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

Lori Swartz Assistant City Clerk

Denise Proefrock Assistant City Treasurer

### City of North Tonamanda

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

June 26, 2025

The following meetings have been scheduled for <u>TUESDAY</u>, <u>JULY 1</u>, <u>2025</u>

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

6:30 PM Common Council Meeting

Respectfully submitted,

Donna L. Braun

City Clerk-Treasurer

TO: Honorable Mayor & Common Council

Alderman Schmigel, DiBernardo, Lavey, Loncar, Marranca

FROM: Donna L. Braun, City Clerk-Treasurer

RE: Agenda for Regular Session TUESDAY, JULY 1, 2025, 6:30PM

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

#### PROOF OF PUBLICATION PUBLISHED 06/17/2025

1.) Legal Notice Request for Proposals for Interested Parties Seeking to License 50 feet of Seasonal Dock Space along the Sweeney Canal Docks – Dir. Youth, Recreation, Parks & Seniors

#### PROOF OF PUBLICATION PUBLISHED 06/21/2025

1.) Legal Notice – Request for Proposals for the Wurlitzer Court Resurface and Pickleball Conversion – Dir. Youth, Recreation, Parks and Seniors

#### **COMMUNICATIONS FROM CITY OFFICIALS**

II.1 Attorney Re: Approval of the Proposed Bargain and

Sale Deed with Lien Covenant between City of North Tonawanda and MCW Construction, Inc. to become the entrance

to the Wachowicz Project

II.2 Attorney Re: Approval of Amendments to City Code

§98-8 (c) Application for Water Service, §98-11 (c)(1) Installation of Meters-Domestic Meters and §98-14 Penalties for

**Offenses** 

VII. Accountant Re: Payment of the Abstract of Claims Dated

July 1, 2025

XVII. Traffic Safety Committee Re: Various Traffic Safety Recommendations

from their June meeting

XXXII. Dir. Community Development Re: Approval of a City of North Tonawanda

**Zoning Code Update - Consultant** 

Selection

#### **COMMUNICATIONS FROM OTHERS**

A.

North Tonawanda Athletic Association Re: Permission to close Strad Avenue for the

NTAA's 50th Anniversary Celebration,

Saturday, August 30th

B.

Live Hose Company Re: Exemption Petition for 50 years of service

for James Walters

Donna J. Braun

Respectfully submitted,

Donna L. Braun

City Clerk-Treasurer

### STATE OF NEW YORK NIAGARA COUNTY,} SS,

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

### RECEIVED CITY CLERK'S OFFICE

2025 JUN 25 AX8:35 MODEL TOYANANDA NY

#### **NIAGARA GAZETTE**

A newspaper published in the County and State aforesaid, and that the annexed printed legal # 350099 was printed and published in said paper on the following dates:

06/17/2025

Principal Clerk

Subscribed and sworn to before me this

Teresa L McCarthy

02/26/2026

Notary Public

**Expiration Date** 

TERESA L MCCARTHY
Notary Public - State of New York
No. 01 MC4962698
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 in the clerks office, 216 Payne Avenue, North Tonawanda, NY 14120, until July 8 at 4:00pm (EST) for interested parties seeking to license 50 feet of seasonal dock space for commercial use along the Sweeney Canal Docks.

The Request for Proposals (RFP) shall be available in the following formats: electronic email (Adobe Acrobat \*.PDF format) by contacting Alex Domaradzki at <a href="mailto:alexa@northtonawanda.org">alexa@northtonawanda.org</a> or online at www.ntparksrec.com.. Each proposal shall contain the full name and address of each person or company submitting the proposal. Proposals shall be delivered NO LATER THAN JULY 8, 2025, at 4:00pm (EST) to:

Alex Domaradzki
Parks & Recreation Director
City of North Tonawanda
216 Payne Avenue
North Tonawanda, NY 14120

All questions shall be submitted in writing and shall be emailed to alexd@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#350099

6/17/2025

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

2025 JUN 25 AH9:13 NORTH TONAWANDA NY

RECEIVED
OUTY CLERK'S OFFICE

#### NIAGARA GAZETTE

A newspaper published in the County and State aforesaid, and that the annexed printed legal # 350140 was printed and published in said paper on the following dates:

06/21/2025

Principal/Clerk

Subscribed and sworn to before me this

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

H-

ed

21.

