

# City of North Tonawanda

DONNA L. BRAUN  
City Clerk-Treasurer  
dbraun@northtonawanda.org

Lori Swartz  
Assistant City Clerk

Denise Proefrock  
Assistant City Treasurer

OFFICE OF THE CITY CLERK - TREASURER  
VITAL STATISTICS  
CITY HALL  
216 PAYNE AVENUE  
NORTH TONAWANDA, N.Y. 14120

Treasurer's Office: (716) 695-8575  
Clerk's Office: (716) 695-8555  
Fax: (716) 695-8557

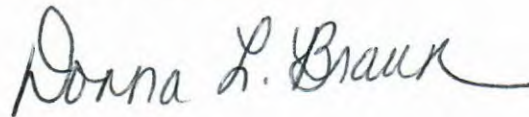
**July 27, 2023**

**The following meetings have been scheduled for TUESDAY, AUGUST 1, 2023:**

**6:15PM Common Council Meeting Discussion**

**6:30PM Common Council Meeting in Common Council Chambers**

**Respectfully submitted,**



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

**TO: Honorable Mayor & Common Council  
Alderman Schmigel, DiBernardo, Lavey, Loncar, Marranta**

**FROM: Donna L. Braun, City Clerk-Treasurer**

**RE: Agenda for Regular Session TUESDAY AUGUST 1, 2023 6:30PM**

**AUDIENCE PARTICIPATION – Agenda items only, not to exceed 90 minutes with each speaker limited to a five-minute maximum.**

**PROOF OF PUBLICATION PUBLISHED 7/08/2023**

- 1) Legal Notice – Estoppel Notice for the 2023 Various Public Improvements Serial Bond – Clerk-Treasurer

**PROOF OF PUBLICATION PUBLISHED 7/21/2023**

- 1) Legal Notice – Request for Proposal for Real Property Reassessment Project for the City of North Tonawanda – City Clerk-Treasurer

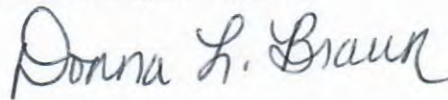
**COMMUNICATIONS FROM CITY OFFICIALS**

- |                                |   |  |
|--------------------------------|---|--|
| I. Mayor                       | - | Re: Approval of City Code Change to Zoning Section 103-14 Off-Street Parking |
| VII. Accountant                | - | Re: Payment of the Abstract of Claims Dated August 1, 2023                   |
| IX. Supt. Public Works         | - | Re: Approval of Bid for Project 2023-04 Main Street Mill and Overlay         |
| XVII. Traffic Safety Committee | - | Re: Various Traffic Safety Recommendations from their July meeting           |
| XXV. Monthly Reports           |   |  |
| .1 Police Department           |   |  |

## COMMUNICATIONS FROM OTHERS

- A.  
NT History Museum - Re: Permission to use the Sweeney Cemetery,  
October 27<sup>th</sup> and 28<sup>th</sup> for their fund raising  
tours
- B.  
The American Legion - Re: Permission to have their "Annual Fill the  
Helmet at the Market", Saturday,  
September 16<sup>th</sup>

Respectfully submitted,



Donna L. Braun  
City Clerk-Treasurer



AUG 01 2023

STATE OF NEW YORK  
NIAGARA COUNTY, } SS, \_\_\_\_\_

Jackie Bilogan, of said county, being duly sworn, deposes and says that she is now and during the whole time hereinafter mentioned was the Clerk of

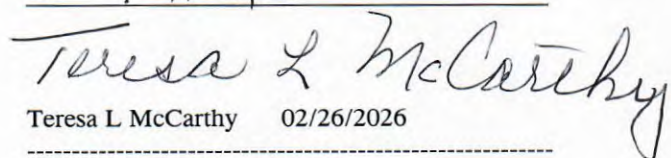
NIAGARA GAZETTE

A newspaper published in the County and State aforesaid,  
and that the annexed printed legal # 319583  
was printed and published in said paper on the following dates:

07/08/2023

  
\_\_\_\_\_  
Principal Clerk

Subscribed and sworn to before me this  
7-11-23

  
Teresa L. McCarthy      02/26/2026  
-----  
Notary Public              Expiration Date

RECEIVED  
CITY CLERK'S OFFICE  
  
2023 JUL 13 AM 9:38  
NORTH TONAWANDA NY

TERESA L MCCARTHY  
Notary Public - State of New York  
No. 01MC4962698  
Qualified in Niagara County  
My Comm. Expires Feb. 26, 2026

