

**SUMMARY OF BOND RESOLUTION**

Set forth below is a summary of said resolution adopted by the Common Council of the City of North Tonawanda on March 19, 2024.

1. The resolution is entitled "BOND RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF NORTH TONAWANDA, NIAGARA COUNTY, NEW YORK (THE "CITY") AUTHORIZING THE ISSUANCE OF \$11,064,260 IN SERIAL BONDS OF THE CITY TO FINANCE VARIOUS PUBLIC IMPROVEMENTS" and authorized serial bonds of the City for the following respective specific objects or purposes, including all the respective principal amounts, and the respective periods of probable usefulness ("PPU"), as indicated below:

(a) Bonds in the principal amount of \$257,500 to finance the estimated cost of certain improvements to the Live Hose Co. #4 building located at the intersection of Vandervoort Street and Goundry Street consisting of the construction or reconstruction of the floor within the firehouse including support beams and structural columns, and any appurtenant and incidental costs and expenses; PPU of 25 years;

(b) Bonds in the principal amount of \$315,695 to finance the estimated cost of acquiring various pieces of equipment for use at the Deerwood Golf Course, including any appurtenant and incidental costs and expenses; PPU of 15 years;

(c) Bonds in the principal amount of \$285,250 to finance the estimated cost of a capital improvement plan to conduct a city-wide "lead service line replacement inventory" as required by the United States Environmental Protection Agency, including any appurtenant and incidental costs and expenses; PPU of 5 years;

(d) Bonds in the principal amount of \$312,863 to finance the estimated cost of a capital improvement plan to aid in determining future improvements to the City's water distribution system, including preliminary and incidental costs related thereto; PPU of 40 years;

(e) Bonds in the principal amount of \$312,862 to finance the estimated cost of a capital improvement plan to aid in determining future improvements to the City's sanitary and storm sewer infrastructure, including any preliminary and incidental costs related thereto; PPU of 40 years;

(f) Bonds in the principal amount of \$1,030,000 to finance the estimated cost of a capital improvement plan to study the feasibility of future development and/or expansion at the Niagara County Parks and Recreation Department located at 500 Wheatfield Street, including any appurtenant and incidental costs and expenses; PPU of 15 years;

(g) Bonds in the principal amount of \$147,290 to finance the construction of alterations and/or renovations to the City's Police Department located at 216 Payne Avenue, including any appurtenant and incidental costs and expenses; PPU of 25 years; and

(h) Bonds in the principal amount of \$8,404,800 to finance the construction of a replacement municipal swimming pool at Memorial Park, including the construction of a new pool house, related site improvements and any appurtenant and incidental costs and expenses; PPU of 20 years.

2. Aggregate amount of Debt Obligations Authorized: up to \$11,064,260.

The resolution summarized herein shall be available for public inspection during normal business hours at the offices of the City Clerk-Treasurer, City of North Tonawanda, City Hall, 216 Payne Avenue, North Tonawanda, New York 14120

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

---

## IX. Supt. Public Works

**March 13, 2024**

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

**Re: 2024 Concrete Sidewalk and Curb Replacement Contract  
 Award of Contract**

**Dear Honorable Body:**

**On March 13, 2024, four (4) bids were received and opened by the City Clerk for the 2024 Concrete Sidewalk and Curb Replacement Contract. The results are as follows:**

**Total Base Bid:**

<b>1. Malvestuto Construction Inc.</b>	<b>\$384,480.00</b>
<b>2. Emerald Services of WNY, Inc.</b>	<b>\$511,280.00</b>
<b>3. Millennium Construction, Inc.</b>	<b>\$513,000.00</b>
<b>4. Bella Concrete Solutions LLC</b>	<b>\$560,000.00</b>

**The Engineering Department and DPW have reviewed the bid results and are recommending award of the Contract. Accordingly, I respectfully request that the Common Council award the 2024 Concrete Sidewalk and Curb Replacement Contract to Malvestuto Construction, Inc., 2043 Cayuga Drive Ext., Niagara Falls, NY 14304, at their low Base Bid amount of \$384,480.00; authorizing the Mayor to sign said contract subject to review by the City Attorney.**

**Very truly yours,  
 Mark Zellner  
 Supt. of Public Works**





**MOVED by Alderman Loncar                      SECONDED by Alderman Marranta**  
That the Common Council hereby approves entering into an advertising and marketing program agreement with Cumulus Radio Station Group (97 Rock, 104.1 WHTT, Sports Radio 1270 The Fan, 103.3 The Edge) for the purpose of advertising and increasing the exposure of Deerwood Golf Course to the public, for the 2024 Golf Season.

