

**THE HONORABLE BODY**  
**Council Chambers**  
**Municipal Building**  
**North Tonawanda, New York 14120**  
**Tuesday, January 4, 2022**  
**6:30 P.M.**

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**REGULAR SESSION CALLED TO ORDER BY PRESIDENT PECORARO**

**PLEDGE OF ALLEGIANCE**

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**ROLL CALL**

**Present: President Pecoraro**  
**Alderman Schmigel, DiBernardo, Lavey, Loncar**

**Absent: None**

**Also Present: Mayor Austin J. Tylec**  
**Assistant City Attorney Nicholas Robinson**

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**AUDIENCE PARTICIPATION - None**

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## **COMMUNICATIONS FROM CITY OFFICIALS**

**I.1 Mayor**

**December 20, 2021**

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

**Re: Appointment of Administrative Assistant**

**Dear Honorable Body:**

**Please be advised that I am appointing Angela Johnson, 861 Thomas Fox Dr. West, North Tonawanda NY 14120, as my Administrative Assistant effective January 1<sup>st</sup>, 2022.**

**Respectfully,**  
**Austin Tylec**  
**Mayor**

**MOVED by Alderman DiBernardo      SECONDED by Alderman Lavey**  
**That the Common Council hereby receives and files the appointment of Angela Johnson, 861 Thomas Fox Dr. West, North Tonawanda, NY 14120 as Administrative Assistant, effective January 1, 2022.**

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

**(5)**

**Nays: None**

**(0)**

**CARRIED.**

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**I.2 Mayor**

**December 29, 2021**

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

**Re: Appointment to the Zoning Board of Appeals**

**Dear Honorable Body:**

**Please be advised that I am appointing Edward Smolinski, 1097 Sweeney St, North Tonawanda NY 14120 to The Zoning Board of Appeals for a term of (5) five years effective January 1, 2022 and expiring on December 31, 2026.**

**In addition, Per the North Tonawanda City Charter, Section 103-18 Board of Appeals, I hereby designate Smolinski as Chairman of the Zoning Board of Appeals effective January 1, 2022.**

**Respectfully,  
Austin Tylec  
Mayor**

**MOVED by Alderman DiBernardo      SECONDED by Alderman Schmigel  
That the Common Council hereby receives and files the appointment of Edward Smolinski, 1097 Sweeney Street to the Zoning Board of Appeals and also as Chairman of said board, effective January 1, 2022 and expiring December 31, 2026.**

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

**(5)**

**Nays: None**

**(0)**

**CARRIED.**

**I.3 Mayor**

**December 29, 2021**

**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 on the Traffic Safety Committee:**

- 1. Joseph Sikora, 522 Homestead Dr, North Tonawanda, NY 14120, effective January 1, 2022 for a term of two (2) years, and expiring December 31, 2024.**
- 2. Robert Frank, 316 Brentwood Dr, North Tonawanda, NY 14120, effective January 1, 2022 for a term of two (2) years, and expiring December 31, 2024.**
- 3. Dennis Grinnell, 916 W Thomas Fox Dr, North Tonawanda, NY 14120, effective January 1, 2022 for a term of two (2) years, and expiring December 31, 2024.**

**I am also appointing Robert Brennan, 333 Daniel Dr, North Tonawanda, NY to the Traffic Safety Committee to complete the term of Mark Daigler, effective January 1, 2022, and expiring December 31, 2022.**

**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 reappointments of the following to the Traffic Safety Committee:

1. Joseph Sikora, 522 Homestead Dr, North Tonawanda, NY 14120, effective January 1, 2022 for a term of two (2) years, and expiring December 31, 2024.
2. Robert Frank, 316 Brentwood Dr, North Tonawanda, NY 14120, effective January 1, 2022 for a term of two (2) years, and expiring December 31, 2024.
3. Dennis Grinnell, 916 W Thomas Fox Dr, North Tonawanda, NY 14120, effective January 1, 2022 for a term of two (2) years, and expiring December 31, 2024.

Council also receives and files the appointment of Robert Brennan, 333 Daniel Drive, to the Traffic Safety Committee for a term of 2 years effective January 1, 2022 and expiring December 31, 2022 to complete the term of Mark Daigler.

