

## PLEDGE OF ALLEGIANCE

**Also Present:** Mayor Austin Tylec  
Asst. City Attorney Mario Gregori

**MOVED by Alderman Marranca** **SECONDED by Alderman Lavey**  
**That the minutes of the regular session held April 1, 2025 be approved as circulated and**  
**filed in the Office of the City Clerk.**  
**Ayes: Alderman Schmigel, DiBernardo, Marranca, Lavey** **(4)**  
**Nays: None** **(0)**  
**CARRIED.**

**MOVED by Alderman Lavey** **SECONDED by Alderman Schmigel**  
**That the Common Council hereby receives and files the aforementioned Proof of**  
**Publications.**  
**Ayes: Alderman Schmigel, DiBernardo, Marranca, Lavey** **(4)**  
**Nays: None** **(0)**  
**CARRIED.**

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

**Re: Rescue Fire Company Fundraising 2025**

**Dear Honorable Body:**

**As you have been made aware by the North Tonawanda Fire Chief, and in accordance with the NYS Comptroller's Office; Rescue Fire Company has provided the City with a list of all fundraising activities for 2025.**

**In accordance with the regulations, I have reviewed the correspondence that I have received with the Fire Chief and have found it to be in order and in proper form.**

**I respectfully request that your Honorable Body vote in the affirmative to Rescue Fire Company No.5 permission to run their respective fundraisers for 2025.**

**I thank you in advance for your anticipated cooperation.**

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

**MOVED by Alderman Marranca                      SECONDED by Alderman Lavey**  
**That the Common Council hereby grants permission for Rescue Fire Company to run their**  
**2025 Fundraisers.**

**Ayes: Alderman Schmigel, DiBernardo, Marranca, Lavey** (4)

**Nays: None (0)**

**CARRIED.**

## VII.1 Accountant

**April 9, 2025**

**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 15<sup>th</sup>, 2025, 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 Schmigel                      SECONDED by Alderman Marranca**  
**That the Common Council hereby authorizes for payment the current Abstract of Claims**  
**for Common Council Audit dated April 15<sup>th</sup>, 2025, and further authorizes the Mayor and**  
**City Clerk-Treasurer to respectively sign and countersign said Warrant:**

01	General Fund	\$390,122.06
02	Water Fund	\$45,403.43
04	Sewer Fund	\$70,677.44
06	Capital Project Fund	<u>\$212,997.55</u>
00	Final Total	<u>\$719,200.48</u>

**04-15-2025**

Ayes: Alderman Schmigel, DiBernardo, Marranca, Lavey

Nays: None

CARRIED.

(4)  
(0)

VII.2 Accountant

April 9, 2025

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 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 2025 appropriations, based on the request of the Department Head, copy attached.

<u>Amount</u>	<u>Increase Account</u>	<u>Decrease Account</u>
\$61,500	001.3310.0480 Traffic Safety – Operations	001.3310.0100 Traffic Safety – Personal Services

Reason: Thanks to upgraded equipment and streamlined procedures, the need for summer help in FY 2025 has been eliminated. Redirecting those resources toward equipping our current staff with better tools will not only increase efficiency but also empower employees to deliver even stronger results year-round

Warm Regards,  
Jeffrey Zellner  
City Accountant

MOVED by Alderman Marranca

SECONDED by Alderman Lavey

That the Common Council hereby authorizes the City Accountant to make the following Budgetary Transfer of fiscal year 2025 appropriations, based on the request of the Department Head:

<u>Amount</u>	<u>Increase Account</u>	<u>Decrease Account</u>
\$61,500	001.3310.0480 Traffic Safety – Operations	001.3310.0100 Traffic Safety – Personal Services

Ayes: Alderman Schmigel, DiBernardo, Marranca, Lavey

Nays: None

CARRIED.

(4)  
(0)

VII.3 Accountant

April 10, 2025

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

Dear Honorable Body :

In accordance with the City of North Tonawanda 2025 Capital Improvement Plan, please find a Bond Anticipated Note resolution in aggregate amount of \$11,237,348.27 from our Bond Counsel, Harris Beach, LLP.

Accordingly, please have this resolution adopted by at least a two-thirds vote of the body and have it published in the official newspaper of the City, together with the legal notice of estoppel.

This resolution is for the 2025 Various projects BAN.