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

**Nays: None                      (0)**

**CARRIED.**

---

**XXV. Monthly Reports**

**.1 Clerk-Treasurer**

**MOVED by Alderman Marranta                      SECONDED by Alderman Lavey**  
That the Common Council hereby receives and files the aforementioned Monthly Report.

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

**Nays: None                      (0)**

**CARRIED.**

---

**COMMUNICATIONS FROM OTHERS**

**A.**

**Sweeney Hose Company**

**March 10, 2024**

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

**Dear Honorable Council:**

**The Sweeney Hose Fire Company #7 has expelled the following members from its roster:**

**Mathew Black, Kyle Garrison**

**Please update accordingly the official roster kept within the City of North Tonawanda records.**

**Sincerely,  
Daniel D. Schmidt  
Sweeney Hose Secretary**

**MOVED by Alderman Lavey                      SECONDED by Alderman Schmigel**  
That the Common Council hereby approves the removal of Mathew Black and Kyle Garrison from the North Tonawanda Fire Rolls.

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

**Nays: None                      (0)**

**CARRIED.**

---

**B.**

**Natalie Brown**

**February 28, 2024**

**North Tonawanda Common Council  
216 Payne Avenue**

North Tonawanda, NY 14120

Dear Common Council Members,

My name is Natalie Brown. I own and manage the Project 308 Gallery located at 308 Oliver Street in North Tonawanda. I am requesting Oliver Street to be closed from Robinson St. to Schenck Street (one block) on Saturday, August 3, 2024, from 9am-5pm for the 9<sup>th</sup> Annual Oliver Street Art Festival. I am excited to bring the art festival to the neighborhood for its ninth year!

As we've done in the past. I'd like to showcase the work of over 80 artist vendors while attendees enjoy live music all day, food trucks and activities for kids. As I've done in the past, I plan to reach out to local community groups to showcase like the Oliver Street Merchants Association, the Old Chapel Antique Store and more. The community not only expects the festival each year, but they also enjoy how the festival livens up the neighborhood for a day.

Allowing me to close the street to host the festival is the first step towards a successful and fun event for the community. Please feel free to contact me with questions at the number below. Thank you for your time and consideration.

Sincerely,  
Natalie Brown

MOVED by Alderman Schmigel

SECONDED by Alderman Loncar

That the Common Council hereby grants permission to Project 308 Gallery to block off Oliver Street from Robinson Street to Schenck Street, Saturday, August 3<sup>rd</sup>, from 9 AM to 5 PM for their 9<sup>th</sup> Annual Oliver Street Art Festival and directs the DPW to provide barricades for said event.

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

(5)

Nays: None

(0)

CARRIED.

C.

Botanical Garden Org.

February 26, 2024

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

Dear Honorable Body,

The City of North Tonawanda Community Development Department and Parks and Recreation Department is assisting the North Tonawanda Botanical Gardens Organization (NTBGO) with the preparation of a funding application to the Niagara River Greenway Commission Parks, Recreation and Tourism Ad Hoc Committee.

The NTBGO is seeking \$98,000 from the Niagara River Greenway Commission Parks, Recreation & Tourism Ad Hoc Committee to complete Phase 1 of the Green Infrastructure project at 1825 Sweeney Street in the City of North Tonawanda. Phase 1 includes the entranceway construction and professional engineering services for all phases of the project.

Upon completion of this project, it will assist in the implementation of the NTBGO Master Plan by redesigning the gateway for entering and exiting the park, with a monument wayfinding sign to identify public access to the waterfront. This will provide a critical connection to the extension of the Erie Canalway Bicycle Path project, which intersects with the parking lot entrance on Sweeney Street.

This project meets the goals of the Niagara River Greenway Plan, as well as the City's revitalization goals for the waterfront as it will increase public access, increase connectivity, boost visitation, and maintain the ecological integrity of our waterfront. Additionally, this project will leverage past NTBGO efforts including the living shoreline project and the recently rebuilt boat launch project.

I am kindly requesting that the North Tonawanda Common Council authorize the North Tonawanda Botanical Gardens Organization to submit a funding request to the Niagara River Greenway Commission Parks, Recreation and Tourism Ad Hoc Committee and provide a certified municipal resolution to include with our application.

