THE HONORABLE BODY

Council Chambers Municipal Building North Tonawanda, New York 14120 Tuesday, April 5, 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

AUDIENCE PARTICIPATION

<u>Darlene Bolsover</u>, 1336 Sweeney St. – Asked about the Budgetary Transfer.

Al Baker, 61 Keil St. - Commented on Salary Increases by Mayor Tylec and how this should be in a public forum.

APPROVAL OF THE MINUTES OF THE REGULAR SESSION MARCH 15, 2022

MOVED by Alderman Schmigel SECONDED by Alderman DiBernardo That the minutes of the regular session held March 15, 2022, be approved as circulated and filed in the Office of the City Clerk.

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

(5) (0)

Nays: None CARRIED.

PROOF OF PUBLICATION PUBLISHED 3/5/2022

1) Legal Notice – Local Planning Committee to discuss the City's Downtown revitalization Initiative – Dir. Community Development

PROOF OF PUBLICATION PUBLISHED 3/24/2022

1) Legal Notice – Bid Proposals for the 2022 Weed Cutting Contract for the City of North Tonawanda – Building Inspector

MOVED by Alderman DiBernardo SECONDED by Alderman Schmigel
That the Common Council hereby receives and files the aforementioned Proof of
Publications.
CARRIED.

COMMUNICATIONS FROM CITY OFFICIALS

#1. Kenneth Braun

March 15, 2022

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

To Whom it may concern,

I have proudly served over 8 years on the Zoning Board of Appeals. I am resigning my position as Commissioner and past Chairman of the ZBA Board effective March 14th, 2022.

Sincerely, Kenneth D. Braun

MOVED by Alderman Pecoraro SECONDED by Alderman DiBernardo
That the Common Council hereby receives and files the letter of resignation from Kenneth
D. Braun from the Zoning Board of Appeals effective March 14, 2022.

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

Nays: None

CARRIED.

I.1 Mayor

March 15, 2022

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

Dear Honorable Body,

The Mayors and Councils of the City of Tonawanda and North Tonawanda are coming together to bring back the 4th of July fireworks display.

The plan is to close the Main/Webster Street bridge between the Tonawanda's and hold the display at the center of the bridge at dusk. Assistance from our Police, Fire and Auxiliary will be necessary to ensure the safety of all.

In addition, our office has secured funding for our half of the cost through various local businesses. Tonawanda has done the same. Therefore, this will not affect our 2022 budget.

I believe the Mayors and Councils of the Tonawandas are excited to bring this joint event back to our communities.

Your support is greatly appreciated. Thank you!

Respectfully, Austin J. Tylec Mayor

MOVED by Alderman Pecoraro SECONDED by Alderman DiBernardo That the Common Council hereby tables the aforementioned request for the July 4th fireworks, to gather more information from the Chief of Police and the Fire Chief.

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

(0)

Nays: None CARRIED.

I.2 Mayor

March 23, 2022

Honorable Common Council 216 Payne Avenue North Tonawanda, NY 14120

Dear Honorable Body,

Please find attached the Master Equity Lease Agreement, Assignment Agreement to Sell FM Customer Vehicles, and the Limited Power of Attorney for Enterprise Fleet Management.

Proceeding the presentation from Tyler Cuniff at our workshop on March 8, 2022, I am requesting that the city move forward with Enterprise to assist us with managing our vehicle fleet in various departments. This includes capital planning to ensure our budget stays on track.

Your support is greatly appreciated. Thank you.

Respectfully, Austin J. Tylec Mayor

MOVED by Alderman Lavey SECONDED by Alderman Loncar That the Common Council hereby approves the Master Equity Lease Agreement with Enterprise Fleet Management for city vehicles, subject to approval by the City Attorney. Ayes: Alderman Schmigel, DiBernardo, Lavey, Loncar, Pecoraro Nays: None (0)

CARRIED.

III.1 Clerk-Treasurer

March 18, 2022

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

Re: Collection of 2022 City Taxes

Dear Common Council:

I am requesting that the Council approve the Collector's Warrant for the collection of the 2022 City Taxes. The collection period will begin on April 1, 2022 and conclude on May 6, 2022. Taxes paid after May 6th will be subject to interest and fees.

> Regards, Donna L. Braun City Clerk-Treasurer

MOVED by Alderman Schmigel SECONDED by Alderman Lavey That the Common Council hereby approves the Collector's Warrant for the 2022 City Taxes beginning on April 1, 2022 and concluding on May 6, 2022, in the amount of \$19,007,712.22, and directs the Mayor to sign said Warrant.

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

(5)

Nays: None

(0)

CARRIED.