Warm regards,  
Jeffrey Zellner  
City Accountant

**MOVED** by Alderman Lavey                      **SECONDED** by Alderman Marranca  
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 April 15<sup>th</sup>, 2025, approved the Amended Serial Bond Resolution for Various Public Improvements and it reads as follows:

**PRESENT:** Joseph Lavey, Jr., Alderman-at-Large, President  
Robert Schmigel, 1<sup>st</sup> Ward Alderman  
Frank DiBernardo, 2<sup>nd</sup> Ward Alderman  
Joseph Marranca III, 3<sup>rd</sup> Ward Alderman

**ABSENT:** Joe Loncar, Alderman-at-Large

The following resolution was offered by Alderman Lavey who Moved its adoption, Seconded by Alderman Marranca ; to-wit:

**BOND RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF NORTH TONAWANDA, NIAGARA COUNTY, NEW YORK (THE “CITY”) AUTHORIZING THE ISSUANCE OF \$11,237,349 IN SERIAL BONDS OF THE CITY TO FINANCE VARIOUS PUBLIC IMPROVEMENTS**

**WHEREAS**, the Common Council of the City of North Tonawanda (the “City”) proposes to authorize the issuance of \$11,237,349 in serial bonds of the City to finance various public improvements and purposes as described herein, appropriate funds for such purposes, and to make certain determinations in connection with such purposes; and

**WHEREAS**, all conditions precedent to the financing of each of the objects or purposes hereinafter described, including compliance with the provisions of the State Environmental Quality Review Act (collectively, “SEQRA”), have been performed and therefore no further action need be taken by the Common Council under SEQRA as a pre-condition to the adoption of this resolution; and

**WHEREAS**, the Common Council now wishes to appropriate funds for the various public improvements and purposes and to authorize the issuance of the City’s bonds and bond anticipation notes to be issued to finance said appropriation.

**NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF NORTH TONAWANDA, NIAGARA COUNTY, NEW YORK HEREBY RESOLVES** (by the affirmative vote of not less than two-thirds of all the members of such body), AS FOLLOWS:

**SECTION 1.** The City is hereby authorized to issue \$2,730,249 principal amount of serial bonds pursuant to the provisions of the Local Finance Law (the “Law”) to finance (i) the acquisition, construction, reconstruction or additions of improvements to the City’s Water Treatment Plant (\$1,300,000), (ii) electrical and service lines to the generator and Water Treatment Plant (\$930,249), and (iii) to reimburse New York State Environmental Facilities Corporation for grant funds received on the Drinking Water State Revolving Fund Project No. 18437 due to scaling back the project (\$500,000), including any equipment, furnishings, machinery, apparatus, appurtenances, and any ancillary, related or incidental improvements and expenses required in connection therewith. It is hereby determined that the maximum estimated cost of the aforementioned specific objects or purposes is \$2,730,249, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (a) the issuance of up to \$2,730,249 in serial bonds of the City authorized to be issued pursuant to this resolution or

bond anticipation notes issued in anticipation of such bonds, (b) the application of grant monies expected to be received by the City to either directly pay or reimburse a portion of the cost of the project and/or to repay a portion of any such bond anticipation notes issued under the authority of this resolution, and (c) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific objects or purposes is forty (40) years, pursuant to subdivision 1 of paragraph a. of Section 11.00 of the Law.

**SECTION 2.** The City is hereby authorized to issue \$2,116,667 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of the construction, reconstruction or addition of green infrastructure improvements along Oliver Street (\$1,916,667) and upgrades to the storm pump (\$200,000), including any equipment, furnishings, machinery, apparatus, appurtenances, and any ancillary, related or incidental improvements and expenses required in connection therewith. It is hereby determined that the maximum estimated cost of the aforementioned specific objects or purposes is \$2,116,667, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of up to \$2,116,667 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, (ii) the application of grant monies expected to be received by the City to either directly pay or reimburse a portion of the cost of the project and/or to repay a portion of any such bond anticipation notes issued under the authority of this resolution, and (iii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific objects or purposes is forty (40) years, pursuant to subdivision 4 of paragraph a. of Section 11.00 of the Law.

**SECTION 3.** The City is hereby authorized to issue \$106,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of the reconstruction and improvements to docks at Gateway Harbor (\$46,000) and installation of new kayak launch and fishing pier at Mayors Park (\$60,000), including any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto. It is hereby determined that the maximum estimated cost of the aforementioned specific objects or purposes is \$106,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$106,000 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds and (ii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is twenty (20) years, pursuant to subdivision 7 of paragraph a. of Section 11.00 of the Law.

**SECTION 4.** The City is hereby authorized to issue \$140,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of the construction or reconstruction of the City Market parking lot, including any preliminary and incidental costs related thereto. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$140,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of up to \$140,000 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds and (ii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is ten (10) years, pursuant to subdivision 20(f) of paragraph a. of Section 11.00 of the Law.

**SECTION 5.** The City is hereby authorized to issue \$250,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of the construction or reconstruction of sidewalks throughout the City, including any preliminary and incidental costs related thereto. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$250,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of up to \$250,000 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in

anticipation of such bonds and (ii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is ten (10) years, pursuant to subdivision 24 of paragraph a. of Section 11.00 of the Law.

**SECTION 6.** The City is hereby authorized to issue \$344,390 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of the acquisition of a jaws of life (\$85,000) and cardiac monitors (\$259,390) for use by the City Fire Department, including any preliminary and incidental costs related thereto. It is hereby determined that the maximum estimated cost of the aforementioned specific objects or purposes is \$344,390, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$344,390 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, (ii) the application of grant monies expected to be received by the City to either directly pay or reimburse a portion of the cost of the project and/or to repay a portion of any such bond anticipation notes issued under the authority of this resolution, and (iii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific objects or purposes is twenty (20) years, pursuant to subdivision 27 of paragraph a. of Section 11.00 of the Law.

