

**THE HONORABLE BODY  
Council Chambers  
Municipal Building  
North Tonawanda, New York 14120  
Tuesday, April 19, 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 DiBernardo, Lavey**

**Absent:           Alderman Loncar, Schmigel**

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

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**AUDIENCE PARTICIPATION**

**Nick Csizmar, 771 Remington Drive – Was not happy with the Local Law, would opt out if it becomes a Law.**

**Darlene Bolsover, 1337 Sweeney Street – Had questions on the Warrant cost and asked if the city would be in the red in August.**

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**APPROVAL OF THE MINUTES OF THE SPECIAL SESSION APRIL 12, 2022**

**MOVED by Alderman DiBernardo          SECONDED by Alderman Pecoraro**  
**That the minutes of the special session held April 12, 2022, be approved as circulated and**  
**filed in the Office of the City Clerk.**

<b>Ayes: Alderman DiBernardo, Lavey, Pecoraro</b>	<b>(3)</b>
<b>Nays: None</b>	<b>(0)</b>

**CARRIED.**

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**PROOF OF PUBLICATION PUBLISHED 4/05/2022**

**1) Legal Notice – Sealed Proposals for the City Market Improvements – City Clerk-  
  Treasurer**

**MOVED by Alderman Pecoraro          SECONDED by Alderman DiBernardo**  
**That the Common Council hereby receives and files the aforementioned Proof of**  
**Publication.**  
**CARRIED.**

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## COMMUNICATIONS FROM CITY OFFICIALS

### #1. Frank DiBernardo

March 13, 2022

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

Dear Honorable Body,

Per my previous discussions I would like to add to the council agenda the request to have support for the following event planned for Oliver Street Memorial Day Concert and Bike run. This is being organized by Steve Mineo, owner of Sticky Face BBQ with proceeds going to Tunnels 2 Towers gold star home program.

This would require closing Oliver Street between Schenck and Thompson (tentative 10am-10pm). Mr. Mineo will be responsible for providing all required equipment (portable bathrooms, power, stage) and will be present at our meeting to discuss and field questions.

Thank you for your support.

Frank DiBernardo  
Second Ward Alderman

**MOVED** by Alderman DiBernardo      **SECONDED** by Alderman Lavey  
That the Common Council hereby approves the closing of Oliver Street from Schenck to Thompson for the Oliver Street Memorial Day Concert and Bike Run, Monday, May 30<sup>th</sup> from 10am to 10pm. Council directs the Department of Public Works to provide barricades for said event.

Ayes: Alderman DiBernardo, Lavey, Pecoraro (3)

Nays: None (0)

**CARRIED.**

I.1 Mayor

April 1, 2022

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

**Re: Appointment to Zoning Board of Appeals – Katelyn Wistner**

Dear Honorable Body,

Please be advised I will be appointing Katelyn Wistner, 684 Deerfield Drive, North Tonawanda, NY 14120 to the Zoning Board of Appeals. Ms. Wisner will complete the term of Ken Braun who resigned on March 15, 2022. This term will expire December 31, 2023.

Thank you for your attention to this matter.

Respectfully,  
Austin J. Tylec  
Mayor

**MOVED by Alderman Pecoraro                      SECONDED by Alderman DiBernardo**  
**That the Common Council hereby receives and files the appointment of Katelyn Wistner,**  
**684 Deerfield Drive, North Tonawanda, NY 14120 to the Zoning Board of Appeals,**  
**effective March 16, 2022 and expiring December 31, 2023**

**Ayes: Alderman DiBernardo, Lavey, Pecoraro                      (3)**

**Nays: None    (0)**

**CARRIED.**

**I.2 Mayor**

**April 13, 2022**

**NT Common Council  
216 Payne Avenue  
North Tonawanda, NY 14120**

**Re: T-NT Fireworks**

**Dear Honorable Body,**

**The Mayors and Councils of the City of Tonawanda and North Tonawanda are coming together to bring back the 4<sup>th</sup> 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 on Monday, July 4<sup>th</sup>. We will also require closure of Webster Street between Sweeney Street and Tremont Street.**

**Our office has discussed this with our Police Chief, Fire Chief and Attorney who have all verified that this event can happen.**

**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.**

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

**Thank you for your consideration in moving forward with this event**

**Respectfully,  
Austin J. Tylec  
Mayor**

**MOVED by Alderman Pecoraro                      SECONDED by Alderman Lavey**  
**That the Common Council hereby approves the July 4<sup>th</sup> fireworks display on the**  
**Main/Webster Street bridge with the closure of Webster Street between Sweeney and**  
**Tremont Street and directs the Police and Fire Department to assist with said event.**

**Ayes: Alderman DiBernardo, Lavey, Pecoraro                      (3)**

**Nays: None    (0)**

**CARRIED.**

**I.3 Mayor**

**April 13, 2022**

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

**Re: Community Choice Aggregate**

Dear Honorable Body,

After the presentation by Tom Harty from Joule, I am requesting the council move forward with the proposal, which has been reviewed by the city attorney through a third-party administrator.

