

**THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, June 7, 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 - None

APPROVAL OF THE MINUTES OF THE REGULAR SESSION MAY 17, 2022

**MOVED by Alderman DiBernardo SECONDED by Alderman Schmigel
That the minutes of the regular session held May 17, 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.

PROOF OF PUBLICATION PUBLISHED 5/12/2022

- 1) Legal Notice – Public Hearing on Proposed Local Law No. 2 & 3 for 2022 entitled Solar Energy Systems Law & Pilot Law – City Clerk-Treasurer**
- 2) Legal Notice – Local Planning Committee meeting to discuss the City’s Downtown Revitalization Initiative – Dir. Community Development**

PROOF OF PUBLICATION PUBLISHED 5/17/2022

- 1) Legal Notice – Sealed Proposals for 2022 Brush and Tree Grinding – City Clerk-Treasurer**
- 2) Legal Notice – Sealed Proposals for qualified Engineering Firms to provide design and assessment services on process piping for the City of North Tonawanda Wastewater Treatment Plant – Supt. Water/Wastewater**

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

CARRIED.

COMMUNICATIONS FROM CITY OFFICIALS

#1. Robert Pecoraro

May 30, 2022

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

Dear Honorable Body:

In previous years, we hosted a Children's Parade where all families in the municipality can participate so we can recognize those who won our struggles for Independence. This year is no different and I appreciate the Common Council support to close Thompson Street from Pine Woods Park to the Carousell Museum from 9:45am until 11am on July 4th. In addition, I request the support of the Police Auxiliary to facilitate the safety of the Parade.

All are welcome to participate. The Erie Niagara Sunrise Exchange Club will be passing out small American flags to all the children supporting their Americanism committee program "give a kid a flag". Once we arrive at the Carousell Museum, the rides will be opened to the participants.

Please contact me if you have any questions.

Sincerely,
Alderman at Large Robert E. Pecoraro
President, North Tonawanda Common Council

MOVED by Alderman DiBernardo SECONDED by Alderman Loncar
That the Common Council hereby grants permission to close Thompson Street from Pine Woods Park to the Carousell Museum from 9:45am until 11am on July 4th, for the Children's Parade, and directs the Police Auxiliary to assist with said event.

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

Nays: None (0)

CARRIED.

VII. Accountant

June 2, 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 June 7th, 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 Lavey

SECONDED by Alderman Loncar

That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated June 7, 2022, and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$599,369.43
02	Water Fund	41,096.01
04	Sewer Fund	89,449.93
06	Capital Project Fund	814,713.86
07	Trust & Agency Fund	<u>12,286.11</u>
00	Final Total	<u>\$1,556,915.34</u>

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

X.1 Police Chief

May 16, 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 a raise in pay for the police matrons. Our matrons play a vital role in our police department. They are responsible for the intake process of female prisoners, which includes thorough pat-downs and searches of female prisoners and the securing of a prisoner's personal property. The matrons have supervision and control over all female prisoners within our building and keep a constant watch over them to ensure their safety and prevent any suicide attempts that may take place while in the cell.

Now more than ever, with extensive police reform and a spotlight on in-custody inmate deaths taking place in several different jail facilities, well-trained matrons are a necessary part of our police department. These matrons are becoming extremely difficult to find and keep on our payroll for any length of time.

I feel the current payrate of \$13.25/hour with a \$100/week flat stipend is simply too low and is a direct reflection of our inability to hire and keep the staff that is needed. Because of our shortage of matrons, we have been paying our female police officers' overtime to watch female prisoners which is an unnecessary draw on our overtime budget. This year, we have paid approximately \$1200 to our female officers working overtime to fill in to cover our matron shortage. I believe a payrate of \$18.00/hour with a \$100/week flat stipend for our current and future matrons is commensurate with the duties required and more fitting to today's cost of living. Thank you for your consideration.

Respectfully,
Keith Glass
Chief of Police

MOVED by Alderman Lavey **SECONDED by Alderman Loncar**
That the Common Council hereby approves the payrate increase for the Police Matron from \$13.25/hour with a \$100/week flat stipend to \$18.00/hour with a \$100/week flat stipend. Subject to review by the City Attorney.

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

Nays: None (0)

CARRIED.