**SECTION 7.** The City is hereby authorized to issue \$691,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of the acquisition of a machinery and apparatus including (i) brush truck (\$200,000), (ii) dump truck body (\$100,000), (iii) sanitation truck (\$300,000), and (iv) mower (\$91,000) for use by the City, including any applicable equipment, machinery, apparatus, land or rights-in-land necessary therefor and any preliminary and incidental costs related thereto. It is hereby determined that the maximum estimated cost of the aforementioned specific objects or purposes is \$691,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (a) the issuance of \$691,000 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds and (b) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific objects or purposes is fifteen (15) years, pursuant to subdivision 28 of paragraph a. of Section 11.00 of the Law.

**SECTION 8.** The City is hereby authorized to issue \$195,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of installing a police communication system, including any preliminary and incidental costs related thereto. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$195,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of up to \$195,000 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds and (ii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is ten (10) years, pursuant to subdivision 25 of paragraph a. of Section 11.00 of the Law.

**SECTION 9.** The City is hereby authorized to issue \$2,071,043 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of City-wide upgrades to traffic signals, including any preliminary and incidental costs related thereto. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$2,071,043, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of up to \$2,071,043 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, (ii) the application of grant monies expected to be received by the City to either directly pay or reimburse a portion of the cost of the project and/or to repay a portion of any such bond anticipation notes issued under the authority of this resolution, and (iii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of

probable usefulness for the aforementioned specific object or purpose is twenty (20) years, pursuant to subdivision 72(a) of paragraph a. of Section 11.00 of the Law

**SECTION 10.** The City is hereby authorized to issue \$150,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of updating the City-wide zoning code, including any preliminary and incidental costs related thereto. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$150,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of up to \$150,000 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, (ii) the application of grant monies expected to be received by the City to either directly pay or reimburse a portion of the cost of the project and/or to repay a portion of any such bond anticipation notes issued under the authority of this resolution, and (iii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is five (5) years, pursuant to subdivision 64 of paragraph a. of Section 11.00 of the Law

**SECTION 11.** The City is hereby authorized to issue \$2,443,000 principal amount of serial bonds pursuant to the provisions of the Law to finance the estimated cost of various park improvements for the City, including (i) extending the Erie Canal bike path to connect Mayors Park to the Botanical Gardens (\$1,825,000), (ii) repaving walkways, single lane access roads and parking lots in Pinewood Park (\$130,000), (iii) constructing a new stage in Gateway Park (\$175,000), (iv) upgrading buildings and grounds with added electrical supply in the Botanical Gardens (\$10,000), (v) playground equipment improvements in Colonel Payne and Pinewood Parks (\$100,000), (vi) new parking spaces at Gratwick Park (\$130,000), (vii) repaving the main parking lot at Raymond Klimek Veterans Park (\$24,000), and (viii) the reconstruction and resurfacing of pickleball courts in Wurlitzer Park (\$49,000), and any applicable equipment, machinery, apparatus necessary therefor and including any preliminary and incidental costs related thereto. It is hereby determined that the maximum estimated cost of the aforementioned specific object or purpose is \$2,443,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of \$2,443,000 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, (ii) pay or reimburse a portion of the cost of the project and/or to repay a portion of any such bond anticipation notes issued under the authority of this resolution, and (iii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is twenty (20) years, pursuant to subdivision 19(c) of paragraph a. of Section 11.00 of the Law.

**SECTION 12.** The temporary use of available funds of the City, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. This resolution shall constitute a declaration of “official intent” to reimburse the expenditures as part of the projects described herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulation Section 1.150-2.

**SECTION 13.** Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the City, payable as to both principal and interest by a general tax upon all the real property within the City without legal or constitutional limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

**SECTION 14.** Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation

notes or the renewals of said obligations, and of Section 21.00, Section 50.00, Section 54.90, Sections 56.00 through 60.00, Section 62.10 and Section 63.00 of the Law, the powers and duties of the Common Council relative to authorizing bond anticipation notes and prescribing the terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the City Clerk-Treasurer, the chief fiscal officer of the City. Further, pursuant to subdivision b. of Section 11.00 of the Law, in the event that bonds to be issued for any of the objects or purposes authorized by this resolution are combined for sale, pursuant to subdivision c. of Section 57.00 of the Law, with bonds to be issued for one or more other objects or purposes authorized by this resolution or other resolutions of the Common Council, then the power of the Common Council to determine the “weighted average period of probable usefulness” (within the meaning of subdivision a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the City Clerk-Treasurer, as the chief fiscal officer of the City.

**SECTION 15.** The City Clerk-Treasurer is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for Federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the “Code”) and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as “qualified tax-exempt bonds” in accordance with Section 265(b)(3)(B)(i) of the Code.