SATURDAY, JULY 8 AND SUNDAY J

105 Public Notices

105 Public Notices

105 Public Notices

105 Public Notices

**ESTOPPEL NOTICE**

The resolution, a summary of which is published herewith, has been adopted by the Common Council of the City of North Tonawanda on July 5, 2023, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the City of North Tonawanda, Niagara County, New York is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

Donna Braun, City Clerk-Treasurer  
City of North Tonawanda

**SUMMARY OF BOND RESOLUTION**

Set forth below is a summary of said resolution adopted by the Common Council of the City of North Tonawanda on July 5, 2023.

1. The resolution is entitled "BOND RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF NORTH TONAWANDA, NIAGARA COUNTY, NEW YORK (THE "CITY") AUTHORIZING THE ISSUANCE OF \$24,855,000 IN SERIAL BONDS OF THE CITY TO FINANCE VARIOUS PUBLIC IMPROVEMENTS" and authorized serial bonds of the City for the following respective specific objects or purposes, including all the respective principal amounts, and the respective periods of probable usefulness ("PPU"), as indicated below:

(1) Bonds in the principal amount of \$4,830,000 to finance the estimated cost of certain improvements to the City's Wastewater Treatment Plant, specifically at the Carbon Filter Building, as set forth and described in a certain engineering report titled "North Tonawanda WWTP Process Piping Assessment" as prepared by Arcadis of New York, Inc., dated June 2023; PPU of 30 years;

(2) Bonds in the principal amount of \$19,400,000 to finance the estimated cost of certain improvements to the City's Wastewater Treatment Plant, specifically the northwest primary digester, as set forth and described in a certain engineering report titled "North Tonawanda WWTP Sludge Handling Process Plan" as prepared by Arcadis of New York, Inc., dated June 2023; PPU of 30 years; and

(3) Bonds in the principal amount of \$625,000 to finance the estimated cost of conducting a feasibility study for the Twin City Highway Memorial Highway Project; PPU of 5 years.

2. Aggregate amount of Debt Obligations Authorized: up to \$24,880,000.

The resolution summarized herein shall be available for public inspection during normal business hours at the offices of the City Clerk-Treasurer, City of North Tonawanda, City Hall, 216 Payne Avenue, North Tonawanda, New York 14120.

N#319583

7/8/2023



STATE OF NEW YORK  
NIAGARA COUNTY, } SS, \_\_\_\_\_

AUG 01 2023

Jackie Bilogan, of said county, being duly sworn, deposes and says that she is now and during the whole time hereinafter mentioned was the Clerk of

NIAGARA GAZETTE

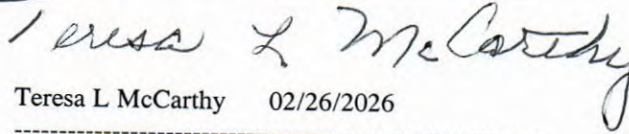
A newspaper published in the County and State aforesaid, and that the annexed printed legal # 320196 was printed and published in said paper on the following dates:

07/21/2023

  
Principal Clerk

Subscribed and sworn to before me this

7.24.23

  
Teresa L. McCarthy

02/26/2026

Notary Public                      Expiration Date

TERESA L MCCARTHY  
Notary Public - State of New York  
No. 01MC4962698  
Qualified in Niagara County  
My Comm. Expires Feb. 26, 2026

2023 JUL 26 AM 9:14  
NORTH TONAWANDA NY  
RECEIVED  
CITY CLERK'S OFFICE

117 Bids

117 Bids

Legal Notice  
Request For Proposal  
Real Property Reassessment Project  
For the City of North Tonawanda

Request of Proposals (RFP) are currently being accepted for contractual services for the City of North Tonawanda's Reassessment Program for the Final 2025 Assessment Roll. Companies interested in providing these services must submit 4 copies: (1 original and 3 copies including one flash drive of a proposal to the City Clerk Treasurer, 216 Payne Ave., North Tonawanda, New York 14120 no later than 11:00 A.M. on August 2nd, 2023. Proposals should be submitted in a sealed package bearing the name and address of the contractor, along with the title of the "Real Property Reassessment Project for the City of North Tonawanda." Interviews will be held at the discretion of the City of North Tonawanda. Proposal clarification and explanation will be the primary purpose of the interview, if the City of North Tonawanda requests an interview. Companies are encouraged to have their prospective Project Directors actively participate in this process. The City of North Tonawanda reserves the right to waive any informality and/or to reject any or all bids. RFP will be available on the North Tonawanda home page: <https://www.northtonawanda.org>

Donna Braun  
City Clerk-Treasurer  
City of North Tonawanda  
N#320196

7/21/2023

I.

