

**THE HONORABLE BODY
 Council Chambers
 Municipal Building
 North Tonawanda, New York 14120
 Tuesday, February 1, 2022
 6:30 P.M.**

REGULAR SESSION CALLED TO ORDER BY PRESIDENT PECORARO

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Absent: None

**Also Present: Mayor Austin J. Tylec
 City Attorney Edward Zebulske III**

MAYOR TYLEC – STATE OF THE CITY ADDRESS

To the residents, Common Council, and others listening, it is an honor to report on the State of The City for 2022. I would first like to thank the citizens of North Tonawanda for putting your trust and confidence in me as your newly elected Mayor. During my term as your Alderman, I advocated for a more open and proactive government, focused on the needs of all residents and business owners. This and our daily services to residents would not be possible without our dedicated department heads, hundreds of city employees, the Common Council, and many more that make our City of North Tonawanda the greatest in Western New York.

To start, we must recognize the momentous award we received for \$10m through the Downtown Revitalization Initiative (DRI) from Governor Kathy Hochul's Office and The Department of State. This economic development program will help us continue our downtown transformation, stimulate growth along our waterfront, and provide new opportunities on Tonawanda Island. Our downtown neighborhoods will thrive into vibrant centers that offer a high quality of life and become magnets for redevelopment, business, job creation, and economic and housing diversity. Selection of projects to fund will be determined by a local planning committee as well as through a series of robust and public engagement events we will be asking all to participate in. Once a list of projects has been refined and identified, NYS will select which opportunity or public and private development projects they want to fund.

North Tonawanda was awarded \$2.5m through the Smart Growth Community Fund, which helped a variety of downtown projects. This includes enhancements to Gateway Harbor with downtown placemaking and walkability initiatives, green infrastructure upgrades, and improvements at the YWCA which will open this spring.

In 2021 we saw new businesses such as Frankie Primos, Barr(tend) on the Water, Wickedly Handcrafted, Fattey Beer Co., Little Black House Coffee, Irusu Noodles & Sushi, Aunt Eno's, and more. Many will also be able to experience El Gringo Mexican Cantina, Lumber & Silo at 211 Main Street, Taco Bell, Kentucky Fried Chicken, a new office and storage facility for Huron Sprinklers, and an expansion of our Historic Riviera Theater to include a bar area and restrooms.

We cannot forget about Tonawanda Island, and how we were recently awarded \$92k for an Infrastructure Study through the NYS Department of State Brownfield Program. This will allow

us to understand what we need for our Island to thrive with growth. A project already on the horizon is Timbershore at 78 Bridge Street, which will be a 70-unit affordable housing complex built on the former fire training site, approximately \$20m in construction and a catalyst for future development.

Public projects forecasted in our downtown area include lighting of the CSX Train Bridge through Reimagine the Canals and NYPA, rehabilitation of our Manhattan St rain gardens, an extensive mural along Project Pride Way, and additional art installations throughout the area.

The Erie Canal Recreation Hub pilot program will also help implement a variety of recreational amenities along the Erie Canal such as Wi-Fi, phone charging stations, technology enhancements to the Visitors Center and a mobile walking tour application. Under the direction of our Community Development/LCDC Director, Laura Wilson, we are pleased with the continuous growth, and we are excited about the new development coming into our city.

In North Tonawanda, we pride ourselves with having a safe community thanks to our Police Department under the leadership of **Chief Tom Krantz**. In 2021 the North Tonawanda Police Department handled over 48,000 calls for service which resulted in 477 arrests. With the recently passed State policies related to Police Reform, our department has initiated more ways to keep our law enforcement and residents safe. This includes internal programs for de-escalation training, crisis services, less lethal training, and other law enforcement related topics. The city continued to work with our school district to add a School Resource Officer (SRO) at the Intermediate School in addition to the SRO already assigned to the High School/Middle School complex. Our department also maintained community outreach with programs such as Child Safety Seat Checks, Coffee with a Cop, the 9pm Routine, National Night Out, and engaging the public through social media. I'm confident our law enforcement will continue to keep our community one of the "safest" cities in New York State.