If you have any questions, please do not hesitate to contact me at 716-949-1295.

Sincerely,  
David Conti  
President

**MOVED** by Alderman Lavey                      **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 March 19<sup>th</sup>, 2024, approved the Resolution to the Niagara River Greenway Commission Parks, Recreation and Tourism Ad Hoc Committee to complete Phase 1 of the Green Infrastructure Project at 1825 Sweeney Street and it reads as follows:

**WHEREAS**, the Parks, Recreation & Tourism Ad Hoc Committee is accepting funding applications for their open round of 2024 funding, with the purpose of providing organizations with financial assistance for waterfront revitalization projects; and

**WHEREAS**, the North Tonawanda Botanical Garden Organization is seeking to apply for a \$98,000 Parks, Recreation & Tourism Ad Hoc Committee grant to acquire funding for Phase 1 of the Green Infrastructure Project at the North Tonawanda Botanical Garden. Phase 1 includes the entrance construction and professional engineering services.

**WHEREAS**, the funding application meets the goals of the City's waterfront revitalization plans as well as the North Tonawanda Botanical Garden Organization Master Plan; and

**NOW THEREFORE, BE IT RESOLVED**, that the North Tonawanda Common Council fully supports the North Tonawanda Botanical Garden Organization in putting forth a \$98,000 funding application to the Parks, Recreation & Tourism Ad Hoc Committee and that the project is consistent with the City's waterfront revitalization plans, that the proposed funding request is appropriate for the project, and that the project facilitates both effective and efficient use of public resources to promote waterfront accessibility and the preservation of community resources.

**BE IT FURTHER RESOLVED** that the North Tonawanda Common Council hereby authorizes the North Tonawanda Botanical Garden Organization to sign and submit a grant application request in an amount of \$98,000 to the Parks, Recreation & Tourism Ad Hoc Committee.

In the event that North Tonawanda Botanical Garden Organization, Inc. ceases to complete engineering, construction and maintenance of Phase 1 of the Green Infrastructure Project at the North Tonawanda Botanical Garden located at 1825 Sweeney Street, North Tonawanda, New York, at the Botanical Garden, the City of North Tonawanda will take over the completion of engineering, construction and maintenance of said entrance project.

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

**(5)**

**Nays: None**

**(0)**

**CARRIED.**

**D.**  
**Herschell Carrousel Museum**

**March 5, 2024**

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

**Common Council Members,**

**The Herschell Carrousel Factory Museum is asking the council to approve the use of public facilities and the closing of a public street for the fourth annual Classics at the Carrousel fundraiser car show Saturday, July 20<sup>th</sup> from 11am-3pm. The museum is seeking the use of Heritage Park and Felton Field and closing Thompson Street from Lincoln Avenue to Vandervoort Street for the duration of the event.**

**This will be the fourth edition of the Classics at the Carrousel Car Show, and the second year asking for the closure of the street. The closing of the street offers the public a safer venue to view all the vehicles located in Heritage Park and Felton Field. Last year we received 88 vehicles for the event and are expecting over 100 this year. By closing the street to only local traffic, we created a safer environment for the public visiting the event. We are seeking barriers from the Department of Public Works and Auxiliary Police to man these barriers during the event (11am-3pm). After approval, I will work with these groups for the event.**

**The Classics at the Carrousel is a large fundraising event for the museum, raising over \$6,000 last year. The event includes: a car show with prizes, music, a 50/50 raffle, a basket raffle, and food trucks. The event is free for the public to attend, and it is \$20 per vehicle to participate in the show. Last year's attendance was double the previous years at approximately 500 people. We expect similar crowds for this year's event. Neighbors have been informed of previous iterations, and only have parking concerns. The museum will continue to place signs up at the parking spots on Heritage Park and Lincoln Avenue, stating it is not event parking. We already have an agreement with Monarch Kitchen Design to use their parking lot for visitor parking on the day of the event. With these plans in place, we are confident that the event will be a successful event for the public, the museum, and the city.**

**Sincerely,**  
**Ian K. Seppala**

**MOVED by Alderman DiBernardo      SECONDED by Alderman Loncar**  
**That the Common Council hereby grants permission for the Carrousel Museum to have use of Heritage Park and Felton Field with the closing off of Thompson Street from Lincoln to Vandervoort, Saturday, July 20<sup>th</sup>, 2024, from 11am to 3pm, for their Classics at the Carrousel event. The council also directs DPW and the Police Department to assist for said event.**