III.2 Clerk-Treasurer

March 25, 2022

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

Dear Honorable Mayor and Common Council:

Please be advised that I have received payment in full for back City, School and County taxes, per their tax agreement with the City, for the following parcel:

182.63-1-65 453 Payne Avenue Melius Welding

Therefore, please pass the necessary resolution withdrawing this parcel from the appropriate In Rem foreclosure proceeding.

Thank you for you cooperation.

Very truly yours, Denise Proefrock Assistant City Treasurer

MOVED by Alderman Lavey SECONDED by Alderman DiBernardo That the Common Council hereby approves the removal of the following parcel:

182.63-1-65 453 Payne Avenue Melius Welding

From the appropriate In Rem foreclosure proceeding for payment in full of City, School, and County taxes. Subject to review by the City Attorney.

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

Nays: None

CARRIED.

VII.1 Accountant

March 30, 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 April 5th, 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 Schmigel That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated April 5, 2022, and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$592,122.49
02	Water Fund	199,136.58
04	Sewer Fund	106,194.14
06	Capital Project Fund	15,000.00
07	Trust & Agency Fund	12,464.84
81	CD - Comm. Dev.	26,600.00
00	Final Total	\$951,518.05

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

VII.2 Accountant

March 31, 2022

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 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 2021 appropriations, based on the request of the Department Head, copy attached.

 Dollar Amount
 Decrease/Increase Account
 Increase Appropriation Account

 \$98,335
 001.0691.0000
 002.8340.0420

Special Assessments Deferred Revenue - ARPA Water Distribution - repairs and maintenance

Reason: Cover the cost of Valve replacement caused by state subcontractor cutting the Cities Water main lines.

Warm regards, Jeffrey Zellner City Accountant

MOVED by Alderman DiBernardo SECONDED by Alderman Schmigel
That the Common Council hereby authorizes the City Accountant to make the following
Budgetary Transfer of fiscal year 2022 appropriations, based on the request of the
Department Head:

 Dollar Amount
 Decrease/Increase Account
 Increase Appropriation Account

 \$98,335
 001.0691.0000
 002.8340.0420

Special Assessments Deferred Revenue - ARPA Water Distribution - repairs and maintenance

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

X. Police Chief

March 28, 2022

Honorable Austin J. Tylec, Mayor And Common Council City Hall North Tonawanda, NY 14120

Dear Honorable Body:

Would you please reappoint Timothy P. Bakula, 892 Thomas Fox Dr, (W), North Tonawanda, NY 14120 as Commissioner of Deeds for the City of North Tonawanda beginning April 22, 2022, and ending April 21, 2024.

> Respectfully, Keith T. Glass **Chief of Police**

MOVED by Alderman Lavey SECONDED by Alderman Loncar That the Common Council hereby reappoints Timothy P. Bakula, 892 Thomas Fox Dr, (W), North Tonawanda, NY 14120 as a Commissioner of Deeds for the City of North Tonawanda effective April 22, 2022 and ending April 21, 2024.

Ayes: Alderman Schmigel, DiBernardo, Lavey, Loncar, Pecoraro Nays: None

CARRIED.

(0)

XIV.1 Dir. Youth, Recreation, Parks & Seniors

March 24, 2022

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

Dear Mayor Tylec and Common Council,

Our department is respectfully asking for approval to enter into an advertising and marketing program 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. Details of the agreement can be seen below:

Per the agreement, Deerwood Golf course listed on their Cumulus Club House Card which gives purchasers one complimentary round of golf with cart. Deerwood would commit to honor and redeem 250 cards in exchange for:

- 1. Bank of commercials: Each course will receive a bank of :30 commercials to use on any Cumulus Buffalo radio station at their discretion April 2022 - December 2022. commercial bank is valued at 50% the value of your round of golf with cart x 250 rounds. (Example: if your round of golf with cart is \$40. Then \$40 x 250 cards = \$10,000/2 = \$5,000commercials schedule).
- 2. Promotional Mentions through a series of (:30) promotional commercials on all four Cumulus Buffalo Radio Stations and promotional information on each radio station's website, golf lovers will be encouraged to purchase the Western New York Golf Card.
- 3. On-Air interview on the station of your choice

- **4. "Signature Hole" Video** (optional) allow our station personalities to play your course and they will shoot, produce and post (on station social media and website) a video of their foursome playing your signature hole during the 22 season.
- 5. New golfers to your course that may have never experienced or visited!
- **6. Web presence** in three key areas: -Sweet Deals is a prominent brand in key areas on each of our website home pages -Sweet Deal homepage for the week of your deal-Deal Detail page with marketing for your course, amenities, hours of operation, address, phone number and link to your website.
- 7. Email Blast of the golf card "on-sale now" to our Sweet Deals database
- 8. Golfer Database (if requested) of those that purchase the card name, address and email

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

MOVED by Alderman Pecoraro SECONDED by Alderman DiBernardo That the Common Council hereby approves entering into an advertising and marketing program 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 2022 Golf Season, subject to review by the City Attorney.