Office of the Mayor

AUSTIN J. TYLEC

AUG 01 2023

July 17, 2023

North Tonawanda Common Council  
216 Payne Ave (City Hall)  
North Tonawanda, NY 14120

Re: Revision to Driveway Ordinance

Dear Honorable Body,

My office and the building department have received numerous complaints in regard to our current driveway code restricting residents from effectively maintaining their property. After review with Rob Depaolo, I would like to propose the following ordinance revision to allow for an existing driveway to be replaced and/or repaired.

§ 103-14 **Off-street parking.**

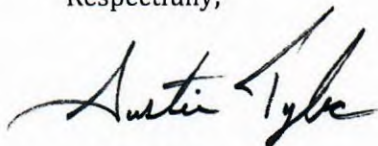
**B. Special regulations applying to accessory off-street parking, used-car lots and gasoline stations**

(f) Driveway Design.

[2] ~~No driveway shall be placed or constructed as to exceed the opening width of the parcel's garage door by more than two feet, but in no event shall the width of said driveway exceed 20 feet.~~ Any existing concrete or asphalt driveway and/or apron may be replaced or repaired with no increase in size, subject to approval by our Building Department.

Thank you for your consideration of this matter.

Respectfully,



Austin Tylec  
Mayor

City Hall, 216 Payne Avenue, North Tonawanda, NY 14120 · 716.695.8540  
atylec@northtonawanda.org

RECEIVED  
CITY CLERK'S OFFICE

2023 JUL 19 AM 11:31  
NORTH TONAWANDA NY



JEFFREY ZELLNER  
CITY ACCOUNTANT

JENNIFER CRESS  
PAYROLL PERSONNEL SPECIALIST

SHERI GAMPP  
JUNIOR ACCOUNTANT

# City of North Tonawanda

DEPARTMENT OF ACCOUNTING  
CITY HALL  
216 PAYNE AVENUE NORTH  
TONAWANDA, N.Y. 14120

TELEPHONE: (716) 695-8545  
FAX: (716) 695-8573



**AUG 01 2023**

July 27, 2023

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 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 1st, 2023, and further authorize the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant.

Warm Regards,



JEFFREY ZELLNER  
CITY ACCOUNTANT



*JX*

City of North Tonawanda, New York  
**DEPARTMENT OF PUBLIC WORKS**

758 Erie Avenue, North Tonawanda, New York 14120  
(716) 695-8585

AUG 01 2023

July 21<sup>st</sup>, 2023

Austin J. Tylec, Mayor  
and Common Council Members  
City Hall  
216 Payne Avenue  
North Tonawanda, New York 14120

**Re: Project 2023-04 Main Street Mill and Overlay**

Dear Honorable Body:

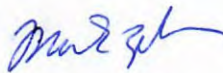
On July 18th, 2023, five (5) formal and one (1) informal bids were received and opened by the City Clerk for the Main Street Mill and Overlay Project. The results are as follows:

Total Base Bid:

1. <b>D &amp; H Paving, LLC</b>	<b>\$134,573.40</b>
2. Scott Lawn Yard, inc.	\$136,075.00
3. Buffalo Asphalt Milling Corp. (Informal)	\$148,900.00
4. Milherst Construction	\$166,220.29
5. Occhino Corp.	\$215,887.50
6. Amherst Paving	\$216,486.00

The Engineering Department has reviewed the bid results and are recommending award of the Contract. Accordingly, I respectfully request that the Common Council award the Main Street Mill and Overlay Project Contract to D & H Paving, LLC, 485 Kennedy Road, Cheektowaga, NY 14227, at their low Base Bid and of \$134,573.40; authorizing the Mayor to sign said contract subject to review by the City Attorney.