In our Wastewater Treatment plant, we have the capital improvement plan with nine new vacuum chlorine systems, the SCADA system to analyze data, updates to our electrical equipment, LED lighting throughout the plant, new storm and primary sludge pumps, a new grit removal system, and much more to ensure our residents water stays safe and clean. Future projects include a primary digester replacement and co-generator to assist with our sludge treatment and reduce operational costs.

For Water & Distribution, we are near completion of a new backup generator which will give the plant the ability to run continuously off electric for 100 hours in an emergency. In addition, we are working on a capital improvement plan to address new high service pumps and new pump drives. While these improvements and many more continue to occur, our Water & Wastewater department continues to address repairs and updates to our aging infrastructure to keep our water one of the cleanest in WNY. Many thanks to **Jason Koepsell** and his entire department for all they do and especially during the subzero temperatures.

With our recent State of Emergency and Travel Ban due to severe weather, it is important to recognize our Department of Public Works which continues to help us keep our city safe and maintained. In 2021, maintenance included the repaving of 21.30 lane miles, removal of 162 city trees, the collection of 18,000 tons of waste and recyclables, along with assisting other departments with over 1,500 hours of labor. In 2021, the Department of Public Works administered and was reimbursed for a \$100k grant through DASNY for the purchase of a Minipaver. Through the office of former Assemblyman Robin Schimminger, DASNY also assisted with obtaining a \$150k grant for the purchase of a Brush Chipper and a Sewer Inspection Camera which should be delivered this year. Over the years, this department has always found ways to do more with less, operating with seven less employees than they had five years ago, but continuing to maintain the entire city for our residents. Our office and the members of our community are thankful for **Mark Zellner** and his employees for tirelessly working day in and day out.

**Amended February 2, 2022*

With the Covid restrictions lifting, it was a busy and interesting year in the Parks & Recreation department. Overall, we saw a significant increase in usage of our parks and public spaces. People continued to find value in the great outdoors as recreational and alternative meeting spaces served as a haven against indoor gatherings during this ongoing pandemic. In 2021 we saw reservations increase for our ball fields, band shell, Botanical gazebo rentals and park shelter rentals more than doubling the amount for 2020. Residents also took advantage of boat launch permits with over 1,000 boats docked at Gateway Harbor during the 2021 season.

At Deerwood Golf Course we had 58,612 rounds of golf played, the highest since 2016, and the course had a gross revenue of \$1.3 million with a net of approximately \$502,000.

Our Parks Department also underwent many improvements at many locations. Gratwick Riverside Park added a new pavilion; Raymond Klimek Veteran's Park added 22 new parking spaces and new signage; we resurfaced the Taber Tennis Courts; and a new mural was painted near the Main Street bridge at Gateway Harbor, to name a few.

Parks also received an Urban Forestry Grant for \$50k from the DEC for removal of hazardous trees as well as new plantings. The Erie-Niagara Sunrise Exchange Club hosted the 9-11 Healing Field Ceremony at Gratwick Park that brought in visitors throughout New York State. New events were established through the Recreation department including Grub in the Gardens; concerts were back at Gateway Harbor, pool attendance was nearly 9,800 at Memorial Pool and the Adult, Senior & Youth programs are bursting with excitement from local citizens.

I can assure the families of North Tonawanda that we will continue to increase our recreational services and utilize every available revenue source to increase programs. My deepest gratitude to **Alex Domaradzki** and his entire staff for all their dedication and hard work.

Our Engineering department has continued to work with the Empire State Development Grant and DASNY grant projects totaling \$1.4m. These improvements include bump outs at crosswalks for better walkability in the downtown corridor, expansion of the Charles Fleishman Park along with new signage and lighting.