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

Nays: None

CARRIED.

XIV.2 Dir. Youth, Recreation, Parks & Seniors

March 29, 2022

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

Dear Mayor Tylec and Common Council,

Our office was recently contacted about a fishing tournament. Jim Varney from Flower City Sportsmen, is seeking permission to hold a fishing tournament using Gratwick Park as the launch site for approximately 15-20 boats, and include a weigh in station near the boat launch. Details of his request are below:

Date: June 18, 2022

<u>Time:</u> First Safe Daylight for start time (est 5:30 AM arrival) and 8 hours from start time to we end tournament. Approximate time to bring boats off the river would be 3:30 PM.

Weight in: Our weigh-ins take about an hour and we just set up a table with our scale close to the water.

Number of participates: 20 or less boats and about 30 people total. All boats are required to carry liability insurance.

I have reviewed this request and respectfully ask the council for approval of this tournament. As all fishing will be offshore, there is no impact on park use, and all boat trailers will need to obtain a parking pass for the day.

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

MOVED by Alderman Schmigel SECONDED by Alderman DiBernardo That the Common Council hereby grants approval for Flower City Sportsman to hold a fishing tournament at Gratwick Riverside Park, Saturday, June 18, 2022.

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

Nays: None

(0)

CARRIED.

XIV.3 Dir. Youth, Recreation, Parks & Seniors

March 31, 2022

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

Our department has reviewed the special event application from Lakeview Sanctuary indicating their desire to utilize Pinewoods Park on either Sunday April 10 or Saturday April 16th for a fundraising community event with an anticipated 8am set up and 3:30pm clean up. The event has been approved by our department with the following restrictions:

- Pinewoods Shelter is not available for use
- Permanent Bathrooms are not available for use as they are still winterized (One handicap accessible portable unit is located onsite for public use).

Their application indicates their desire to use the park area to hold an easter egg hunt with a suggested donation of \$5 per person for participation. Attached is the letter they've submitted for your approval to waive the special event permit fee.

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

SECONDED by Alderman MOVED by Alderman DiBernardo Loncar That the Common Council hereby grants permission to waive the park fee to Lakeview Sanctuary for Pinewoods Park, to have their fundraising community event, April 16, 2022 from 8am to 3:30pm.

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

(5)

Nays: None CARRIED.

(0)

XVII. Traffic Safety

March 21, 2022

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

Traffic Safety Minutes:

The March 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. Anastasi, R. Brennon. The minutes from the previous meeting were read and accepted, the following new concerns/requests were discussed, and recommendations made.

- 1) Traffic Safety Committee member Frank spoke to the owner of Matt's Music, Kathy Carr, regarding her options for crossing signs and lights in front of her store. Carr is willing to purchase the crosswalk signs and lights and would hire a contractor to install them. Carr is going to hold off on the purchase so we can speak to Mayor Tylec and City Attorney Zebulske regarding liability.
- 2) Member Brennon requested taking down the stop light at Oliver Street and Felton Street due to traffic issues. The committee members have monitored this intersection for several months. When the light is red on Oliver Street, cars in the north bound direction block Jackson Street. When Jackson Street is blocked vehicles can't make a left-hand turn from the southbound lane of Oliver Street. This is causing southbound traffic to back up. There are currently "No Parking" signs on the northwest side of Oliver Street which would give a clear of view to make a turn from Felton Street onto Oliver Street. The committee is recommending turning the light off on Oliver Street to free up the flow of traffic and would like a stop sign placed on Felton Street

Meeting adjourned at 1900 hours.

Travel safely, Robert J. Frank

SECONDED by Alderman Loncar MOVED by Alderman Pecoraro That the Common Council hereby approves Traffic Safety recommendation #2 and receives and files the Traffic Safety minutes from their March meeting. Ayes: Alderman Schmigel, DiBernardo, Lavey, Loncar, Pecoraro (5) Nays: None (0)

CARRIED.

COMMUNICATIONS FROM OTHERS

Sweeney Hose Company

March 10, 2022

North Tonawanda City Hall Attn: NT Common Council 216 Payne Avenue

Dear Honorable Council,

The Sweeney Hose Company #7 has added the following new members to its roster:

Eric Trayer, Aiden Spina and Steven Ribis

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

> Regards, Richard Reeves President – Sweeney Hose Company

SECONDED by Alderman Loncar MOVED by Alderman Lavey That the Common Council hereby approves of Eric Trayer, Aiden Spina and Steven Ribis to be added to the North Tonawanda Fire Rolls. (5)

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

(0)

Nays: None CARRIED.