ΙY

Sealed proposals will be received by the City of North Tonawanda in the clerks office, 216 Payne Avenue, North Tonawanda, NY 14120, and opened 111. 2025 at 11:00am (EST) for interested parties seeking bid on the Wuritzer Court Resurface and Pickleball Conversion.

The Request for Proposals (RFP) shall be available in the following formats: electronic email (Adobe Acrobat \*.PDF format) upon request by contacting Alex Domaradzki at alexd@northtonawanda.org or online at <a href="https://www.ntparksrec.com">www.ntparksrec.com</a>. Each proposal shall contain the full name and address of each person or company submitting the proposal. Proposals shall be delivered before July 11, 2025 at 11:00am (EST) to:

Alex Domaradzki
Parks & Recreation Director
City of North Tonawanda
216 Payne Avenue
North Tonawanda, NY 14120

All questions shall be submitted in writing and shall be emailed to <a href="mailto:alexd@northtonawanda.org">alexd@northtonawanda.org</a>.

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#350140

6/21/2025

## City of North Tonamanda

EDWARD A. ZEBULSKE, III **CITY ATTORNEY** 

NICHOLAS B. ROBINSON ASSISTANT CITY ATTORNEY

MATTHEW T. MOSHER ASSISTANT CITY ATTORNEY

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



'JUL 0 1 2025

June 26, 2025

Hon. Mayor and Common Council City Hall, 216 Payne Avenue North Tonawanda, New York 14120

> Proposed Bargain and Sale Deed with Lien Covenant between City of North RE: Tonawanda and MCW Construction, Inc. to Become the Entrance to the

Wachowicz Project

Dear Honorable Body:

Attached is a proposed Bargain and Sale Deed with Lien Covenant for the proposed transfer of a portion of Briarwood Drive from the City of North Tonawanda to MCW Construction, Inc., to be used as the entrance of the Wachowicz project.

Should your Honorable Body concur, please pass a resolution to permit the execution of the Bargain and Sale Deed with Lien Covenant by the Mayor, subject to any further review by the City Attorney.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

vard A. Zebwske/k Edward A. Zebulske, III

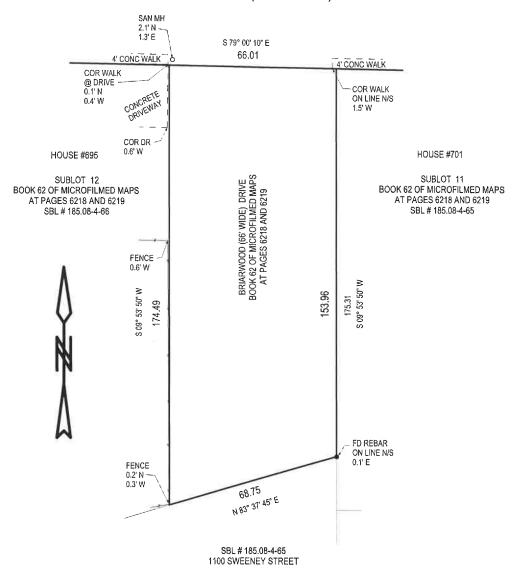
City Attorney

EAZ/lk Att.

> 2025 JUN 26 AMI1:29 CITY CLERKS DEFICE

FILE NO. 59921

### EAST GOUNDRY (66' WIDE) STREET



NOTE: UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP IS A VIOLATION OF SECTION 7209, PART 2 OF THE NEW YORK STATE EDUCATION LAW.

NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SAME.



**BISSELL, STONE ASSOCIATES** ENGINEERING AND LAND SURVEYING, P.C. CIVIL ENGINEERING : LAND SURVEYING : SITE PLANNNING : CONSULTING TELEPHONE: (716) 632-7000 FAX: (716) 632-7004

DATE: MAY 20, 2025

JOB NO: 59921

FIELD BOOK: DC 54704

SCALE 1" = 30'

SURVEY OF PART OF LOT 8 CITY OF NORTH TONAWANDA - NIAGARA COUNTY, NEW YORK - HOLLAND LAND COMPANY

SECTION --

TOWNSHIP 12

RANGE 8

RETURN TO BOX	
---------------	--

#### BARGAIN AND SALE DEED WITH LIEN COVENANT

Made the	day of	JUNE,	TWO	THOUSAND	AND	TWENTY	-FIVE

#### BY AND BETWEEN

#### CITY OF NORTH TONAWANDA,

216 Payne Avenue, North Tonawanda, NY 14120

Grantor, and

#### MCW CONST., INC.

391 River Road, North Tonawanda, NY 14120

Grantee.

**WITNESSETH**, that the said Grantor, in consideration of ONE AND NO MORE Dollars (\$1.00 & NO MORE) lawful money of the United States, paid by the Grantee, does hereby grant and release unto the Grantee, its successors and assigns forever that parcel of land more particularly described as

ALL THAT TRACT OR PARCEL OF LAND, situate in the City of North Tonawanda, County of Niagara and State of New York, being Part of Lot 8, Township 12, Range 8 of the Holland Land Company's Survey, bounded and described as follows:

Beginning at a point in the south right of way of East Goundry Street (66 feet wide) at the northeast corner of Sublot 12 as shown on the subdivision map for Briarwood Estates Subdivision filed in the Niagara County Clerk's Office in Book 62 of Microfilmed Maps at Pages 6218 and 6219; Thence easterly along a line bearing S 79° 00′ 10″ E, a distance of 66.01 feet to the northwest corner of Sublot 11 of said Book 62 of Microfilmed Maps at Page 6218 & 6219; Thence southerly along the west line of said Sublot 11 and bearing S 09° 53′ 50″ W, a distance of 153.96 feet to a point; Thence westerly along a line bearing S 83° 37′ 45″ W, a distance of 68.75 feet to the southeast point of said Sublot 12; Thence northerly along the east line of said Sublot 12 and bearing N 09° 53′ 50″ E, a distance of 174.49 feet to the point or place of beginning.

#### Commonly known as:

Vacant Land, East Goundry Street, North Tonawanda, NY 14120

SUBJECT TO easements, rights of way, restrictions, agreements and deeds of record and all other matters of record, and those state of facts shown in the survey provided to the Grantee.

TOGETHER with all right, title and interest, if any, of the Grantor in and to any streets and roads abutting the above described premises to the center lines thereof;

**TOGETHER** with the appurtenances and all the estate and rights of the Grantor in and to said premises;

TO HAVE AND TO HOLD the above granted premises unto the said Grantee, its heirs or successors and assigns forever.

AND the Grantor covenants that the Grantor has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the Grantor, in compliance with Section 13 of the Lien Law, covenants that the Grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the

improvement before using any part of the to	ite first to the payment of the cost of the standard of the same for any other purpose.
<b>IN WITNESS WHEREOF</b> , the said G day and year first above written.	rantor has hereunto set its hand and seal th
IN PRESENCE OF:	
Cit	y of North Tonawanda
Ву	: Austin J. Tylec, Mayor
STATE OF NEW YORK ) COUNTY OF NIAGARA ) SS:	
On this day of JUNE, 20 appeared AUSTIN J. TYLEC, personally kn satisfactory evidence to be the individual(s) w instrument and acknowledged to me that he/capacity(ies), and that by his/her/their signature the person upon behalf of which the individual	nose name(s) is (are) subscribed to the within /she/they executed the same in his/her/thei
	Notary Public