The projects for 2022 include the Bike Path connection to the Empire State Trail, Pine Woods Park Pavilion and ADA Restroom improvements; Sweeney Bike Path Extension (Mayor's Park to Botanical Garden); City Hall LED Signage; and at the "Gem of our City", improvements at our City Market funded through former Assemblyman Schimminger and Senator Ortt. This includes repaving Market Street to improve drainage, installation of additional handicap accessible parking and pedestrian crossing improvements on Robinson Street. City Engineer, **Chelsea Spahr** and her department will certainly be busy throughout this year with all these projects and many more.

Even with the Pandemic, our Building Department hasn't slowed down under the new leadership of **Rob DePaolo**. In 2021 the department processed over \$7.8m in new builds and property improvements throughout the city, including two major expansions at the Wurlitzer Building with Woodcock Brothers Brewing Company and next door, the opening of The Tattered Tulip. The Colonel Payne school conversion into 37 apartments is nearing completion and new residents have already moved in. Presently under construction at 624 River Road is another mixed-use building with two commercial spaces and nine apartments with another 111 apartments to follow. Another example of how we are continuing to support development along our waterfront. This department presently has several hundred open building permits as the residents of NT continue to maintain and improve their properties, further stimulating our tax base and continued growth.

In 2021, the Fire Department responded to 3,819 total alarms making it the busiest year in the Fire Department history, an increase of 561 alarms from 2020. Those responses include fires, EMS, still alarms, MVA's and water related incidents. Total fire loss was over \$800,000 for 2021. We took delivery of a new state-of-the-art fire hose and nozzles, which enables us to receive increased water flow from hydrants as well as flow more gallons per minute during fire suppression. Five members completed the NYS advanced Emergency Medical Technician class, and the total number of Firefighters able to offer advanced life saving measures increased to 26, or 68% of the department. Through the cooperative efforts of the City of North Tonawanda, Niagara County, and Enbridge, the fire department was able to purchase a 21-foot RIB rescue boat. This boat will replace our 14-foot inflatable boat currently in use. With the popularity of recreational boating, continued development of our city's waterfront and downtown, the department responded to a record number of water incidents in 2021 which we expect to continue. The new boat will allow firefighters to keep themselves and our waters safe. Many thanks to **Chief Joe Sikora** and every firefighter.

I would be remiss if I didn't recognize the nucleus of our city, the Clerk/Treasurer's office. This department interacts with all sectors of our city handling everything from the Common Council agendas, communications with the public, our city website, processing bills, working with the city market and much more that keeps us organized. Thank you to **Donna Braun** and the departments' staff.

In this first year as your Mayor, my goal is to expand business growth, work with our state officials to bring in additional funding for services, support our first responders to keep our city safe, address financial concerns the NYS Comptroller's audit exposed, and market North Tonawanda as a destination for visitors, families, and businesses. Overall, I want to bring a new energy and perspective to how our city government functions.

In the first month, our office is already moving on new initiatives for 2022. This includes weekly meetings with department heads to build communication throughout the city, working with the Clerk's Office to improve our city website, creating a Citizens Financial Advisory Committee to improve our budget process and support the Accounting Department, meeting with a new internet provider to give residents more options, creating solar zoning laws with our Climate Smart Task Force, organizing numerous city committees to keep us on track, capital planning for future vehicle purchases, establishing a Covid Policy for employees, continuing our weekly email newsletter, and building communication between The Mayor's Office and Common Council.

I will work tirelessly to bring everyone in city hall and our community together for the betterment of North Tonawanda while expanding beyond our city boundaries and look to other communities for new ideas and collaboration. We will work to keep taxes low, provide services and safety while expanding our development, population, and tax base. North Tonawanda is a destination that Western New York has begun to recognize. There is an immense amount of potential for our community, and I am truly honored to serve the wonderful citizens of North Tonawanda. Thank you.

