

Ayes: Alderman Lavey, Loncar, Pecoraro
 Nays: None
 CARRIED.

(3)
 (0)

COMMUNICATIONS FROM CITY OFFICIALS

I. Mayor

August 10, 2022

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

Re: School Resource Officer (SRO) Contracts

Dear Honorable Body:

Police Chief Glass & I met with the North Tonawanda School District to discuss the renewal of our School Resource Officer agreements which utilizes two (2) North Tonawanda Police Officers in our public school district. The attached agreements designates a School Resource Officer at the North Tonawanda Intermediate School and North Tonawanda High School. Both agreements call for the school district to pay the City \$110,000 for each SRO, totaling \$220,000 on an annual basis for the next two years.

This contribution from the school district is an increase of \$29,107 from the original agreements and will allow our police department to continue monitoring the safety of our schools.

Our Police Chief & I would ask for the Common Council's support by passing the attached contracts.

Thank you for your attention to this matter.

Respectfully,
 Austin Tylec
 Mayor

MOVED by Alderman Pecoraro

SECONDED by Alderman Lavey

That the Common Council hereby approves the attached agreements for the School Resource Officers, one at the North Tonawanda Intermediate School and one at the North Tonawanda High School in the amount of \$110,000 for each totaling \$220,000 annually for the next 2 years, subject to review by the City Attorney.

Ayes: Alderman Lavey, Loncar, Pecoraro
 Nays: None
 CARRIED.

(3)
 (0)

VII.1 Accountant

August 10, 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 August 16th, 2022, and further authorize the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant.

Warm regards,
Jeffrey R. Zellner
City Accountant

MOVED by Alderman Pecoraro **SECONDED** by Alderman Lavey
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated August 16, 2022, and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$305,450.11
02	Water Fund	\$11,854.68
04	Sewer Fund	\$69,768.57
06	Capital Project Fund	\$689,102.79
07	Trust & Agency Fund	<u>\$4,978.26</u>
00	Final Total	<u>\$1,081,154.41</u>

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

VII.2 Accountant

August 10, 2022

A LOCAL LAW TO ALLOW THE CITY OF NORTH TONAWANDA, NEW YORK TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW SECITON 3-C

WHEREAS, on August 9th, 2022, a public hearing was held at 6:15pm in the council chambers, 216 Payne Avenue, North Tonawanda, New York.

WHEREAS, there were four (4) residents that spoke against the Local Law.

WHEREAS, General Municipal Law section 3-c requires Common Council to obtain sixty percent approval to adopt Local Law #2 of 2022.

WHEREAS, that a Local Law to override the Tax Levy Limit for the City of North Tonawanda to be voted on, as follows:

MOVED by Alderman Pecoraro SECONDED by Alderman Lavey
That the Common Council at a regular meeting, held at City Hall, 216 Payne Avenue, North Tonawanda, New York at 6:30 p.m. on August 16, 2022 approves the Resolution for Local Law No.2 of 2022 -A Local Law of the City of North Tonawanda, New York to Override the Tax Levy Limit Established in General Municipal Law Section 3-C, and reads as follows:

LOCAL LAW NO.2 OF 2022
A LOCAL LAW OF THE CITY OF NORTH TONAWANDA, NEW YORK TO
OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPALE
LAW SECTION 3-C

Be it enacted by the City Council of the City of North Tonawanda in the County of Niagara, as follows:

Section 1. Legislative Intent

It is the intent of the Local Law to override the limit on the amount of real property taxes that may be levied by the City of North Tonawanda, County of Niagara, State of New York pursuant to General Municipal Law 3-c, and to allow City of North Tonawanda to adopt a budget for (a) City purposes and (b) any other special or improvement district governed by the Common Council for the Fiscal Year 2023 that requires a real property tax levy in the excess of the "tax levy limit" as defined by the General Municipal Law 3-c.

Section 2. Authority

This Local Law is adopted pursuant to subdivision 5 of General Municipal Law 3-C, which expressly authorizes the Common Council to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Common Council.