**SECTION 16.** The City Clerk-Treasurer is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchaser of any of the bonds or notes authorized by this resolution in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

**SECTION 17.** The intent of this resolution is to give the City Clerk-Treasurer sufficient authority to execute those applications, agreements, instruments or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Common Council.

**SECTION 18.** The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money; or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

- (c) such obligations are authorized in violation of the provisions of the constitution.

**SECTION 19.** This resolution shall take effect immediately upon approval by the Mayor and the City Clerk-Treasurer is hereby authorized and directed to publish the foregoing resolution in full, or a summary thereof, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the official newspaper(s) of the City (a) for such publication, and (b) for the publication of the notice of sale in connection with any bonds issued pursuant to this resolution.

The following vote was taken and recorded in the public or open session of said meeting:

<b>Ayes: Alderman Schmigel, DiBernardo, Marranca, Lavey</b>	<b>(4)</b>
<b>Nays: None</b>	<b>(0)</b>

**This resolution shall take effect immediately.**



**STATE OF NEW YORK     )**  
**COUNTY OF NIAGARA    ) ss:**

I, the undersigned City Clerk-Treasurer of the City of North Tonawanda, Niagara County, New York (the “City”), DO HEREBY CERTIFY as follows:

1. I am the duly qualified and acting City Clerk-Treasurer of the City and the custodian of the records of the City, including the minutes of the proceedings of the Common Council of the City, and am duly authorized to execute this certificate.

2. A regular meeting of the Common Council of the City (the “Common Council”) was held on April 15, 2025, Minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with the law for the purpose of recording the minutes of meetings of said Common Council. Attached hereto is a true and correct copy of a resolution duly adopted at said meeting and entitled:

**BOND RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF  
 NORTH TONAWANDA, NIAGARA COUNTY, NEW YORK (THE “CITY”)  
 AUTHORIZING THE ISSUANCE OF \$11,237,349 IN SERIAL BONDS OF THE  
 CITY TO FINANCE VARIOUS PUBLIC IMPROVEMENTS**

3. Public Notice of the time and place of said meeting was duly posted and duly given to the public and the news media in accordance with the Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, and that all members of said Common Council had due notice of said meeting. The meeting was duly convened and held and that said Bond Resolution was duly adopted in all respects in accordance with the law and regulations of the City. To the extent required by law or said regulations, due and proper notice of the meeting was given. A legal quorum of members of the Common Council was present throughout said meeting, and a legally sufficient number of members (2/3’s of the Common Council) voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under the law, said regulations, or otherwise, incident to said meeting and the adoption of the resolution, including the publication, if required by law, have been duly fulfilled, carried out and otherwise observed.

4. The seal appearing below constitutes the official seal of the City and was duly affixed by the undersigned at the time this certificate was signed.

**IN WITNESS WHEREOF**, I have hereunto set my hand and have hereunto affixed the corporate seal of the City of North Tonawanda this 15<sup>th</sup> day of April, 2025.

**CITY OF NORTH TONAWANDA**  
**Donna L. Braun**  
**City Clerk-Treasurer**

**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 April 15, 2025, 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 April 15, 2025.

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 \$11,237,349 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 \$2,730,249 to finance the acquisition, construction, reconstruction of improvements to City’s Water Treatment Plant; PPU of 40 years;

(2) Bonds in the principal amount of \$2,116,667 to finance the construction, reconstruction or addition of green infrastructure improvements along Oliver Street and storm pump upgrades; PPU of 40 years;

(3) Bonds in the principal amount of \$106,000 to finance reconstruction and improvements to docks at Gateway Harbor and a new kayak launch and fishing pier at Mayors Park; PPU of 20 years;

(4) Bonds in the principal amount of \$140,000 to finance the construction or reconstruction to the City Market parking lot; PPU of 10 years;

(5) Bonds in the principal amount of \$250,000 to finance construction or reconstruction to sidewalks throughout the City; PPU of 10 years;

(6) Bonds in the principal amount of \$344,390 to finance the acquisition of equipment for the City Fire Department; PPU of 20 years;

(7) Bonds in the principal amount of \$691,000 to the acquisition of machinery and apparatus for construction and maintenance for use by the City; PPU of 15 years;

(8) Bonds in the principal amount of \$195,000 to finance the installation of cameras and fiber line around the police station; PPU of 10 years;

(9) Bonds in the principal amount of \$2,071,043 to finance City-wide upgrades to traffic signals; PPU of 20 years;

(10) Bonds in the principal amount of \$150,000 to finance the cost of updating the City’s zoning code; PPU of 5 years;

(11) Bonds in the principal amount of \$2,443,000 to finance the cost of various park improvements for the City, including (i) extending the Erie Canal bike path to connect Mayors Park to the Botanical Gardens (\$1,825,000), (ii) repaving walkways, single lane access roads and parking lots in Pinewood Park (\$130,000), (iii) constructing a new stage in Gateway Park (\$175,000), (iv) upgrading buildings and grounds with added electrical supply in the Botanical Gardens (\$10,000), (v) playground equipment improvements in Colonel Payne and Pinewood Parks (\$100,000), (vi) new parking spaces at Gratwick Park (\$130,000), (vii) repaving the main parking lot at Raymond Klimek Veterans Park (\$24,000), and (viii) the reconstruction and resurfacing of pickleball courts in Wurlitzer Park (\$49,000); PPU of 20 years;

2. Aggregate amount of Debt Obligations Authorized: up to \$11,237,349.

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.