AUDIENCE PARTICIPATION

Darlene Bolsover, 1337 Sweeney Street – Asked about the executive session.

APPROVAL OF THE MINUTES OF THE SPECIAL SESSION JANUARY 25, 2022

MOVED by Alderman DiBernardo SECONDED by Alderman Schmigel
That the minutes of the special session held January 25, 2022, be approved as circulated
and filed in the Office of the City Clerk.

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

Nays: None (0)

CARRIED.

COMMUNICATIONS FROM CITY OFFICIALS

VII. Accountant

January 27, 2022

**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 February 1st, 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 DiBernardo SECONDED by Alderman Pecoraro
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated February 1, 2022, and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$546,294.40
02	Water Fund	28,969.18
04	Sewer Fund	67,853.92
07	Trust & Agency Fund	8,873.91
81	CD – Comm. Dev.	<u>6,400.00</u>
00	Final Total	<u>\$ 658,391.41</u>

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

Nays: None (0)

CARRIED.

XIV. Youth, Recreation, Parks & Seniors

January 26, 2022

**The Honorable Mayor Tylec
And Common Council 216 Payne Avenue
North Tonawanda, New York 14120**

Dear Mayor Tylec and Common Council,

I respectfully ask for approval for the Mayor to sign the Rental Agreement with Lumber City Church, upon review by the Attorney's office, for the continued use of space at the Hope Center (353 Vandervoort Street) which serves as the home to our Youth Center. The agreement is simply a renewal from the previous two-year agreement which expired.

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

MOVED by Alderman DiBernardo **SECONDED** by Alderman Loncar
 That the Common Council hereby grants approval of the Rental Agreement with Lumber City Church for the continued use of space at the Hope Center (383 Vandervoort Street) which serves as the home to the Youth Center, subject to review by the City Attorney.
 Ayes: Alderman Schmigel, DiBernardo, Lavey, Loncar, Pecoraro (5)
 Nays: None (0)
CARRIED.

XVII. Traffic Safety

January 24, 2022

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

Traffic Safety Minutes:

The January 2022 meeting of the North Tonawanda Traffic Safety Committee was called to order at 1800 hours. Roll call showed the following members present: R. Frank, J. Sikora, M. Meisenburg, M. Lemke, D. Grinnell, A. DiBernardo, R. Brennan. The minutes from the previous meeting were read and accepted, the following new concerns/requests were discussed, and recommendations made.

1. Councilman DiBernardo received a request for a stop sign at Bryant Street and Goundry Street. The committee reviewed this intersection to find that it is wide open with no visibility issues and very little traffic. There is a stop sign at each intersection east and west of Bryant Street. The committee denies this request and will have the traffic officer continue to monitor the intersection.
2. Kathleen Marfione requested a stop sign at Wurlitzer Drive and Fairfax Avenue. The committee has reviewed this intersection numerous times in 2021 including specifically in January, August, and December. During the year the speed sign was placed on Wurlitzer Drive three times for a total of 51 days and will continue to be placed there in the future. The traffic officer monitors Wurlitzer Drive and the Fairmont/Fairfax/Abington intersections every month and does not believe a stop sign is warranted. The committee has monitored these intersections several times as well. There are stop signs within one tenth of a mile east and west of Fairfax Avenue. Placing a stop sign at this intersection would make it so that there would be 3 stop signs within two tenths of a mile. There was a traffic study completed by an engineer in the past that stated there did not need to be a stop sign at Fairfax. This is also a T-intersection not a 4-way stop. This intersection will continue to be monitored by the traffic officer.
3. Member Grinnell received a request to check on a barber shop sign at Forbes Street and Niagara Falls Blvd. which could be an obstruction. The committee checked on the sign and found that if you stop at the white stop line it is not an obstruction.
4. Joann Brooks of 376 Tremont Street had a complaint about her neighbor at 364 Tremont Street parking on the terrace. The owner of 364 Tremont (Adam Fenske) had a prior terrace parking permit but did not renew it this year. Member Frank spoke to the resident there, Robert Yanacek, who stated that he would advise