### City of North Tonawanda

11:2

EDWARD A. ZEBULSKE, III CITY ATTORNEY

and the second

NICHOLAS B. ROBINSON ASSISTANT CITY ATTORNEY

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

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

JUL 0 1 2025

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

April 11th, 2025

RE: Ordinance Revisions

- (1) § 98-8(c) Application for Water Service
- (2) § 98-11(c)(1) Installation of Meters Domestic Meters
- (3) § 98-14 Penalties for Offenses

Dear Honorable Body,

Below for your consideration, are two (2) proposed ordinance revisions (in **bold print**) under North Tonawanda City Code Chapter 98 – Water.

#### § 98-8 Application for Water Service:

"When making "a" service application for newly built structures, the consumer must come in person, sign the application, "and" make "an" appointment for installation of the meter. "The consumer must pay the current cost and the current rate for the meter as well as the labor for installation of the meter, which is established on the City Website." The Property owner may furnish and install new City-approved meter with no charge by the City. Upon installation, meter must be inspected by the City Water Department.

#### § 98-11 Installation of Meters:

(c) Domestic Meters

The City of North Tonawanda will provide, and the Water Department will furnish (1) "I domestic meter up to and including a size of 5/8 by ¾ to a property at no cost to the homeowner/property owner. If additional 5/8 by ¾ meters are needed for the property, the property owner will be required to pay the current meter price and installation rate for each new and/or replacement meter. Once payment and installation is complete, the City of

#### North Tonawanda will take ownership of all ¾ inch domestic meters once installed."

(1)(a) The Water Department shall install all such domestic meters, and the consumer shall be charged a service installation fee to be established by resolution of the Common Council. The Water Department will maintain, keep in repair and adjust all domestic meters except as may be otherwise provided.

#### § 98-11 (4) (added provision)

(4) If a meter is frozen, and needs to be replaced, the property owner will be charged the current cost and rate of a new meter and labor as provided on the City of North Tonawanda website.

#### § 98-14 Penalties for Offenses:

(A) Any person, firm or corporation violating any provisions of this chapter, to include tampering with the meter, shall be fined not less than \$250 nor more than \$1,000 for each offense. Further, if any monetary credit exists at the time a meter is found to have been tampered with, that existing credit shall be null and void. The Building Inspector and Code Enforcement Officer shall be responsible for enforcing compliance with this chapter.

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, etc.,

Mario J. Gregori, Esq.

City Attorney

MJG/lk Att. JEFFREY ZELLNER CTTY ACCOUNTANT City of North Tonawanda

JENNIFER CRESS
PAYROLL PERSONNEL SPECIALIST

SHERI GAMPP JUNIOR ACCOUNTANT DEPARTMENT OF ACCOUNTING CITY HALL 216 PAYNE AVENUE NORTH TONAWANDA, N.Y. 14120 TELEPHONE: (716) 695-8545 FAX: (716) 695-8573

44.

June 26, 2025

JUL 0 1 2025

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 July 1<sup>st</sup>, 2025, and further authorize the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant.