X.2 Police Chief

May 6, 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 the following addition to our city's city ordinances:

**(NEW) Part 5
 Removal of Vehicles**

§96-14A (new). Persistent Violators

- A. Upon 3 or more unanswered violations of the preceding parking restrictions as set out in Section 96, Article I, the City may remove said vehicle to any place or garage designated by the Chief of Police at the owner's expense. Said vehicle may be released subsequent to payment of all unanswered violations.
- B. The owner, or person in charge of said vehicle, may redeem the same upon payment of the amount of all expenses actually and necessarily incurred in effecting such removal, together with any charges for storage, in addition to payment of all unanswered violations.
- C. The Police Department shall have the duty to ascertain to the extent possible the owner of the vehicle or a person having charge of same, to notify him of the removal and disposition of such vehicle and of the amount which will be required to redeem same and to comply in all other respects with the Vehicle and Traffic Law.

The City Clerk-Treasurer's office is currently inundated with unpaid parking tickets. Their office submits a list of vehicles with more than three unpaid tickets to our police department, at which time these vehicles, if found to be parked on a public street, are towed and held until payments are settled. After working with our City Attorney on this issue, I would like this addition to our City's Ordinances to reflect the current policies that are in place to help alleviate the burden of persistent violators of unpaid parking tickets.

**Respectfully,
 Keith Glass
 Chief of Police**

MOVED by Alderman Loncar **SECONDED by Alderman DiBernardo**
That the Common Council at a regular session meeting, held at City Hall, 216 Payne Avenue, North Tonawanda, New York at 6:30 PM on June 7, 2022 the following amendment to the North Tonawanda City Code Chapter 96 Vehicle & Traffic was passed and reads as follows:

**(NEW) Part 5
Removal of Vehicles**

§96-14A (new). Persistent Violators

- D. Upon 3 or more unanswered violations of the preceding parking restrictions as set out in Section 96, Article I, the City may remove said vehicle to any place or garage designated by the Chief of Police at the owner's expense. Said vehicle may be released subsequent to payment of all unanswered violations.
- E. The owner, or person in charge of said vehicle, may redeem the same upon payment of the amount of all expenses actually and necessarily incurred in effecting such removal, together with any charges for storage, in addition to payment of all unanswered violations.
- F. The Police Department shall have the duty to ascertain to the extent possible the owner of the vehicle or a person having charge of same, to notify him of the removal and disposition of such vehicle and of the amount which will be required to redeem same and to comply in all other respects with the Vehicle and Traffic Law.

Subject to review by the City Attorney

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

(5)

Nays: None

(0)

CARRIED.

X.3 Police Chief

May 31, 2022

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

Dear Honorable Body,

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

The effective date of her transfer will be June 10, 2022.

**Respectfully,
Keith Glass
Chief of Police**

MOVED by Alderman Pecoraro

SECONDED by Alderman Lavey

That the Common Council hereby approves the appointment of Marissa Bonito as a Police Office for the North Tonawanda Police Department, effective June 10, 2022.

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

(5)

Nays: None

(0)

CARRIED.

XVII. Traffic Safety

May 15, 2022

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

Traffic Safety Minutes:

The May 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, A. DiBernardo, D. Grinnell, R. Brennan. The minutes from the previous meeting were read and accepted, the following new concerns/requests were discussed, and recommendations made.

- 1) The Clerk's Office received a complaint that there are no "No Parking" signs in front of 100 Oliver Street, yet vehicles were still getting parking tickets. Member Frank and Meisenburg went to 100 Oliver Street to find that this was false. There are "No Parking" signs posted in front of 100 Oliver Street.
- 2) Mayor Tylec received a request for a crosswalk at Sweeney Street and Spruce Street. This request was sent to the committee before, and we found that there must be a sidewalk for the crosswalk to attach to. This is a good idea although the city would have to pay for new sidewalks. Mayor Tylec was advised.
- 3) The committee received a complaint regarding speeding on Sweeney Street. The traffic officer and ADP program will be monitoring this. We will also put Sweeney Street on the list for the speed sign.
- 4) Member Brennan received a request for speed limit signs on North Avenue as there are none on this street. Member Meisenburg will post "30 MPH" speed limit signs next week.
- 5) Member Brennan received a request for a light removal at Sweeney Street and Webster Street. The committee was informed that this light should stay up as part of a new project in which there will be part of a bike path that will be going past this intersection. The committee agrees to keep the light up until consulted with the bike path coordinator.
- 6) The committee has been continuing to monitor the stop sign removal at Payne Avenue and Goundry Street. Member Frank has been gathering data from the speed sign every day which is showing that the average speed of the vehicles is well under the posted speed limit. This data has been sent to the Mayor's Office and Common Council, as is available upon request. We switched the speed sign to the other side of the street to see the speeds in the southernly direction. We have been getting mostly positive feedback overall on this intersection although we have some residents in the neighborhood that would like the stop signs back up. One of these residents requested that the stop signs be taken down at Christiana Street instead of Goundry Street. There have been 2 accidents in which both drivers stopped at the stop sign and proceeded to fail to yield the right of way to the other vehicle. These drivers were issued tickets. Both drivers at fault said they did not read the sign that says, "Cross traffic does not stop", which is posted on both sides of Goundry Street. The committee will continue to monitor this intersection, as well as use the traffic officer, ADP Program and speed sign to help gather data.