- Fenske and go to city hall to renew the permit. The committee advises in favor of the permit due to the property not having a driveway or access to an alleyway.
5. Councilman Lonar received a request for the stoplight to be taken down at Payne Avenue and Christiana Street and be replaced with stop signs on Christiana Street. This would be a two way stop leaving Payne Avenue to follow freely. Taking down this stop light would save the city approximately \$2,000-\$3,000 yearly as well as any maintenance costs as the light is from 1963. The stop light was to help with traffic flow from Grant School which is no longer there. The committee will look at this intersection over the next month and decide on the decision at the February meeting.
 6. Councilman Loncar had a request that "30 MPH" signs be put up on Ward Road between the Oliver Street and Ruie Road. Member Meisenburg checked on this and found that there are already seven "30 MPH" signs in this area on Ward Road. This is a heavily traveled road and is always monitored for speeding. The traffic officer has been advised to continue to monitor Ward Road for speeding. Loncar was advised that we will be placing the speed sign on Ward Road once the weather breaks.
 7. Kevin Anson is a bus driver for the North Tonawanda Schools. Anson contacted member Sikora and stated that the fenced in lot where the buses are located has one of its entrances/exits closed off which causes a traffic problem. Member Sikora contacted the NT Schools Superintendent, Greg Woytila, and advised him of the situation. The lot is on private property and the problem appears to be an internal issue. The committee is going to let the NT Schools take care of the issue unless they contact the committee for assistance.
 8. Member Brennan received a request for "No Parking" signs at the southeast corner of Oliver Street and 9th Avenue due to vehicles parking too close to the intersection and parking over the cross walk. The committee looked at the southeast corner of Oliver/9th and found that vehicles are parking too close to the intersection. This is making it difficult for vehicles making a righthand turn onto Oliver Street as there is not enough room to make a safe turn. Member Meisenburg will place a "No Parking Here to Corner" sign approximately one car length from the corner to help vehicles with the turn. This one spot will still leave enough room for parking in front of the business. This sign was placed per DOT Law.
 9. Member Brennan received a request from Donald Wittcop regarding Matt's Music. Wittcop is concerned about the crosswalk in front of Matt's Music. Wittcop requests a blinking light and a sign across Oliver Street in the direct line of sight. Wittcop also requested to have Auxiliary Police assist with the crossing Monday-Friday 4:00pm-8:00pm and on Saturdays 12:00-8:00. The committee has looked at this several times over the last three years and has worked with the owner of Matt's Music. The committee has placed extra "No Parking" signs, "Crosswalk" signs in line with streetlights, and a painted crosswalk. A sign was also placed in the middle of the street which has been taken down after it was struck multiple times. Committee Member Meisenburg checked into the request for a stop and/or blinking light which would cost \$80,000-\$100,000. The Auxiliary Police are for assisting with special events and are not used for private businesses. The committee has recommended in the past that the "No Parking" signs be changed to "No Parking or Standing" signs, which would give a clear line of site to cross the street. The owners of Matt's Music would like to keep the signs at "No Parking" so that parents have a closer spot to the building to drop off their kids. The committee has also recommended that Matt's Music make their pickup/drop off zone on 15th Avenue so that they are not on Oliver Street, which is a lot busier of a street. There is currently enough room to park four cars on 15th Avenue and the walk time from 15th Avenue compared to Oliver Street is approximately 15-20 seconds. There is also an entrance to the building on 15th Avenue. This would be the safest spot for pickups and drop-offs.

Meeting Adjourned at 1915 hours

Travel safely,
Robert J. Frank

MOVED by Alderman Pecoraro **SECONDED** by Alderman Loncar
That the Common Council hereby receives and files the Traffic Safety Recommendations from their January meeting.

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

Nays: None (0)

CARRIED.