Very truly yours,



Mark Zellner  
Superintendent of Public Works

MZ:tjs

Cc: file  
Edward Zebulske, City Attorney  
Chelsea Spahr, City Engineer  
Jeffery Zellner, City Accountant  
Dominic, D&H Paving

2023 JUL 25 PM12:00  
NORTH TONAWANDA NY

RECEIVED  
CITY CLERK'S OFFICE

July 17, 2023

Donna Braun

City Clerk/Treasurer

216 Payne Avenue North Tonawanda, NY 14120

Traffic Safety Minutes:

The July 2023 meeting of the North Tonawanda Traffic Safety Committee was called to order at 1700 hours. Roll call showed the following members present: R. Frank, J. Sikora, M. Meisenburg, M. Lemke, D. Grinnell, A. Dibernardo, R. Brennan, N. Ferguson. The minutes from the previous meeting were read and accepted, the following new concerns/requests were discussed, and recommendations made.

- 1.) Kris and David Wolf requested that there be "No Parking" signs placed on Pinewoods Drive. This request is due to there not being enough room for children to ride bicycles or for a fire apparatus to get through when vehicles are parked on both sides of the street. The committee checked this request and found that there are already "No Parking" signs on the park side of Schenck Street. The committee requests to place "No Parking" signs on the park side of Pinewoods Drive. This will make it safer for the children around the park and easier for emergency vehicles to use the streets around the park.
- 2.) Carol Preisler requested "Pedestrians Have the Right of Way" signs at the intersection of Payne Avenue and Meadow Drive. There used to be a sign which is no longer there. Member Meisenburg will install a new sign.
- 3.) Kathy Carr (Matt's Music) requested that the crosswalk lines be repainted in front of her business. Member Meisenburg repainted the lines for Carr.
- 4.) Jennifer Greene requested that removable speed bumps be placed on 12<sup>th</sup> Avenue by the park. The committee does not believe that there is enough vehicle traffic to justify the city spending money on removeable speed bumps.
- 5.) Joyce Santiago from the Mayor's Office received a request for a stop sign at Sweeney Street and Spruce Street. The committee has monitored Sweeney Street numerous times in the past and does not believe there should be a stop sign placed at a T-intersection. NTPD will continue to do traffic enforcement on Sweeney Street and will use the speed sign to keep track of the speeds.

RECEIVED  
CITY CLERK'S OFFICE

2023 JUL 25 PM 12:01  
NORTH TONAWANDA NY

XVII.

AUG 01 2023



- 6.) Don Kozlowski requested that the timing on the signal at Niagara Falls Blvd and Walmart be changed. Kozlowski was advised to contact the New York State DOT as they oversee that signal.
  
- 7.) Member Lemke received a request to remove the "Half Hour Parking" signs in front of 66 Rumbold Avenue. This was a business which is no longer there. Member Meisenburg will remove the signs.
  
- 8.) Member Ferguson requested that "Authorized Vehicles Only" signs be placed at the entrances of Pinewoods Park. These signs were once installed there and have possibly been removed. Member Meisenburg will install new signs.
  
- 9.) Member Brennon received a request for "Children at Play" signs on Stenzil street between Oliver Street and Riverview Avenue. These signs are designated for schools, playgrounds, parks, and daycares.

The next Traffic Safety Committee meeting will be held on August 21, 2023, at 1800 hours.

Travel safely, Robert J. Frank



Department of Police  
CITY OF NORTH TONAWANDA  
216 Payne Avenue  
North Tonawanda, N.Y. 14120-5491

XXV: 1

TELEPHONE  
(716) 692-4111  
FACSIMILE  
(716) 692-4321  
EMERGENCY NO.  
9-1-1

AUG 01 2023

July 17, 2023

Honorable Mayor Austin J. Tylec and  
Members of the City of North Tonawanda Common Council

Dear Sirs,

Please find the attached Summary of Police Activities Report, the Summary of Criminal Activities Report, and the V&T Report for the month of June 2023.

Respectfully Submitted,

Keith T. Glass  
Chief of Police

cc: Joe Loncar  
cc: Robert Schmigel  
cc: Frank DiBernardo  
cc: Joseph Lavey Jr.  
cc: Joe Marranta

KTG/as

RECEIVED  
CITY CLERK'S OFFICE

2023 JUL 18 AM 8:12  
NORTH TONAWANDA NY



NORTH TONAWANDA POLICE DEPARTMENT SUMMARY OF POLICE ACTIVITIES FOR THE MONTH OF JUNE 2023
--

CRIMINAL

Complaints received and investigated	98
Complaints cleared by arrest or exceptional clearance	44
Complaints ruled unfounded	1
Number of males arrested	30
under 18: 0 over 18: 30	
Number of females arrested	0
under 18: 0 over 18: 0	
Arrests for other authorities	0
Failure to Appear/Violation of Probation Warrant Arrests	18
Above complaints cleared by J.A.B.	12
Complaints cleared by J.A.B. from previous months	1