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

Nays: None (0)

**CARRIED.**

**I.4 Mayor**

December 29, 2021

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

**Re: Re-Appointment to the North Tonawanda Board of Assessment**

**Dear Honorable Body:**

Please be advised that I am re-appointing Suzanne Needler, 1649 Fillner Ave, North Tonawanda, NY 14120 to the Board of Assessment Review, effective January 1, 2022 for a term of (6) six years, expiring December 31, 2027.

Thank you for your attention to this matter.

Respectfully,  
Austin Tylec  
Mayor

**MOVED** by Alderman Schmigel                      **SECONDED** by Alderman Pecoraro  
That the Common Council hereby receives and files the reappointment of Suzanne Needler, 1649 Fillner Ave, to the Board of Assessment Review, for a term of 6 years effective January 1, 2022 and expiring December 31, 2027.

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

Nays: None (0)

**CARRIED.**

**I.5 Mayor**

December 29, 2021

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



**Re: Re-Appointment of Historic Preservation Commissioners****Dear Honorable Body:****Please be advised that I am re-appointing the following individuals to the North Tonawanda Historic Preservation Commission for the following terms:**

1. Joseph Fonzi, 609 Christiana St, North Tonawanda, NY 14120, effective January 1, 2022, for a term of three (3) years, expiring December 31, 2024.
2. Andrew Klettke, 49 Dean Dr, North Tonawanda, NY 14120, effective July 31, 2021, for a term of two (2) years, expiring July 31, 2023.
3. Erin Robinson, 229 Falconer St, North Tonawanda, NY 14120, effective September 1, 2021, for a term of three (3) years, expiring August 31, 2024.

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

**Respectfully,  
Austin Tylec  
Mayor**

**MOVED by Alderman DiBernardo      SECONDED by Alderman Lavey  
That the Common Council hereby receives and files the reappointments of the following to  
the Historic Preservation Commission:**

1. Joseph Fonzi, 609 Christiana St, North Tonawanda, NY 14120, effective January 1, 2022, for a term of three (3) years, expiring December 31, 2024.
2. Andrew Klettke, 49 Dean Dr, North Tonawanda, NY 14120, effective July 31, 2021, for a term of two (2) years, expiring July 31, 2023.
3. Erin Robinson, 229 Falconer St, North Tonawanda, NY 14120, effective September 1, 2021, for a term of three (3) years, expiring August 31, 2024.

**Ayes: Alderman Schmigel, DiBernardo, Lavey, Loncar, Pecoraro****(5)****Nays: None****(0)****CARRIED.****I.6 Mayor****December 29, 2021**

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

**Re: Appointment of City Historian****Dear Honorable Body:****Please be advised that I am appointing Ann Murphy, 1576 Master St, North Tonawanda, NY 14120 as City Historian, effective January 1, 2022 for a one (1) year term, expiring December 31, 2022.****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 appointment of Ann Murphy, 1576  
Master Street as City Historian, for a 1 year term effective January 1, 2022 and expiring  
December 31, 2022.**

01-04-2022



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

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**I.7 Mayor**

**December 29, 2021**

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

**Re: Appointment of Bingo Inspector**

**Dear Honorable Body:**

**Please be advised that I am appointing Brian Wudyka, 121 Center Ave, North Tonawanda, NY 14120 as the North Tonawanda Bingo Inspector, effective January 1, 2022 for a one (1) year term, expiring December 31, 2022.**

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

**Respectfully,  
 Austin Tylec  
 Mayor**

**MOVED by Alderman DiBernardo      SECONDED by Alderman Loncar  
 That the Common Council hereby receives and files the appointment of Brian Wudyka, 121 Center Avenue, as Bingo Inspector for the City of North Tonawanda for a 1 year term effective January 1, 2022 and expiring December 31, 2022.**

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

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**I.8 Mayor**

**December 29, 2021**

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

**Re: Appointment of City Market Clerk**

**Dear Honorable Body:**

**Please be advised that I am appointing Christian Del Prince, 800 W Thomas Fox Dr, North Tonawanda, NY 14120 as the North Tonawanda City Market Clerk, effective January 1, 2022 for a one (1) year term, expiring December 31, 2022.**