NT Neighborhood Watch

March 14, 2022

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

Dear Mayor & Common Council:

The North Tonawanda Neighborhood Watch respectfully requests the permission and assistance from the City of North Tonawanda to hang a banner for our organization's 2nd Annual Dyngus Day Oliver Street Parade.

We request the assistance of the DPW to hang the banner across Oliver Street at the poles located at the addresses of 412 & 411 as soon as possible to help spread awareness of the event. The vinyl banner itself is doubled sided and is 25 feet by 3 feet. Attached to this letter is a proof of the banner's design.

The NT Watch thanks you for the city's time and help. We plan on this parade to be a huge success and that the display of the banner will help gain more attendees to showcase North Tonawanda during the event.

> Sincerely, Joseph Marranca Chairman, NT Neighborhood Watch

MOVED by Alderman Schmigel SECONDED by Alderman DiBernardo That the Common Council hereby grants approval for the NT Neighborhood Watch to display a banner across Oliver Street between the addresses of 412 and 411, to advertise their Dyngus Day Oliver Street Parade, Council also directs the Department of Public works to set up said banner.

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

Nays: None (0)

CARRIED.

Jesse Gooch

March 18, 2022

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

Re: Thursdays on the Water

City Council:

I just wanted to do a follow up from our meeting we had in February in regards to Thursdays on the Water concert series. We have been granted access to Gratwick Waterfront Park for the last 5 years to host TOTW concert series. We have run close to 40 concerts there for the community to enjoy. We have turned this into a major community event! We have many local small business and vendors involved. We also donate parking proceeds to local charities including Meals On Wheels, and Veterans One Stop. Over the last 2 years we have donated over 12k to the Vets! We are happy to also have the support from NTPD and NTFD. This has been a fun and safe community event over the years and we look forward for our relationship to continue! Please call or email with any questions or concerns. Thank you!

Regards,
Jesse P. Gooch
JG Productions and Entertainment

MOVED by Alderman Pecoraro SECONDED by Alderman Lavey
That the Common Council hereby grants approval for JG Productions and Entertainment
to hold their "Thursdays On the Water" at Gratwick Riverside Park for the attached dates
and directs the City Attorney's Office to compose an agreement.

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

Nays: None (0)

CARRIED.

D. NT National Little League

March 24, 2022

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

Re: Parade Permit

Dear Ms. Braun:

The North Tonawanda, National Little League is requesting your assistance in obtaining Common Council approval for our annual opening day parade on May 14, 2022 and obtaining the necessary parade permit.

You are also invited to participate in the opening day parade and ceremonies for the 2022 Baseball-Softball season, which marks 70 years of service to the community.

The parade will form at 9:30 a.m. at the former Lower y Middle School on Payne Avenue and follow a route going south on Payne Avenue turning east on Wheatfield Street to our baseball complex at Wheatfield Street and Stephen Sikora Drive.

Please contact Rick Dentinger at 716-289-8492, if you have questions regarding the activities outlined above.

We look forward to seeing you on opening day.

Sincerely, Richard E. Dentinger President

MOVED by Alderman DiBernardo SECONDED by Alderman Lavey
That the Common Council hereby grants a parade permit to the NT National Little League
for their Opening Day Parade, Saturday, May 14, 2022, and also directs the Police
Department to assist in regard to the parade route.

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

Nays: None

CARRIED.

E. Columbia Hook & Ladder Co.

March 29, 2022

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

Re: Removal from Fire Roll

Dear Mayor and Council:

Please remove from the City of North Tonawanda Fire Dept. Volunteer Fire Roll the name of: Michael Landen

He has dropped his membership in Columbia Hook & Ladder Co. No.1 Inc. He was place on the Fire Roll about November 1999.

Very truly yours, David L. Evans Recording Secretary

MOVED by Alderman Lavey SECONDED by Alderman Loncar That the Common Council hereby approves the removal of Michael Landen from the North Tonawanda Fire Rolls.

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

Nays: None

CARRIED.

AUDIENCE PARTICIPATION

<u>Darlene Bolsover, 1336 Sweeney St.</u> – Asked why any Council member didn't ask about where the money was coming from for the Budgetary Transfer.

Mark Berube, 1258 Payne Ave. - Commended the Council for turning down the suggested raise for the Mayor.

<u>Jennifer Toth, 382 Homestead</u> – Agrees that there needs to be more financial information given to the public.

ADJOURNMENT

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

Time of Adjournment: 7:32 P.M.

Respectfully submitted,

na L. Braun

Donna L. Braun City Clerk-Treasurer