XXVI. Annual Vacation & Sick Leave Reports

.1 Police Department .2 Clerk-Treasurer .3 Dept. Public Works

MOVED by Alderman DiBernardo **SECONDED** by Alderman Lavey
That the Common Council hereby receives and files the aforementioned Annual Vacation & Sick Leave Reports.

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

Nays: None (0)

CARRIED.

COMMUNICATIONS FROM OTHERS

A.
David Stacey

January 24, 2022

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

Honorable Body:

Upon your approval on February 1st 2022, I will be accepting a promotion to the position of Water Works Electrician starting February 2nd 2022. Therefore, I am requesting a leave of absence from my position as Water Works Mechanic as of February 2nd 2022 until such time that my probationary period has expire and I have become a permanent appointment as the Water Works Electrician.

**Respectfully yours,
David M. Stacey**

MOVED by Alderman Pecoraro **SECONDED** by Alderman Loncar
That the Common Council hereby grants permission for David Stacey to take a leave of absence from his position as Water Works Mechanic to accept a promotion to the position of Water Works Electrician effective February 2, 2022.

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

Nays: None (0)

CARRIED.

LATE COMMUNICATION

MOVED by Alderman Schmigel **SECONDED** by Alderman DiBernardo
To bring the following communications to the floor.

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

Nays: None (0)

CARRIED.

**#1.
Attorney**

January 31, 2022

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

Re: Tentative Agreement between the City and AFSCME

Dear Honorable Body:

The City bargaining committee and AFSCME negotiators met on numerous occasions. We have reached a tentative agreement which would require ratification by the Common Council. Below is a list of items that would be changed by the tentative agreement:

(1.21) Change to 12:01 a.m. on January 1, 2022 continues until midnight on December 31, 2025.

(1.23) Change to May 1, 2025 nor later than June 1, 2025.

(5.49 A) NEW: The employer will be allowed to use up to nine (9) seasonal help employees for the use of sanitation and recycling workers only for twelve (12) months of the calendar year provided there will be a staffing clause of at least sixty-eight (68) full time AFSCME employees, anytime the number of full time AFSCME employees drop below sixty-eight (68) for any reasons, management will have thirty (30) days to fill vacant positions. The employer's ability to retain seasonal help for sanitation and recycling will cease to exist if for any reasons management does not keep staffing clause at sixty-eight (68) full time AFSCME employees. Such seasonal employees will not work any overtime or on any holidays unless all other bargaining unit members declined that overtime opportunity. The provisions of this paragraph will terminate on December 31, 2025, unless negotiated into a successor agreement.

(6.18) Remove, "A backhoe may be used by the Road Maintenance Mechanic for removal of sidewalks only"

(6.26) Change shift differential for 2nd and 3rd shift employees to \$.50 per hour of such second and third shift work, that three (3) hours or more. Employees called in for overtime situations will not be paid shift differential for said overtime hours worked.

(6.32 A) Each supervisor will keep record of overtime worked and/or offered to an employee, regardless of job assignment available to the employees, under said supervisor's supervision. A separate record will be kept for each classification. Overtime wheel to zero out after each calendar year (January 1 to December 31). A copy of each record will be posted and will be brought up to date bi-weekly.

(6.32 A) NEW: Any employee that accepts an out-of-title assignment in a higher classification in an overtime situation and that employee opt's for compensatory time, in lieu of receiving payment for said hours at time and one half (1-1/2) that employee will receive the difference of pay between employees permanent position and the higher classification he/she worked in said overtime situation as an adjustment in their pay check.

(6.38 A) Change last line, does not expire for that calendar year employee opting for compensatory time, in lieu of payment for said hours at time and one half (1-1/2) will stay on compensatory time unless said employee notates on their time sheets to change back to payment of said overtime hours.

(7.11) Raises for salary employees: See Attached

(7.21) Raises for hourly employees: See Attached

(9.26) NEW: One time per year, an employee will be allowed to cash in up to three (3) weeks of vacation time for money.