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

**Respectfully,  
 Austin Tylec  
 Mayor**

**MOVED by Alderman Pecoraro      SECONDED by Alderman Lavey  
 That the Common Council hereby tables the appointment of Christian Del Prince as City Market Clerk for further review.**

**Ayes: Alderman Schmigel, DiBernardo, Lavey, Loncar, Pecoraro (5)**  
**Nays: None (0)**



**CARRIED.**

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**I.9 Mayor**

**December 29, 2021**

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

**Re: Appointment to the North Tonawanda Planning Commission**

**Dear Honorable Body:**

**Please be advised that I am appointing Maureen Harding, 261 North Ave, North Tonawanda, NY 14120 to the North Tonawanda Planning Commission, effective January 1, 2022 for a term of seven (7) years, expiring December 31, 2028.**

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

**Respectfully,  
Austin Tylec  
Mayor**

**MOVED by Alderman DiBernardo      SECONDED by Alderman Lavey  
That the Common Council hereby receives and files the appointment of Maureen Harding, 261 North Avenue to the Planning Commission for a term of 7 years, effective January 1, 2022 and expiring December 31, 2028.**

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

**(5)**

**Nays: None**

**(0)**

**CARRIED.**

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**I.10 Mayor**

**December 29, 2021**

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

**Re: Appointments to the North Tonawanda Plumbing Board**

**Dear Honorable Body:**

**Please be advised that I am appointing Rudolf Wolf, 239 Zimmerman St, North Tonawanda, NY 14120 and Daniel Ohrum, 1151 Sweeney St, North Tonawanda, NY 14120 to the North Tonawanda Plumbing Board, effective January 1, 2022 for a term of two (2) years, and expiring December 31, 2023.**

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

**Respectfully,  
Austin Tylec  
Mayor**

**MOVED by Alderman Lavey      SECONDED by Alderman DiBernardo  
That the Common Council hereby receives and files the appointment of Rudolf Wolf, 239 Zimmerman Street and Daniel Ohrum, 1151 Sweeney Street to the North Tonawanda Plumbing Board for a term of 2 years effective January 1, 2022 and expiring December 31, 2023.**



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

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**I.11 Mayor**

**December 29, 2021**

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

**Re: Appointment to the North Tonawanda Waterfront Commission**

**Dear Honorable Body:**

**Please be advised that I am appointing the following individuals for the following terms to the North Tonawanda Waterfront Commission:**

- 1. Tim Martin, 949 Sweeney St, North Tonawanda, NY 14120, effective January 1, 2022 for a term of two (2) years, expiring December 31, 2023.**
- 2. Emily Root, 425 Wheatfield St, North Tonawanda, NY 14120, effective January 1, 2022 for a term of two (2) years, expiring December 31, 2023.**

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

**Respectfully,  
 Austin Tylec  
 Mayor**

**MOVED by Alderman Schmigel      SECONDED by Alderman DiBernardo  
 That the Common Council hereby receives and files the reappointments of the following to the Waterfront Commission:**

- 1. Tim Martin, 949 Sweeney St, North Tonawanda, NY 14120, effective January 1, 2022 for a term of two (2) years, expiring December 31, 2023.**
- 2. Emily Root, 425 Wheatfield St, North Tonawanda, NY 14120, effective January 1, 2022 for a term of two (2) years, expiring December 31, 2023.**

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

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**III. Clerk-Treasurer**

**December 27, 2021**

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

**Re: 2022 Agreement between the City of North Tonawanda and NiaCAP**

**Dear Mayor and Common Council:**

**I am asking that the Council approve this agreement between the City of North Tonawanda and Niagara Community Action Program for the amount of \$3,000.00 contingent upon City Attorneys approval. Once approved the Mayor will be able to sign the contract.**



**Niagara Community Action Program has provided emergency services to the needy and disadvantaged persons within Niagara County for many years and this amount will help them in providing these services.**

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

**MOVED by Alderman Pecoraro                      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 January 4, 2022 the following resolution was  
passed:**