Warm Regards,

JEFFREY ZELLNER

RECEIVED

2025 JUN 26 PH1:09 NORTH TONAWANDA NY June 16th, 2025

Donna Braun

City Clerk/ Treasurer

JUL 0 1 2025

216 Payne Avenue North Tonawanda, NY 14120

**Traffic Safety Minutes:** 

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

- Request from Jenny Cress to install stop signs on Ohio at Ardmore. Ohio street is
  directly connected to Niagara Falls Blvd. As people transition to Ohio street they are
  still at a high rate of speed. With Ohio school involved and the increase of families
  the committee agreed with the request.
- 2. Member Meisenburg requested the removal of the stop signs on Evans at Bryant St. The committee agreed with the request.
- 3. Member Meisenburg requested the removal of the stop signs on Hewitt at Barrally St. The committee agreed with the request.
- 4. Request from Amanda Hockwater to remove the "No Parking" signs in front of Rescue Fire Hall. The building is no longer an active fire hall. The little league sports are still active with a concession stand making concern for safety, injury or fire. If we were to remove the "No Parking" signs a EM vehicle wouldn't be able to get down the street which is a huge safety issue. The committee denied the request.
- 5. The contractor Elderlee completed the quote for the guard rail along the curve on Payne Ave from Fredericka to Daniel drive. The city agreed to move forward, and we should see the installation soon.

The next Traffic Safety Meeting will be held on July 21st ,2025. Travel safely!

Matthew R. Meisenburg

RECEIVED
CITY CLERK'S OFFICE



## City of North Tonawanda XXX

TIXX

Department of Community Development 500 Wheatfield Street North Tonawanda, New York 14120

JUL 0 1 2025

Telephone: (716) 695-8580

June 27th, 2025

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

Re: City of North Tonawanda Zoning Code Update- Consultant Selection

Dear Honorable Body:

The City was awarded grant funding through the NYSDOS Smart Growth Planning Program for total of \$135,000 to complete a City-Wide Zoning Code update, which will assist in the implementation of the Comprehensive Plan update.

To complete this work, the city has issued a Request for Proposals (RFP) to procure the services of a professional planning firm. This firm's responsibilities will include public engagement, a local regulations assessment and recommendations report, proposed local regulations (update to the existing zoning code), SEQRA and Final GEIS development, and assistance with the local adoption process.

A request for proposals was issued in April 2025 and the City received five (5) proposals from professional firms. A review committee was convened with representation from City Engineering, Community Development, the Mayor's Office, Building Inspector's Office and a representative from Architectural Resources to review and score the proposals, and provide a recommendation to the Council.

Upon review, the committee is recommending the City select C&S Engineers to perform the zoning code update. The review committee felt the team assembled by C&S Engineers demonstrated the experience, expertise, and capacity to complete this project for the City.

I am hereby requesting this honorable body consider selecting C&S Engineers to complete the City of North Tonawanda Zoning Code Update and authorize the Mayor to sign a contract with C&S, pending review and approval City Attorney for the proposed not to exceed fee of \$150,000.

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

Very truly yours,

Laura Wilson

Director of Community Development

aura Wilson

Dear City Clerk and Members of the North Tonawanda Common Council,

JUL 0 1 2025

On behalf of the North Tonawanda Athletic Association (NTAA), I respectfully request permission to close Strad Avenue between D'Angelo Drive and the southern driveway of 1241 Strad Avenue on Saturday, August 30, 2025, from 8:00 AM to 8:00 PM.

This closure is being requested in support of a special community event—NTAA's 50th Anniversary Celebration. As part of the festivities, we will be hosting youth football and cheer games throughout the day, as well as a formal ceremony at 1:00 PM to recognize five decades of service to the youth and families of North Tonawanda. The street closure will ensure the safety of our players, spectators, and guests during this milestone event. This will also allow our families and volunteers to enjoy the festivities by closing our concession stand and having food trucks in the closed road area.

An attached map outlines the sections of Strad Avenue we are requesting to be closed for the duration of the event.

We appreciate your consideration and continued support of youth sports in our community. Please let us know if you need any additional information or documentation to process this request.