(10.11) Add: Sick leave application only needs to be provided for absences of five (5) days or greater.

(10.21) For each month of service for the Employer, an employee will be credited with one (1) day of sick leave credit. For purposes of this paragraph, a "month of service" is a month in which an employee has been paid a minimum of seventy-six (76) hours in at least one payroll period during said month. "Month of service" will not include sick leave of more than fifteen (15) consecutive days in a month.

(10.53) Remove: The city will contribute one (1) day to the sick bank for each one (1) day contributed thereto by each participating employee of the Department of Public Works. Union will have final say in the approval of any sick bank applications.

(11.13) Add: Step parents and Step grandparents.

(12.11) The employer will provide and pay for a life insurance group policy, and as such there is no cash value and employees benefit under such group policy shall terminate upon separation from employment.

Employee may continue this policy on after termination. Employee will be responsible for the cost of the plan on their own. They City will provide no dollar amount towards the plan after termination. If there is a maintenance fee that the City has to bear per a plan, the employee will cover this amount as well.

(12.12) Add the following language under Article 12, entitled Benefits:

An employee is eligible for all benefits provided under Article 12 (Benefits) of this Agreement as negotiated. To be entitled to receive these benefits under Article 12, an employee must be eligible to collect a retirement pension payment from the New York State Employee's Retirement System. For purposes of this Agreement, examples of an employee entitled to said benefits, will include, but are not limited to, any employee who retires and qualifies to receive a pension payment from the New York State Employee's Retirement System regardless of said employee choosing to take an early retirement penalty, or receiving an approved disability retirement benefit.

(12.19) Employees are eligible for and may participate in the "Flex spending account" adopted pursuant to section 125 of the Internal Revenue Code that will be offered by the City.

(12.21) Increase longevity:

Years of service:	Amount paid:
7-10	\$800.00
10-15	\$900.00
15-20	\$1,000.00
20-25	\$1,200.00
25 & more	\$1,350.00

(12.31) New: Upon separation from service with the City of North Tonawanda, employees who have one hundred twenty (120) days of accumulated sick leave may cash out up to thirty (30) days of sick leave at the employee's regular hourly rate of pay at the time of separation. To be eligible for said payment, an employee must:

(1) Have completed ten (10) years of service with the City of North Tonawanda Department of Public Works.

(2) Said separation shall not be for just cause

(12.32) NEW: Any unused sick leave accumulated by said employee may be donated to the sick bank at the time of separation

(12.42) Follow chart below:

# of AFSCME employees Waiving medical	Amount of medical waiver	Additional amount of Dental/Optical
11 and below	\$2,000.00	none
12 to 15	\$2,500.00	none
16 to 20	\$5,000.00	\$5,000.00 to Dental
21 and more	\$5,000.00	\$5,000.00 to Optical

(13.16) NEW: CDL training stipend, any employee asked to train another employee for their CDL road test will receive an extra one (1) hour of pay or compensatory time for every hour of training performed by said employee. Pay will be determined by the position held by the training employee.

(13.17) NEW: Tool allowance, all heavy equipment mechanics will receive an allowance of \$900.00 yearly to be used for any tools they need to perform their job.

(New) Expand residency allowing all full time AFSCME employees to live in the following areas: City of Tonawanda, Town of Tonawanda, Amherst, Niagara Wheatfield, Cambria, Pendleton and Sanborn.

(12.12 A.) Change plan numbers to read Blue Cross/Blue Shield POS 298 plus (replacing POS 201 plus), Blue Cross/Blue Shield POS 298(replacing POS 207), Blue Cross/Blue Shield POS 7298(replacing POS 7200). Effective date January 1, 2022.

