

416 Fairmont Ave  
North Tonawanda, NY 14120  
July 11, 2023

Ms. Donna L Braun  
City Clerk – Treasurer  
City of North Tonawanda  
City Hall  
216 Payne Avenue  
North Tonawanda, NY 14120

Dear Ms. Braun,

I am chair of the North Tonawanda Charter Review (“Committee.”)

The Committee has met twice a month over the last nine (9) months and has by consensus, on February 22, 2023, adopted the following proposed Amendment to the North Tonawanda City Charter. A copy of a red lined version of the Charter which includes the proposed Amendment is enclosed with this letter. On behalf of the Committee, I kindly request that you take the necessary steps to have the proposed Amendment forwarded to the Niagara County Board of Elections in a timely fashion and placed before the voters of the City of North Tonawanda at the next general election which is to be held on November 7, 2023.

#### **AMENDMENT**

##### **Part I**

Shall the City Attorney be appointed by the Mayor following consultation with the Common Council?

##### **Part II**

Shall the position of City Clerk–Treasurer be re-formed into two positions, with the City Clerk elected, and the Treasurer appointed by the Mayor following consultation with the Common Council?

##### **Part III**

Shall vacancies of an elected official whose term has fewer than six (6) months remaining in the position remain vacant until the next regularly scheduled election, and vacancies of an elected official whose term has six (6) months or greater be filled by Special Election whose procedures will be governed by applicable election law, rule, or regulation?

**Part IV**

Shall city budgetary deadlines revert to the City Charter of 1998?

Consistent with New York Municipal Home Rule Law Section 36, you are hereby directed to provide written confirmation no later than August 7, 2023, to the attention of the undersigned, on behalf of the Committee, at the above address that the Proposed Voter Resolution and the Proposed Amendment has been certified by your office and transmitted to the Niagara County Board of Elections in a timely fashion so that the voters of the City of North Tonawanda may properly vote on the proposed Amendment in the next general election which is to be held on November 7, 2023.

Further, consistent with the New York Municipal Home Rule Law Section 36, you are hereby directed to seek a written opinion from the office of the City Attorney as to whether or not the Proposed Resolution is in the proper form and that all other preconditions have been satisfied such that the proposed Amendment shall be properly placed before the voters of the City of North Tonawanda so they may properly vote on the proposed Amendment in the next general election which is to be held on November 7, 2023. This written opinion from the City Attorney shall also be transmitted by your office not later than August 7, 2023, to the attention of the undersigned, on behalf of the Committee, at the above address.

Should there be any questions or concerns, I can be contacted during business hours at (716) 628-2672. Thank you very much for your time and attention.

Very truly yours,

A handwritten signature in black ink, appearing to read "Louis DalPorto", written over a horizontal line.

Louis DalPorto

Chair,

North Tonawanda Charter Review Committee

Copy to: Austin Tylec, Mayor  
City Attorney  
Niagara County Board of Elections