Sincerely,

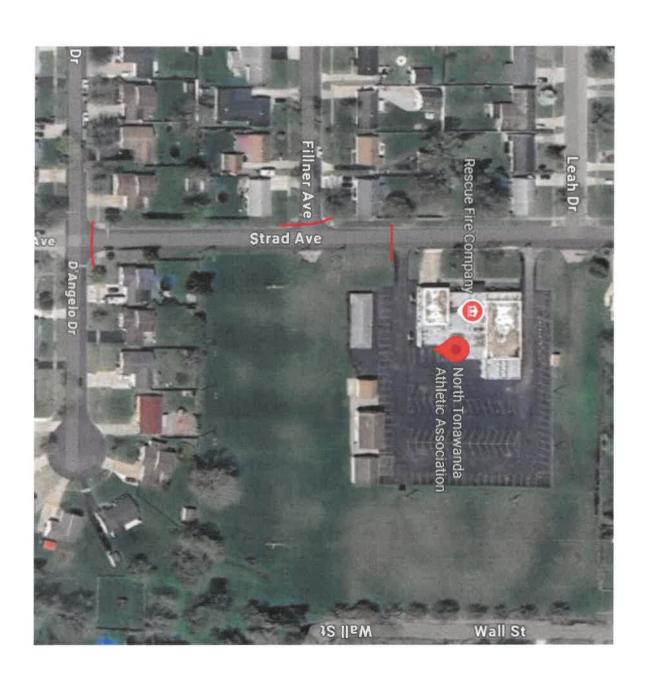
Jonathan DiVirgilio, President

North Tonawanda Athletic Association

president@ntaasports.com

716-866-0624

RECEIVED



#### BLOCK PARTY AND / OR STREET CLOSURE REQUEST

#### Required Identification

Name of Organization (if applicable) Nonn Tonawanda Athletic Association
Mailing Address 768 Payne Avenue North Tonawanda NY 14120
Phone 716-866-0624
Email president@ntaasports.com
Requests use of the following: road/street Strad Avenue between D'Angelo and the south driveway of 1241 Strad Avenue
Supplies if needed Road closure barriers
Other (describe)
Please describe activity We are celebrating NTAA's 50th anniversary and would like to utilize the road to
for food trucks to keep our lot open. This will allow us to close the stand so our members can enjoy the day
Will any Sound Systems be in Use for this Event? YesNo
Are there going to be Portable Toilets? YesNo
What company will be supplying them?
Have you Notified affected Residents and Businesses? YesNo
If yes, What Comments (if any) have they had?
Jonathan DiVirgilio residing at 768 Payne Avenue North Tonawanda NY agree on behalf of the organizer/individual indicated below that all members and guests will observe the above regulations and that we, individually and as the organizer/individual, will assume full financial responsibility for any and all damages done to City of North Tonawanda property. We also agree that to indemnify the City of North Tonawanda against any loss, damage or expense of any kind, which said city may sustain or incur as a result of the attached approved Facilities/Streets use by our organization and we will further hold said city harmless for loss of any kind in connection therewith.
Jonathan DiVirgilio Qonathan DiVingilio 06/17/2025
Jonathan DiVirgilio   Onathan DiVirgilio   O6/17/2025     Name of Individual   Date   Date
City Authorization
DateSignature of The Mayor
DateSignature of The Clerk/Treasurer
Insurance Certificate Required $\square$ YES $\square$ NO Certificate Provided $\square$ YES $\square$ NO

2025 JUN 18 AH11:33 NORTH TONAWANDA MY

# LIVE HOSE CO. NO. 4 CFD.



71 VANDERVOORT STREET NORTH TONAWANDA, NEW YORK 14120 Est. July 18, 1887



JUL 0 1 2025

June 23, 2025

Honorable Mayor & Common Council C/O City Clerk Treasurer City Hall, 216 Payne Avenue North Tonawanda, New York 14120

Re:

50 Year – Live Hose Vol. Co. #4 Volunteer Firefighter Exemption

Dear: Honorable Mayor & Common Council

The Live Hose Volunteer Fire Company No. 4, Inc., respectfully request 50-year exemption be granted to the following member.

James Walters

Joined Live Hose – March 3, 1975

Sincerely,

Live Hose Vol. Co. No. 4

David C. Maziarz

President

RECEIVED

2025 JUN 25 AH8:35 NORTH TONAWANDA NY