Ayes: Alderman Schmigel, DiBernardo, Marranca, Lavey (4)  
Nays: None (0)  
CARRIED.

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V. Supt. Water/Wastewater

April 9, 2025

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

Re: Award of Contracts for Phase 2 WTP Generator Project

Honorable Body:

On March 11<sup>th</sup>, 2025, bids were opened and reviewed for the Water Treatment Plant Phase 2 Generator Project. STC Construction (\$340,000) and Goodwin Electric (\$760,000) were the low bids for general construction and electrical bids. It has been recommended by our engineering firm, Nussbaumer and Clarke and City staff to award the project to these two companies.

This project will update the electrical infrastructure into the Water Treatment Plant and connect it to the plant generator to ensure there is no loss of service in the event of a complete plant power failure. This project will be funded by the remaining WIIA grant received for the Phase I Generator Project and additional bonded money from the 2025 bond resolution.

Please contact me if you have any questions or concerns regarding this service proposal. Thank you for your time and consideration of my request.

Very truly yours,  
Jason W. Koepsell  
Supt. Water/Wastewater

MOVED by Alderman DiBernardo      SECONDED by Alderman Marranca  
That the Common Council hereby awards the Contract for the Phase 2 WTP Generator Project to STC Construction for their bid of \$340,000 and Goodwin Electric for their bid of \$760,000.  
Ayes: Alderman Schmigel, DiBernardo, Marranca, Lavey (4)  
Nays: None (0)  
CARRIED.

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IX. Supt. Public Works

April 8, 2025

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

Re: 2025-02: 2025 Concrete Sidewalk and Curb Replacement Contract  
Award of Contract

Dear Honorable Body:

On April 8, 2025, seven (7) bids were received and opened by the City Clerk for the 2025 Concrete Sidewalk and Curb Replacement Contract. The results are as follows:

**Total Base Bid:**

1. Master's Edge Inc.	\$226,000.00
2. Premier Concrete	\$262,100.00
3. MD Concrete and Masonry Inc.	\$294,840.00
4. Millenium Construction Inc.	\$297,750.00
5. Malvestuto Construction Inc.	\$321,000.00
6. NickNats Landscaping	\$343,800.00
7. P&J Construction Co. Inc.	\$389,500.00

**Total Base Bid + Alternate No.1:**

1. Master's Edge Inc.	\$245,000.00
2. Premier Concrete	\$288,700.00
3. Millenium Construction Inc.	\$320,550.00
4. MD Concrete and Masonry Inc.	\$322,846.00
5. Malvestuto Construction Inc.	\$349,500.00
6. NickNats Landscaping	\$376,100.00
7. P&J Construction Co. Inc.	\$418,000.00

**The Engineering Department and DPW have reviewed the bid results and are recommending award of the Contract. Accordingly, I respectfully request that the Common Council award the 2025 Concrete Sidewalk and Curb Replacement Contract to Master's Edge Inc., 3409 Broadway Street, Cheektowaga, NY 14227, at their low Base Bid + Alternative No.1 amount of \$245,000.00; authorizing the Mayor to sign said contract subject to review by the City Attorney.**

**Very truly yours,  
John Urban  
Supt. Public Works**

**MOVED by Alderman DiBernardo      SECONDED by Alderman Lavey**  
**That the Common Council hereby awards the 2025 Concrete Sidewalk and Curb**  
**Replacement Contract to Master's Edge Inc., 3409 Broadway Street, Cheektowaga, NY**  
**14227, at their low Base Bid + Alternative No.1 in the amount of \$245,000.00; and**  
**authorizes the mayor to sign said contract.**

**Ayes: Alderman Schmigel, DiBernardo, Marranca, Lavey** (4)

**Nays: None** (0)

**CARRIED.**

## X. Police Chief

**April 9, 2025**

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

**Dear Honorable Body,**

**On behalf of the Niagara County Sheriff's Department and NTPD, I am requesting that the Common Council creates a municipal resolution required by the NYSDOT to allow the placement of FLOCK cameras in our City. This is an ongoing project over the last two years with a total of 67 cameras being installed at pre-determined locations throughout all of Niagara County.**

The camera project is a critical step forward in keeping our community safe. Essentially, the cameras scan license plates of vehicles and check them against a database to locate stolen vehicles, wanted subjects, missing persons, etc. We receive an alert for that vehicle and attempt to locate it based on the notification. It is used for law enforcement purposes only as a crime reduction tool. The limited number of cameras installed in the county have

already been vital in apprehending several suspects committing crimes in our community. These crimes include armed robbery, an RV theft ring, a jet-ski theft ring, and drug sales which caused an overdose death, to name a few.