The City shall have the right to select an alternative insurer provided and or Medicare provider. The alternate insurer provides equal or better coverage. Said alternate insurer shall require Union approval for such change, and such approval will not be unreasonably withheld. Any savings that the City shall see, twenty-five percent (25%), will be passed down to the Union. The City will show the Union the savings. The Union will split the twenty-five percent (25%) savings to members who are enrolled with the City's health insurance.

(12.12 B. 1) Increase medical payroll deductions per year

Single plan \$25.00 per year:	Family plan \$50.00 per year:
2022 - \$875.00	2022 - \$1,750.00
2023 - \$900.00	2023 - \$1,800.00
2024 - \$925.00	2024 - \$1,850.00
2025 - \$950.00	2025 - \$1,900.00

(12.12 B. 3) All employees hired after January 1, 2016 will pay twenty-five percent (25%) for the first five (5) years of service after that they will pay fifteen percent (15%) of the cost of such insurance to the City of North Tonawanda by payroll deduction, until the retirement of an AFSCME employee then said employees will be provided medical contributions pursuant to subsection (1) of this section (12.12 B). Payments will be spread out equally over the entire year until separation.

(12.16) Retirement health insurance: Each retiree hired January 1, 2016 or before and having at least fourteen (14) years of service for the City of North Tonawanda Department of Public Works, will have the option between the following sections:

A) Fully paid Medical Coverage until age 65 for retiree and spouse with current plan (not tied to any sick days)

Sections B, C & D stay the same.

Each retiree hired after January 1, 2016 the following schedule must be used to determine the percentage (%) of premiums paid by the city based on number of sick days at retirement.

Number of sick days:	% premiums paid by city:
100 or more	100%
75 or 99	75%
60-74	60%
45-59	45%
30-44	35%
0-29	25%

Employees with 100 or more sick days must have at least twenty (20) years of service for the City of North Tonawanda Department of Public Works to receive premiums paid at 100%.

(12.16 c) should read PPO 799 not HMO 799.

If you concur, please authorize the Mayor to sign and amended Collective Bargaining Agreement between the City and the AFSCME when it is prepared.

Very truly yours,
 Nicholas B. Robinson, Esq.
 Assistant City Attorney

MOVED by Alderman Pecoraro **SECONDED** by Alderman Loncar
 That the Common Council hereby has defeated the tentative agreement between the City of North Tonawanda and ASFCME, Council wants it taken back to the Union.
 Ayes: Alderman Loncar, Pecoraro (2)
 Nays: Alderman Schmigel, DiBernardo, Lavey (3)
CARRIED.

AUDIENCE PARTICIPATION

Mike Koenig, 196 S. Meadow Drive – Wanted to thank the Water Department for all their hard work.

Carl Bauer, 1066 E. Robinson Street – Wanted to let people know that the Twin City Meals on Wheels needs volunteers, they run on a volunteer basis and they are struggling to get deliveries out.

Susan Wilke, 329 Miller Street – Was concerned about the Buffalo News article regarding Crypto Currency and DigiHost.

Richie Madej, 494 Witmer Road – Was asking about a drainage issue in his neighborhood, said that the changes that were made on Walter Drive is impacting his property (Donnor Creek) pipes in the area need maintenance.

Chris DelPrince, 800 Thomas Fox West – Wanted to set the record straight on his family's incident at the Farmers Market and wants to work together

Darlene Bolsover, 1337 Sweeney Street – Thanked the DPW workers for all the work they have done over the past couple of weeks and the Engineering Dept. for sending out letters on the Bike Path Extension. Said that she is very upset about the development on Sweeney Street and has concerns about Clair Street.

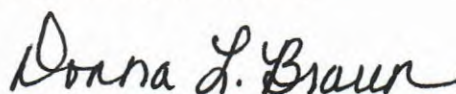
Joe Midura, 133 Ninth Street – Asked about a Facebook page, that someone is using the North Tonawanda Official Seal.

ADJOURNMENT

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

Time of Adjournment: 7:55 P.M.

Respectfully submitted,



Donna L. Braun
 City Clerk-Treasurer