Section 3. Tax Levy Limit Override

The Common Council of the City of North Tonawanda is hereby authorized to adopt a budget for the fiscal year 2023 that requires a real property tax levy in excess of the limit specified in General Municipal Law 3-c

Section 4. Severability

If any clause, sentence, paragraph, subdivision, or part of the Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of the Local Law or in its application to the person, individual, firm, or corporation or circumstance, directly involved in the controversy in which such judgement or order shall be rendered.

Section 5. Effective date

This local law shall take effect immediately upon filing with the Secretary of State.

PLEASE TAKE NOTICE THE EXTENT THAT THIS LOCAL LAW MAY CONFLICT WITH APPLICABLE PORTIONS OF THE GENERAL CITY LAW OF THE STATE OF NEW YORK, IT IS THE STATED INTENTION OF THE CITY TO EXERCISE ITS AUTHORITY TO SUPERCEDE AND AMEND, AS GRANTED UNDER THE MUNICIPAL HOME RULE LAW OF THE STATE OF NEW YORK, SECTION 10. THE CITY HEREBY PROVIDES NOTICE THAT IT IS EXERCISING ITS AUTHORITY TO SUPERCEDE AND AMEND PURSUANT TO MUNICIPAL HOME RULE LAW OF THE STATE OF NEW YORK SECTION 22.5

Subject to further review by the City Attorney.

Ayes: Alderman Lavey, Loncar, Pecoraro

(3)

Nays: None

(0)

CARRIED.

XIV. Youth, Recreation, Parks & Seniors

August 10, 2022

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

I respectfully ask for approval to the change order for the Deerwood Pump Station Upgrade Project that was awarded to Pump Irrigation Technologies who was the sole bid on the project at a total cost of \$164,449.00.

The change in motors for pumps plus freight totals result in an additional cost of \$2,292.00 making the total project cost \$166,741.00. The addition is budgeted for with funds from our Golf Course Capital improvement account.

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

MOVED by Alderman Loncar **SECONDED** by Alderman Lavey
That the Common Council hereby approves the change order for the Deerwood Pump Station Upgrade Project that was awarded to Pump Irrigation Technologies in the amount of \$2,292.00 making the total project cost \$166,741.00, subject to review by the City Attorney.

Ayes: Alderman Lavey, Loncar, Pecoraro (3)

Nays: None (0)

CARRIED.

XXV. Monthly Reports

.1 Senior Citizen Center .2 City Clerk-Treasurer

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

Ayes: Alderman Lavey, Loncar, Pecoraro (3)

Nays: None (0)

CARRIED.

LATE COMMUNICATION

MOVED by Alderman Lavey **SECONDED** by Alderman Pecoraro
To bring the following communication to the floor.

Ayes: Alderman Lavey, Loncar, Pecoraro (3)

Nays: None (0)

CARRIED.

#1.
Clerk-Treasurer

August 16, 2022

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

Dear Honorable Body,

I am requesting that the Common Council approve a request to waive the residency to allow me to hire an Account Clerk I position that has been vacant since the retirement of Michele Ackerman.

I have exhausted all avenues in the hiring process since May of this year. This included posting within the Union, following all procedures within the Civil Service System. Interviewed all qualified candidates that were residents of North Tonawanda that were on an approve canvas list.

I appreciate your approval and consideration of this request

Submitted by,
Donna L. Braun
City Clerk-Treasurer

MOVED by Alderman Pecoraro SECONDED by Alderman Lavey
That the Common Council hereby grants permission to waive the residency requirement,
so that the City Clerk-Treasurer can hire an Account Clerk I position in the Clerks Office.
Ayes: Alderman Lavey, Loncar, Pecoraro (3)
Nays: None (0)
CARRIED.

AUDIENCE PARTICIPATION

Chris DelPrince, 800 Thomas Fox Dr. West – Wanted to address Alderman Lavey about an incident that happened at the City Market, along with other market vendors.


Jack Kanak, 84 South Meadow Drive – Was hoping that the noise from across the canal is being addressed.

Dan Witcopp, 42 Second Avenue – Wanted to say that the “Porch Fest” was wonderful.

ADJOURNMENT

MOVED by Alderman Loncar 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.

Respectfully submitted,

Donna L. Braun
City Clerk-Treasurer