**AGREEMENT**

THIS AGREEMENT, made this 4<sup>th</sup> day of January, 2022, by and between the CITY OF NORTH TONAWANDA, a municipal corporation of the State of New York having its offices at 216 Payne Avenue, North Tonawanda, New York 14120, herein called the "City" and NIAGARA COMMUNITY ACTION PROGRAM, INC., a not-for-profit corporation of the State of New York having its office at 1521 Main Street, Niagara Falls, New York, herein called "Niagara CAP" WITNESSETH:

**WHEREAS**, Niagara CAP has as one of its principal functions and purposes of providing emergency services to the needy and disadvantaged persons within Niagara County through use of funding grants and subsidies from federal, state, and municipal governments and agencies, and

**WHEREAS**, the City desires to contribute to and participate in the funding of Niagara CAP for such purposes in return for Niagara CAP's promise of emergency services to the residents of the City, and

**WHEREAS**, both parties jointly desire and intend to cooperate toward providing such services for the benefit of the City's residents under this agreement, and

**WHEREAS**, the execution of this agreement has been duly approved by resolutions adopted by the City Council and the Board of Directors of Niagara CAP,

**NOW, THEREFORE**, in consideration of the above, both parties mutually agree as follows:

1. The City of North Tonawanda shall allocate and pay over to Niagara CAP the sum of Three Thousand Dollars (\$3,000.00) within thirty (30) days of the signed agreement.
2. Niagara CAP will accept such payment from the City and use it to provide emergency services to qualified City residents through its outreach office located at 265 Falconer Street, City of North Tonawanda, New York.
3. In consideration of the services mentioned above, Niagara CAP will provide additional services such as counseling, budgeting, information, referral, application assistance, weatherization, fair housing, and child care to qualified City residents.
4. The term of this agreement shall commence January 1, 2022, and expire December 31, 2022.

IN WITNESS WHEREOF, the parties hereto have duly executed this agreement by their respective duly authorized officers on the day and year first above written.

CITY OF NORTH TONAWANDA  
Austin Tylec  
Mayor

NIAGARA COMMUNITY ACITON PROGRAM  
Suzanne Shears  
CEO

**Subject to review by the City Attorney.**

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

**(5)**

**Nays: None**

**(0)**

**CARRIED.**







I respectfully request that you approve the following Pay Application for work performed under the WWTP Phase 1 Upgrade Contract. Wendel Engineering and I have reviewed and approve this work.

**Frey Electric Pay App #16**

**\$13,627.62**

The city does not have to issue purchase orders for payment at this time. This work is being funded through a NY State WIIA Grant and NY State Environmental Finance Center (EFC) loan.

With your approval Rotella Grant Management will submit this request to the EFC on the city's behalf. The EFC will then send us the funds to pay these contractors. Thank you for your time and consideration of my request.

Sincerely,  
Jason W. Koepsell  
Supt. Water/Wastewater

**MOVED by Alderman Schmigel                      SECONDED by Alderman DiBernardo**  
That the Common Council hereby approves the following Pay Applications for work performed under the WWTP Phase 1 Upgrade Project Contract:

**Frey Electric Pay App. #16**

**\$13,627.62**

Council also gives permission to Rotella Grant Management to submit this request to the NY State Environmental Finance Center ("EFC") on the City's behalf, subject to review by the City Attorney.

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

(5)

Nays: None

(0)

**CARRIED.**

#### **VII. Accountant**

**December 27, 2021**

**Honorable 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 January 4<sup>th</sup>, 2022, 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 Pecoraro                      SECONDED by Alderman Schmigel**  
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated January 4, 2022, and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:



01	General Fund	\$320,958.20
02	Water Fund	37,670.64
04	Sewer Fund	69,595.01
06	Capital Project Fund	49,482.50
07	Trust & Agency Fund	<u>10,857.34</u>
00	Final Total	<u>\$488,563.69</u>

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

Nays: None (0)

CARRIED.