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

**Nays: None      (0)**

**CARRIED.**

**E.**  
**Carnegie Art Center**

**March 4, 2024**

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

**Re: Carnegie Art Spree! Festival Street Closure Request August 17-18, 2024**

**Common Council,**

The staff and board at the Carnegie Art Center are requesting your approval for street closures in the boundaries of Sweeney Street, Webster Street (Tremont to Renaissance Bridge block), and the Renaissance Bridge for the second year of a local art festival on the dates of Saturday, August 17 and Sunday, August 18, 2024 from 7am-5pm. Last year saw over 60 artists participate and news coverage in Buffalo Rising, Ken-Ton Bee, WGRZ, Spectrum News, and WIVB. The Carnegie Art Spree! Festival will be a juried art festival showcasing local artists with booth spaces and highlighting the Downtown District of North Tonawanda. Appropriate insurance riders for this event have been priced and will be purchased after final approval from the Common Council. We are coordinating with the City of Tonawanda to have this event continue across the Renaissance Bridge along Main Street. In addition, the Carnegie Art Center is proposing to pay the City of North Tonawanda fee of up to \$4,000 to offset DPW, Police, and Emergency Services coverage based on hours recorded.

The purpose of the Carnegie Art Center is to sponsor, promote and encourage the development of visual and performing arts. The organization provides educational and cultural enrichment to the Western New York region. Like many volunteer-based non-profits, the Carnegie has seen steep declines in revenue. The Carnegie Art Spree! Festival will help bolster our mission and serve as a much needed fundraiser for our programming, operations, and long term goals of sustainable business practices.

Your approval will help support our mission, underscore the importance of and commitment to the arts in North Tonawanda, and emphasize our local business and historic district downtown. Thank you for your time.

Sincerely,  
 Kristin Derby  
 President, Carnegie Art Center

**MOVED** by Alderman DiBernardo      **SECONDED** by Alderman Lavey  
 That the Common Council hereby grants permission to the Carnegie Art Center to close Sweeney Street, Webster Street and the Renaissance Bridge, Saturday, August 17<sup>th</sup> and Sunday, August 18<sup>th</sup>, 2024, from 7am to 5pm for the Carnegie Art Spree! Festival and directs the Police Department and the DPW to assist with necessary accommodations for said event.

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

Nays: None (0)

**CARRIED.**

---

F.  
 Michael Carney

March 12, 2024

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

Dear Honorable Body:

I, Michael Carney, 407 Bennett Street, North Tonawanda, NY 14120, am requesting to be appointed as Commissioner of Deeds for the City of North Tonawanda. Thank you.

Sincerely,  
 Michael Carney

**MOVED** by Alderman Marranca                      **SECONDED** by Alderman Loncar  
**That the Common Council hereby approves Michael Carney, 407 Bennett Street, North Tonawanda, NY to be a Commission of Deeds for the City of North Tonawanda effective March 20, 2024, and expiring March 19, 2026.**

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

**Nays:** None (0)

**CARRIED.**

---

**AUDIENCE PARTICIPATION**

**Tim Yager, 651 Nash Road** – Very concerned about the merging lanes on Nash Rd. says it is like a racetrack.

**Darlene Bolsover, 1337 Sweeney St.** – Wanted to know about the reassessment and if the city must amend this bond.

---

**ADJOURNMENT**

**MOVED** by Alderman Lavey                      **SECONDED** by Alderman Schmigel

**That this regular session of the Common Council be and hereby is adjourned.**

**CARRIED.**

---

**Time of Adjournment: 7:37 P.M.**

**Executive Session – To Discuss Contract with School District**

**MOVED** by Alderman Lavey                      **SECONDED** by Alderman Schmigel

**To convene an Executive Session of the Common Council.**

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

**Nays:** None (0)

**CARRIED.**

---

**MOVED** by Alderman Lavey                      **SECONDED** by Alderman Schmigel

**To go out of the Executive Session of the Common Council.**

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

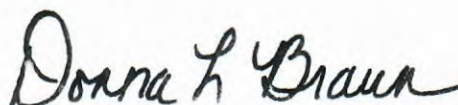
**Nays:** None (0)

**CARRIED.**

---

**Time of Adjournment: 7:48 P.M.**

Respectfully submitted,



Donna L. Braun  
City Clerk-Treasurer