TRAFFIC

Traffic summonses issued	1143
DWI arrests	22
Parking tags issued	57

MISCELLANEOUS

Miscellaneous service	2,906
Incident reports	113
Vehicle accidents	43
Vehicle accidents (fatal)	0
Vehicle stops	950
Police escorts	0
Prisoner meals	104
Mug shots taken	51
Fingerprints taken	51
Persons missing and located	1
Automobiles stolen	1
Automobiles recovered	0
Automobiles recovered for other authorities	0
Record check fees	\$150.00
Photocopy fees	\$12.50
Fingerprint fees	\$0.00
Fines collected	\$73,878.50
Value of property damaged	\$5,651.00
Value of property stolen	\$84,149.57
Value of property recovered	\$355.99

Respectfully submitted,



Keith T. Glass  
Chief of Police

KTG/as

NORTH TONAWANDA POLICE DEPARTMENT SUMMARY OF CRIMINAL ACTIVITIES FOR THE MONTH OF JUNE 2023
--

CRIMINAL FELONIES, MISDEMEANORS AND OFFENSES

<u>TYPE OF OFFENSE</u>	<u>COMPLAINTS</u>		
	Received	Cleared	Unfounded
AGG. ASSAULT	3	1	
ALL OTHER OFFENSES	16	10	
ARSON	0	0	
BURGLARY	5	2	
COERCION	0	0	
CRIMINAL MISCHIEF	12	3	
CRIM POSS WEAPON	2	1	
DIS CON/HARASS	10	10	
DRUG OFFENSES	12	0	
EMBEZZLEMENT	0	0	
FAILURE TO APPEAR	18	18	
FORGERY	0	0	
FRAUD (ID THEFT)	5	1	
LARCENY	20	6	1
LEAVING THE SCENE	6	0	
MURDER	0	0	
RAPE	2	0	
ROBBERY	0	0	
SEXUAL OFFENSES	1	0	
SIMPLE ASSAULT	2	1	
STOLEN PROPERTY	1	1	
UNAUTH USE M/V	1	0	
VIOL OF PROBATION	0	0	
ARRESTS FOR OTHER AUTHORITIES		0	
ARRESTS/CLEAR COMPS. FM PREV MONTHS		8	
<b>TOTALS</b>	<b>116</b>	<b>62</b>	<b>1</b>
<b># OF ABOVE COMPLAINTS CLEARED BY JAB</b>		<b>12</b>	
<b># CLEARED BY JAB FROM PREV MONTHS</b>		<b>1</b>	



V & T REPORT FOR THE MONTH OF JUNE 2023
---

TRAFFIC INFRACTIONS:	
SPEEDING	458
REDLIGHT VIOLATION	71
STOP SIGN VIOLATION	155
NO REGISTRATION	18
NO LICENSE	37
FAULTY EQUIPMENT	31
NO INSPECTION	37
FAILED TO YIELD RIGHT OF WAY	4
SEAT BEAT VIOLATION	39
NO INSURANCE	8
LICENSE PLATE VIOLATION	11
IMPROPER TURN	12
DROVE ON LEFT SIDE OF PAVEMENT MARKINGS	4
FAILED TO KEEP RIGHT	3
LEAVING SCENE OF INCIDENT	3
FAILURE TO SUBMIT TO PRE-SCREEN BREATH TEST	0
AVOIDING INTERSECTION OR TRAFFIC CONTROL DEVICE	1
FAILURE TO NOTIFY COMMISSIONER OF CHANGE OF ADDRESS	4
UNSAFE BACKING	3
MISCELLANEOUS	159
TOTAL	1,058

TRAFFIC MISDEMEANORS:	
DWI	22
OPERATING WHLE REGIS. SUSPENDED/REVOKED	9
AGGRAVATED UNLICENSED OPER 3RD	22
AGGRAVATED UNLICENSED OPER 2ND	11
RECKLESS DRIVING	1
LEAVING SCENE INJURY ACCIDENT	0
DISPLAY FORGED CERTIFICATE W/O INSPECTION	0
OPER MV WHEN LICENSE/REGISTRATION IS SUSPENDED	1
FAILURE TO SURRENDER SUSP/REVOKED LICENSE/REGIS	8
USE/LEASE/RENTED/LOANED VEHICLE W/O INTERLOCK DEVICE	3
EQUIPMENT VIOLATIONS - MISDEMEANOR	1
FAIL TO SECURE SHIFTABLE LOAD/LOGS INSECURELY FASTENED	0
ILLEGAL SPEED CONTEST	3
POSSESSION OF A LOADED FIREARM IN/ON VEHICLE	1
TOTAL	82