This program would allow residents and businesses to receive their energy from renewable energy sources and can reduce energy costs through a competitive bidding process.

The general timeline:

1. Public Hearing
2. Adopt a Local Law (Council Vote)
3. Select third-party Administrator – in this case “Joule”
4. Third-party Administrator does public outreach period for input
5. Third-party Administrator does competitive bidding for energy
6. Award bid (Council Vote)
7. Opt-out period for residents not wanting to get renewable energy
8. Launch program

Throughout this process the public will have numerous opportunities for input. Thank you for your consideration, and for Councilman Lavey’s efforts to move this forward.

Respectfully,  
Austin J. Tylec  
Mayor

**MOVED** by Alderman Lavey                      **SECONDED** by Alderman Pecoraro  
That the Common Council hereby approves moving forward with the Community Choice Aggregate Program.

Ayes: Alderman DiBernardo, Lavey, Pecoraro (3)

Nays: None (0)

**CARRIED.**

## VII. Accountant

April 12, 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 19<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 DiBernardo                      **SECONDED** by Alderman Pecoraro  
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated April 19, 2022, and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$283,481.34
02	Water Fund	41,681.84
04	Sewer Fund	48,707.02
07	Trust & Agency Fund	<u>29,658.97</u>
00	Final Total	<u>\$403,529.17</u>

Ayes: Alderman DiBernardo, Lavey, Pecoraro (3)  
 Nays: None (0)  
**CARRIED.**

**X.1 Police Chief**

April 12, 2022

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

Dear Honorable Body:

Would you please reappoint Michelle A. Day, 290 DiMatteo Drive, North Tonawanda, NY 14120 as Commissioner of Deeds for the City of North Tonawanda beginning May 4, 2022, and ending May 3, 2024.

Respectfully,  
 Keith T. Glass  
 Chief of Police

**MOVED** by Alderman Lavey                      **SECONDED** by Alderman DiBernardo  
 That the Common Council hereby reappoints Michelle A. Day, 290 DiMatteo Drive, North Tonawanda, NY 14120 as a Commissioner of Deeds for the City of North Tonawanda effective May 4, 2022 and ending May 3, 2024.

Ayes: Alderman DiBernardo, Lavey, Pecoraro (3)  
 Nays: None (0)  
**CARRIED.**

**X.2 Police Chief**

April 12, 2022

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

Dear Honorable Body:

I intend on hiring Joseph Casale III to fill a vacant police officer position. Joseph will be a lateral transfer from the Niagara County Sheriff's and has been approved for transfer by the Niagara County Civil Service Department and authorized by Mayor Tylec.

The effective date of his transfer will be April 29, 2022

Respectfully,  
 Keith Glass  
 Chief of Police

**MOVED by Alderman DiBernardo      SECONDED by Alderman Pecoraro**  
**That the Common Council hereby approves the appointment of Joseph Casale III as a**  
**Police Office for the North Tonawanda Police Department, effective April 29, 2022.**

**Ayes: Alderman DiBernardo, Lavey, Pecoraro      (3)**

**Nays: None      (0)**

**CARRIED.**

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**X.3 Police Chief**

**April 11, 2022**

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

**Dear Honorable Body,**

**I am requesting the Council approve an increase in fines for violations listed on the North Tonawanda Police Department parking summons (NT61). Fines listed on our parking tags have not increase since 2016. To account for inflation and to stay closer in line to the fine amounts assessed by surrounding departments, I propose the following:**

**Violations with a \$20 fine increase to \$25. (12 of the 16 violations)**

**Violations with a \$25 fine increase to \$35. (1 violation)**

**Violations with a \$50 fine increase to \$60. (3 of the 16 violations)**

**Thank you for your consideration in this matter.**

**Respectfully,**  
**Keith Glass**  
**Chief of Police**

**MOVED by Alderman Pecoraro      SECONDED by Alderman DiBernardo**  
**That the Common Council hereby approves the increase on the North Tonawanda Police**  
**Department parking summons (NT61) fines for the following:**

**Violations with a \$20 fine increase to \$25. (12 of the 16 violations)**

**Violations with a \$25 fine increase to \$35. (1 violation)**

**Violations with a \$50 fine increase to \$60. (3 of the 16 violations)**

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

**Ayes: Alderman DiBernardo, Lavey, Pecoraro      (3)**

**Nays: None      (0)**

**CARRIED.**

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**XXV. Monthly Reports**

**.1 Clerk-Treasurer      .2 Police Department      .3 Senior Citizen Center**

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

**Ayes: Alderman DiBernardo, Lavey, Pecoraro      (3)**

**Nays: None      (0)**

**CARRIED.**

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## COMMUNICATIONS FROM OTHERS

**A.**  
Niagara County Youth Bureau

April 7, 2022

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

**Dear North Tonawanda City Council,**

In 2022, we intend to host the 24<sup>th</sup> Annual Kidz ‘N’ Kites on Saturday, September 17<sup>th</sup>, 2022 from 11:00am-2:00pm. Our intention is to host at the gorgeous Gratwick Riverside Park in North Tonawanda and are hopeful the council can waive the permit fees for the event.