Checking these cameras is often the first step taken by detectives when investigating crimes and will be an invaluable asset for the safety of our city.

Thank you for your consideration.

Respectfully,  
Keith Glass  
Chief of Police

**MOVED by Alderman Lavey**

**SECONDED by Alderman DiBernardo**

**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 April 15, 2025, approves a resolution by the City of North Tonawanda granting permission (upon New York State Department of Transportation (NYSDOT) approval) to the Niagara County Sheriff's Office to install License Plate Reader Equipment within the geographical jurisdiction of the City of North Tonawanda and the State of New York and it reads as follows:**

**WHEREAS, the City of North Tonawanda and the Niagara County Sheriff's Office are proposing to install License Plate Reader equipment for Law Enforcement purposes only within State ROW, on or along multiple locations on State routes, located in the City of North Tonawanda (hereinafter MUNICIPALITY), Niagara County, and**

**WHEREAS, the MUNICIPALITY and the Niagara County Sheriff's Office are desirous to have such above-mentioned equipment installed within the geographical jurisdiction of the Municipality, and**

**WHEREAS, the MUNICIPALITY and the Niagara County Sheriff's Office will meet all State and Municipal requirements during the above-mentioned project, and**

**WHEREAS, the MUNICIPALITY and the Niagara County Sheriff's Office reserves the rights to monitor and inspect the above-mentioned project conducted within the geographical jurisdiction of the Municipality, and**

**WHEREAS, the Niagara County Sheriff's Office will execute the above-mentioned project, as shown on the plans/maps and other documents related to the above-mentioned project funded by the 2023 Governor of NY Grant for New Technology and Equipment to Prevent and Solve Crimes, Improve Public Safety apportioned and approved for the MUNICIPALITY or for Niagara County Sheriff's Office**

**NOW, THEREFORE,**

**BE IT RESOLVED, that the MUNICIPALITY, by means of this Resolution, and upon NYSDOT approval, grants permission to the Niagara County Sheriff's Office to conduct the above-mentioned project within State ROW and within the geographical jurisdiction of the Municipality.**

**BE IT FURTHER RESOLVED, that the Niagara County Sheriff's Office shall maintain or cause to be maintained the installed equipment at the project location(s) and shall cover any expenses that may arise from the executing of the above-mentioned project utilizing the above-mentioned Grant or other Municipal funding, and**

**BE IT FURTHER RESOLVED, that Michael J. Fillicetti the Sheriff, Niagara County Sheriff's Office the authority to sign, with the concurrence of the City's Legal Counsel and by the **City Council**, any and all documentation that may be necessary as a result of the above-mentioned project as it relates to the MUNICIPALITY, and**

**BE IT FURTHER RESOLVED: That the Clerk of the MUNICIPALITY is hereby directed to electronically transmit signed, sealed, notarized, stamped, and certified copy of the foregoing**

resolution to the **Niagara County Sheriff’s Office** for processing of and inclusion to Law Enforcement Equipment (LEE) Application and Agreement with NYSDOT.

**RESOLVED**, that this Resolution shall take effect immediately.

**Ayes: Alderman Schmigel, DiBernardo, Marranca, Lavey** (4)  
**Nays: None** (0)  
**CARRIED.**

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**XI. Fire Chief**

**March 25, 2025**

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

**Honorable Body,**

**In accordance with the City Charter of the City of North Tonawanda, and pursuant to the authority vested in me by §3.002.e thereof, I make the following promotion:**

**David Hlasnick has been appointed as a Firefighter in the North Tonawanda Fire Department and will be assigned badge #105**

**Firefighter Hlasnick is a lateral transfer from the Olean Fire Department and has been approved by the Niagara County Civil Service Commission. A brief ceremony will be held in the Council Chambers on April 17, 2025, beginning at 10:00 am, and everyone is welcome to attend.**

**Respectfully submitted,  
Douglas D. Orlowski  
Fire Chief**

**MOVED by Alderman DiBernardo      SECONDED by Alderman Marranca  
That the Common Council hereby approves the appointment of David Hlasnick as a Firefighter for the North Tonawanda Fire Department.**  
**Ayes: Alderman Schmigel, DiBernardo, Marranca, Lavey** (4)  
**Nays: None** (0)  
**CARRIED.**

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**XVII. Traffic Safety**

**March 24, 2025**

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

**Traffic Safety Minutes:**

**The March meeting of the North Tonawanda Traffic Safety Committee was called to order at 1800 hours. Roll call showed the following members present: M. Meisenburg, J. Sikora, R. Frank, N. Ferguson, M. Nalbone and R. Brennan. The minutes from the previous meeting were read and accepted, the following new concerns/requests were discussed, and recommendations made.**