TRAFFIC FELONIES:	
AGGRAVATED UNLICENSED OPERATION 1ST	1
AGGRAVATED DWI/CHILD IN VEHICLE	0
OPERATE MV .08 OF 1% OR MORE ALC-PRIOR CONV DESIG	0
DWI/PREVIOUS CONVICTION W/IN 10 YEARS	0
DRIVING W/ABILITY IMPAIRED BY DRUG(SPECIAL)	1
DRIVING W/ABILITY IMPAIRED BY DRUG(FELONY)	1
LEAVING SCENE ACCIDENT RESULTING IN SERIOUS INJURY	0
TOTAL	3

FINES:

(CITY IMPOSED)

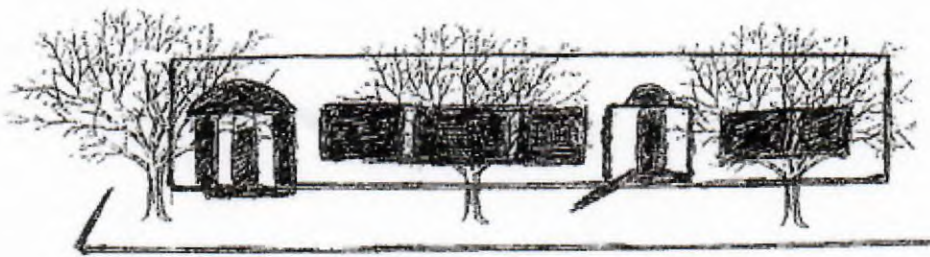
TRAFFIC	\$70,860.50
PENAL LAW	\$280.00
CITY ORDINANCE	\$75.00
BAIL FORFEITURE	\$0.00
PARKING TAGS	<u>\$2,663.00</u>
TOTAL	\$73,878.50

MUG SHOTS: 51

PARKING TAGS: 57

MEAL TICKETS: 104





NT History Museum  
712 Oliver Street  
North Tonawanda, NY 14120  
716-213-0554  
NThistorymusuem@aol.com  
Facebook.com/nthistory

CFO. A.

AUG 01 2023

July 21, 2023

Honorable Common Council Members and Mayor Tylec,  
City Hall  
216 Payne Ave.  
North Tonawanda, NY 14120

Dear Honorable Body,

In 2022 the Council granted the North Tonawanda History Museum permission to use the Sweeney Cemetery for educational tours and fund raising.

The tours were very successful, being attended by over 110 people, drawing many from outlying areas. At that time, many people asked sign up for next year's tour. The History Museum has also been asked about more cemetery tours this year from people that did not attend that of last year.

I am asking for your approval to once again use the cemetery for the same purposes as last year. The dates are Friday, October 27 and Saturday October 28, 2023. As last year these efforts would be assisted by the Oliver Street Merchants Association and in conjunction with the Herschell Carousel Museum's tours of the same dates.

Best Regards,

*Howard Roeske*

Howard Roeske,  
Executive Director

*The North Tonawanda History Museum is a 501(C)(3) qualified non-profit organization*

RECEIVED  
CITY CLERK'S OFFICE

2023 JUL 21 AM 11:54  
NORTH TONAWANDA NY

THE  
AMERICAN  
LEGION



THE  
TONAWANDAS' POST  
NO. 264, INC.  
TONAWANDA, N.Y.

P.O. BOX 66, TONAWANDA, N.Y. 14151-0066

AUG 01 2023

July 15, 2023

Mayor Austin Tylec  
216 Payne Ave  
North Tonawanda NY 14120


Dear Mayor Tylec

As you know the long history of Tonawanda's' Post 264 and its work, dedication and community partnership. We would like to have our "Annual Fill the Helmet at the Market" on Saturday September 16 from 8-1, at the corner of Payne/Robinson Ave.

We would greatly appreciate your help.

POC: Rich Graff 716 816-5751 [RGRAFF0311@gmail.com](mailto:RGRAFF0311@gmail.com)

Thank You for supporting our veterans

  
Dennis J Smilinich  
Chairman of Board

RECEIVED  
CITY CLERK'S OFFICE

2023 JUL 24 AM 10:47  
NORTH TONAWANDA NY