## XVII. Traffic Safety

December 20, 2021

Donna Braun  
City Clerk-Treasurer  
216 Payne Avenue  
North Tonawanda, NY 14120

### Traffic Safety Minutes:

The December 2021 meeting of the North Tonawanda Traffic Safety Committee was called to order at 1830 hours. Roll call showed the following members present: R. Frank, J. Sikora, M. Meisenburg, M. Lemke. The minutes from the previous meeting were read and accepted, the following new concerns/requests were discussed, and recommendations made.

- 1) Councilman Austin Tylec received a request for a stop sign at Tremont Street and Falconer Street. The Traffic Safety Committee and the Traffic Officer monitored the intersection. There is currently a stop sign at Payne Avenue and Niagara Street which are less than two tenths of a mile away from each other. The two streets in between these are Falconer Street and Bryant Street, neither of which are a cut through to anything. The Traffic Officer stated that the vehicles are not speeding from one stop sign to the other. The committee does not believe a third stop sign within two tenths of a mile is necessary.
- 2) Mayor Pappas received a request for "No Parking" signs at Fairmont Avenue and Thomas Fox East due to a vehicle parking on the curve making it hard to pass. The committee and traffic officer monitored the intersection. Member Sikora also spoke to the neighbors. The neighbors tend to believe that if we place "No Parking" signs on one side of the street then vehicles would park on the other side of the street causing the same issue. This problem appears to be in the nicer months as the owner of the vehicle parks his vehicle in his driveway during the winter months. Member Sikora is going to reach out to the vehicle owner to see if he can find somewhere safer for him to park.
- 3) Councilman Austin Tylec received a request from Sona Rosen for "No Parking" signs at Oliver Street and Keil Street. The committee found that there are already marked parking spots in place for the residents and businesses in the area. Reducing these parking spots would make it so vehicles would have to park on the side streets. The side streets are already narrow so this would cause a different problem when vehicles try to pass each other on these side streets. The best option is to leave the intersection the way it is and for drivers to be careful when looking both ways.
- 4) Member Frank received a complaint regarding speeding in the North Tonawanda High School parking lot. The School Resource Officer and the Traffic Officer have been monitoring the situation.
- 5) Councilman Austin Tylec received a request for a stop sign at Wurlitzer Drive and Fairfax Avenue. This intersection was monitored in January and August of this year. The speed sign was put on Wurlitzer Drive in July, August and October. The Traffic Officer has monitored Wurlitzer Drive numerous times this year and there have not been any major speeding or stop sign problems, nor have there been accidents. Placing three stop signs within two tenths of a mile will not solve this



issue as stated in prior meeting minutes. There are a lot of streets in North Tonawanda that have speeding problems and that is from drivers not following the law not due to lack of stop signs. These streets including Wurlitzer Drive will continue to be monitored with daily traffic enforcement, the traffic officer, the aggressive driving program and the selected traffic enforcement program. There was a traffic study completed on Wurlitzer drive by a private contractor in the past and the stop signs were placed based on the study. The committee is available to help the city and/or engineering department if they wish to have a new study done.

Meeting adjourned at 1930 hours.

Travel safely,  
Robert J. Frank

**MOVED** by Alderman DiBernardo      **SECONDED** by Alderman Schmigel  
That the Common Council hereby receives and files the Traffic Safety minutes from their December meeting.

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

Nays: None (0)

**CARRIED.**

## XXV. Monthly Reports

### .1 Police Department

**MOVED** by Alderman Pecoraro      **SECONDED** by Alderman Loncar  
That the Common Council hereby receives and files the aforementioned Monthly Reports.

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

Nays: None (0)

**CARRIED.**

AUDIENCE PARTICIPATION - None

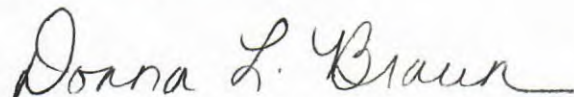
## ADJOURNMENT

**MOVED** by Alderman Schmigel      **SECONDED** by Alderman Loncar  
That this regular session of the Common Council be and hereby is adjourned.

**CARRIED.**

Time of Adjournment: 7:03 P.M.

Respectfully submitted,



Donna L. Braun  
City Clerk-Treasurer