This program brings together youth and their families, providing the first 500 children in attendance with a FREE kite, FREE T-shirt and FREE hot dog lunch, along with a chance at tons of small and large prizes.

In order to continue to offer this event as FREE, each year we look to the local organizations and business community for sponsorships and prizes.

The kite flying festival is coordinated by the Niagara County Department of Social Services, Niagara County Youth Bureau and various youth serving organizations across the county.

We are hopeful that North Tonawanda would consider being a partner for this year’s event and waive permit fees for the shelters at Gratwick Riverside Park. Please contact (716) 278-6872 or email [Benjamin.Bunker@niagaracounty.com](mailto:Benjamin.Bunker@niagaracounty.com) for any questions or sponsorship opportunities. Thank you for your consideration and we hope you will come “FLY” with us in celebration of youth and families.

Sincerely,  
Benjamin Bunker  
Youth Bureau Director

**MOVED by Alderman Lavey                      SECONDED by Alderman DiBernardo**  
That the Common Council hereby grants permission for the Niagara County Youth Bureau to host their 24<sup>th</sup> Annual Kidz ‘N’ Kites on Saturday, September 17<sup>th</sup>, 2022 from 11:00am-2:00pm at Gratwick Riverside Park and also waives the permit fees for said event.  
Ayes: Alderman DiBernardo, Lavey, Pecoraro (3)  
Nays: None (0)  
**CARRIED.**

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**B.**  
Glory Be To Kids

April 10, 2022

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

**Dear Members of the North Tonawanda City Council,**

The City of North Tonawanda has been instrumental in our fundraising efforts since 1981. We would ask the Council and Recreation Department to waive the usage fees for the following activities:

Pinewoods Park for the softball tournament draw on July 13, 2022  
 Softball Diamonds for Softball Tournament on July 16 & 17, 2022  
 (rain date: July 23 & 24, 2022)  
 Pinewoods Park for the 5K/Chowder Challenge on October 1, 2022

With the continued support of the City of North Tonawanda, Glory be to Kids would hope to achieve a goal of \$40,000 for B.A.C.A., (Bikers Against Child Abuse). B.A.C.A. is an organization that offer support and programs to children that have experienced child abuse.

Glory be to Kids appreciate, the Councils consideration to help us reach our goal.

Sincerely,  
 Debra Goldpenny  
 Board Member

**MOVED** by Alderman Pecoraro                      **SECONDED** by Alderman DiBernardo  
 That the Common Council hereby grants approval for Glory be to Kids to use Pinewoods Park and waive the usage fees, July 13, 2022 for their tournament draw and the use of the softball fields, July 16-17 with rain dates July 23-24, 2022, and also grants approval for the use of Pinewoods Park on Saturday, October 1, 2022 for the 5K/Chowder Challenge.  
 Ayes: Alderman DiBernardo, Lavey, Pecoraro (3)  
 Nays: None (0)  
**CARRIED.**

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C.  
 United Veterans' Council of  
 The Tonawandas

April 9, 2022

City Clerks Office  
 216 Payne Avenue  
 North Tonawanda, NY 14120

North Tonawanda Common Council,

On Sunday May 29, 2022, the United Veterans' Council would like to hold our Memorial Day service on the Renaissance Bridge. The service will start at 12 noon and will be over by 12:30pm. We are requesting that traffic to the bridge be closed at 11:30am and reopen at 12:45pm.

We would like Mayor Tylec to introduce city officials in attendance and give a short speech.

The Veterans' Council after much discussion has decided to cancel the parade for lack of marching units and poor attendance along the parade route.

In Service to America  
 Paul Pietrowski

**MOVED** by Alderman Lavey                      **SECONDED** by Alderman DiBernardo  
 That the Common Council hereby approves the closing of the Renaissance Bridge on Sunday May 29, 2022 from 11:30AM to 12:45PM for the annual Memorial Day Observance Service by the Tonawanda's United Veterans Council, directing the DPW to provide barricades for said event and the Police Department to assist with traffic.  
 Ayes: Alderman DiBernardo, Lavey, Pecoraro (3)



Nays: None  
CARRIED.

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**AUDIENCE PARTICIPATION**

**Barry Weatherbee, 716 Sweeney Street** – Is concerned about more speeding on Sweeney Street, handed a report to the Mayor and Common Council. The report will be sent to the Traffic Safety Committee.

**Al Baker, 61 Keil Street** – Asked why there is a \$100 per foot fee to cut a curb to widen a driveway.

**Deborah Gondek, 257 Brentwood Drive** – Was just checking on the DigiHost Project.

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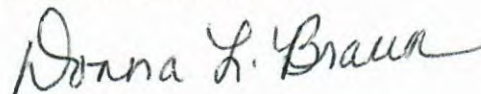
**ADJOURNMENT**

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

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**Time of Adjournment: 7:18 P.M.**

Respectfully submitted,



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