Meeting adjourned at 1900 hours.

Travel safely,
Robert J. Frank

MOVED by Alderman DiBernardo SECONDED by Alderman Loncar
That the Common Council hereby approves and receives and files the Traffic Safety minutes from their May meeting.

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

Nays: None (0)

CARRIED.

XXV. Monthly Reports

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

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

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

Nays: None (0)

CARRIED.

XXXII. Community Development

June 2, 2022

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

Re: Community Development Block Grant Program – Request for Required Public Hearing

Dear Honorable Body,

In consideration of a possible application to the New York State Office of Community Renewal Community Development Block Grant (CDBG) Economic Development program, per CDBG regulations, the City of North Tonawanda is required to hold a public meeting to discuss CDBG activities and the potential application. The hearing must be held at a meeting with a quorum of the Common Council.

I would like to formally request authorization to hold a required public meeting for the Community Development Block Grant (CDBG) program to be held on June 28th 2022, at 6:00pm in the Common Council chambers immediately preceding the regularly scheduled Common Council work session.

Thank you for your time and consideration.

**Kindest regards,
 Laura Wilson
 Dir. Community Development**

MOVED by Alderman DiBernardo SECONDED by Alderman Pecoraro
That the Common Council hereby grants permission for Community Development to hold a required public meeting for the Community Development Block Grant (CDBG) program on Tuesday June 28th, at 6:00PM in the Common Council Chambers immediately preceding the regularly scheduled Common Council work session.

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

Nays: None (0)

CARRIED.

COMMUNICATIONS FROM OTHERS

A.
NT History Museum

June 1, 2022

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

Dear Mayor and Council,

The North Tonawanda History Museum is expanding its gift shop offerings and is seeking permission of offer a Christmas-style ornament bearing the seal of the city.

A rendering of what is being considered is below.

We are asking permission to use this symbol on the ornament.

Yours truly,
Audrey Monkiewicz
NTHM Volunteer & Trustee

MOVED by Alderman Lavey **SECONDED** by Alderman Loncar
That the Common Council hereby approves the North Tonawanda History Museum to use the North Tonawanda City Seal to make and sell Christmas-style ornaments in their gift shop.

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

Nays: None (0)

CARRIED.

AUDIENCE PARTICIPATION

Joe Midura, 115 10th Avenue – Asked about the Mayor’s Newsletter and why he has signed up a couple of times and still has not been signed up.

Kurt & Nancy Klepp, 1295 Erie Avenue – Is having problems with dirt bikes and ATVs on the private property on Erie and wanted the city to look into it. Would like more patrols on Erie.

Lori Paton, 260 Oliver Street – Questioned the Memorial Day concert that was on Oliver Street, very upset that none of the residents were notified that the street was going to be shut down.

David Messana, 1107 Bowen Drive East – Would like the “No Parking” signs on the street removed. Feels there needs to be other solutions.

Deborah Gondek, 257 Brentwood Drive – Wanted to know the status on DigiHost for the timeline on the fence being complete.

Darlene Bolsover, 1337 Sweeney Street - Wanted to thank everyone for the great job at the City Market.

ADJOURNMENT

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

Time of Adjournment: 7:35 P.M.

MOVED by Alderman Lavey **SECONDED** by Alderman Schmigel
To go into an Executive Session at 8:05 PM
Ayes: Alderman Schmigel, DiBernardo, Lavey, Loncar, Pecoraro **(5)**
Nays: None **(0)**
CARRIED.

MOVED by Alderman Lavey **SECONDED** by Alderman Loncar
To go out of the Executive Session
Ayes: Alderman Schmigel, DiBernardo, Lavey, Loncar, Pecoraro **(5)**
Nays: None **(0)**
CARRIED.

Time of Adjournment: 8:30 P.M.

Respectfully submitted,

Donna L. Braun

Donna L. Braun
City Clerk-Treasurer