1. James Steele from 507 Tremont Street requested “No Parking here to Corner” on the North side of the 500 block of Tremont Street where the new condos have been built. Each condo has its own driveway to satisfy each homeowner. James said it is extremely difficult to safely back out of his driveway while cars are parked in front of the condos. This section of Tremont is very narrow to begin with. The committee agreed to install “No Parking here to Corner” from the last condo to the corner of division street to help these homeowners safely leave their driveways.
2. The committee received a request for no parking signs on Ironston Street between 3<sup>rd</sup> and 2<sup>nd</sup> Avenue. The owner on the corner is frustrated with vehicles parking on the grass and he has difficulty mowing his lawn when they are parked. The committee reviewed this area for a few weeks and hasn’t seen one car parked there. The committee denied the request but will continue to monitor that area.
3. Joe Lavey requested to change the school zone times from 7am-9am and 2pm-4pm. Member Frank did his own study on the school zones just to see the difference was if we changed from 20mph to 30mph. The maximum was saving 10 seconds and that was NTI Ruie Road. Frank also spoke to Lt. Herbert who stated the school administrators are against the change. The committee denied the request.
4. Joe Lavey also requested if we can remove the “No Turn on Red” sign at Wurlitzer and Erie. The committee denied the removal due to the proximity of the railroad tracks.

The next Traffic Safety meeting will be held on April 28<sup>th</sup>, 2025.

Travel safely!  
Matthew R. Meisenburg

MOVED by Alderman Schmigel                      SECONDED by Alderman DiBernardo  
That the Common Council hereby approves Traffic Safety recommendation #1 and receives  
and files the March Traffic Safety meeting minutes.  
Ayes: Alderman Schmigel, DiBernardo, Marranca, Lavey                      (4)  
Nays: None                      (0)  
CARRIED.

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**XIX. Building Inspector**

April 3, 2025

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

Re: Grass, Weed and Site Services Contractor Approval

Honorable Body:

A bid opening was held at 11:00am, Wednesday, April 3, 2025, in the office of the City Clerk. There was a single bid submitted for the 2025 season.

The bidder is,

Tolsma Services LLC,  
470 Frankhouser Road  
Williamsville, NY 14221

Tolsma Services has performed this work the last two years and the 2025 bid was offered at the same cost as 2024.

I respectfully ask the Common Council to approve Tolsma Services as our grass/weed and site services contractor for 2025.

Thank you for your attention in this matter.

Respectfully,  
Robert C. DePaolo  
Building Inspector

**MOVED** by Alderman Schmigel                      **SECONDED** by Alderman DiBernardo  
That the Common Council hereby approves the 2025 Grass, Weed and Site Services Contract to Tolsma Landscaping Services.  
Ayes: Alderman Schmigel, DiBernardo, Marranca, Lavey                      (4)  
Nays: None                      (0)  
**CARRIED.**

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**XXV. Monthly Reports**

**.1 City Clerk-Treasurer                      .2 Senior Citizen Center**

**MOVED** by Alderman Marranca                      **SECONDED** by Alderman Lavey  
That the Common Council hereby receives and files the aforementioned Monthly Reports.  
Ayes: Alderman Schmigel, DiBernardo, Marranca, Lavey                      (4)  
Nays: None                      (0)  
**CARRIED.**

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**XXXII. Dir. Community Development**

**April 9, 2025**

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

**Dear Honorable Body,**

**The City of North Tonawanda is seeking \$500,000 through the Northern Boarder Regional Commission Catalyst Program to support its Sewer Collection and Water Distribution Capital Improvement Plan Development.**

**The project scope includes condition assessments of the water and sewer infrastructure to develop an asset inventory for each system. Computerized hydraulic models will also be created to understand existing and future operating conditions. The sewer model will help define improvements to eliminate sanitary sewer overflows that discharge untreated sewage directly into nearby creeks and the Niagara River and to eliminate sewage back-ups into individual residences. The water model will help identify projects to improve fire flow in areas of the city that do not have adequate fire protection. The results of the modeling effort will lead to the development of a 20-year capital improvement program for the water and sanitary sewer systems.**

**Included in this project will be a focus on inventorying lead service lines (LSLs) to individual properties and development of an LSL replacement plan that will comply with proposed EPA Lead and Copper Rule Revisions (LCRR) and Lead and Copper Rule Improvements (LCRI) including mechanisms for prioritizing the removal of LSLs in disadvantaged areas of the city.**

**The City of North Tonawanda submitted a pre-application to the Northern Boarder Regional Commission Catalyst program in March 2025, and has been invited to apply. I kindly request your authorization for the attached Municipal Resolution, and for the**



**MOVED by Alderman Lavey                                SECONDED by Alderman DiBernardo**  
**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 April 15, 2025, approves a Resolution authorizing that Austin Tylec who is the Mayor of the City of North Tonawanda is empowered to act on behalf of the City of North Tonawanda as the Authorized Official and it reads as follows:**

**WHEREAS**, City Charter, requires the City Council to designate the source of any money appropriated after the budget is adopted; and

**NOW THEREFORE**, the Mayor of the City of North Tonawanda, is hereby authorized, on behalf of the City of North Tonawanda to apply for, accept, and expend grant funds from the Northern Borders Regional Commission. The named authorized official has permission to sign all NBRC investment documents that bind the applicant.

\_\_\_\_\_

### A. Live Hose Company

**Honorable Mayor and Common Council  
City Clerk-Treasurer  
City Hall, 216 Payne Avenue  
North Tonawanda, NY 14120**

**Re: 50 Year Volunteer Firefighter Exemption**

**Dear Honorable Mayor & Common Council:**

**The Live Hose Volunteer fire Company No.4 inc., respectfully request a 50 year exemption be granted to the following member:**

**David C. Maziarz      Joined Live Hose Vol. Fire Co.      April 7, 1975**

**04-15-2025**

**MOVED by Alderman Schmigel                      SECONDED by Alderman Marranca**  
**That the Common Council hereby grants an Exemption Petition to David C. Maziarz for**  
**50 years of service as a Volunteer Firefighter for the City of North Tonawanda.**

<b>Ayes: Alderman Schmigel, DiBernardo, Marranca, Lavey</b>	<b>(4)</b>
<b>Nays: None</b>	<b>(0)</b>

**CARRIED.**

**B.**  
**Sweeney Hose Co. #7**

**April 10, 2025**

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

**Dear Honorable Council,**

**The Sweeney Hose Company #7 has added the following new members to our active firefighting roster:**

# Jonathan Hacker

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

Sincerely,  
Daniel D. Schmidt  
Secretary

**MOVED by Alderman DiBernardo                      SECONDED by Alderman Marranca**  
**That the Common Council hereby grants permission to add Jonathan Hacker to the North**  
**Tonawanda Volunteer Fire Rolls.**

<b>Ayes: Alderman Schmigel, DiBernardo, Marranca, Lavey</b>	<b>(4)</b>
<b>Nays: None</b>	<b>(0)</b>

**CARRIED.**

**C.**  
**Tonawanda's United Veteran's Council**

**April 11, 2025**

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

**Dear Honorable Council,**

**On May 26, 2025 Tonawanda's United Veteran's Council will hold our Memorial Day ceremony at 12pm on the Renaissance Bridge. We are asking that the bridge be closed to traffic on the North Tonawanda side at 11:30am and reopen to traffic at 12:30pm. The same request was sent to the Tonawanda Council. All city officials are invited to our service. Coffee and Doughnuts will be served after the service at the VVA Chapter 77 museum on Main St.**

**Thank you.**

**In Service to Veterans,  
Paul Pietrowski  
President**

**04-15-2025**

[illegible]

## LATE COMMUNICATION

**MOVED by Alderman Marranca                      SECONDED by Alderman DiBernardo**  
**To bring the following communication to the floor.**

<b>Ayes:</b>	<b>Alderman Schmigel, DiBernardo, Marranca, Lavey</b>	<b>(4)</b>
<b>Nays:</b>	<b>None</b>	<b>(0)</b>

**CARRIED.**

## #1. Accountant

**April 15, 2025**

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

**Dear Honorable Body,**

**In accordance with the City of Noth Tonawanda 2025 Capital Improvement Plan, please find attached a SEQR Resolution prepared by our Bond Counsel, Harris Beach, LLP, for your consideration.**

**This resolution pertains to the environmental review classification for the 2025 Various Capital Projects, totaling a maximum cost not to exceed \$11,237,349. As outlined, each project has been classified as a “Type II” Action under SEQRA regulations and therefore does not require further environmental review.**

**We respectfully request the adoption of this resolution by the Common Council and that it be included in the official meeting record.**

**Warm regards,  
Jeffrey Zellner  
City Accountant**

**MOVED by Alderman Marranca                      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 April 15, 2025, approves a Resolution as to SEQR**  
**Determination for various City Capital Improvements and it reads as follows:**

**A RESOLUTION, DATED APRIL 15, 2025 OF THE CITY OF NORTH  
TONAWANDA, COUNTY OF NIAGARA, NEW YORK AS TO SEQRA  
DETERMINATION**

**WHEREAS**, the Common Council of the City of North Tonawanda, located in the County of Niagara, State of New York (the “City”), desires to finance various capital improvements as further described in Attachment A hereto, all at a maximum cost not to exceed \$11,237,349 (the “Projects”); and

**WHEREAS**, said Projects are subject to classification under the State Environmental Quality Review Act (“SEQRA”); and

**WHEREAS**, the Common Council of the City, as the only involved agency, has examined all information related to the Projects and has determined that each of the Projects is classified as a “Type II” Action pursuant to Section 6.17.5(c) of the SEQRA Regulations;

**WHEREAS**, the SEQRA Regulations declare “Type II” Actions to be actions that require no further review under SEQRA; and

**NOW, THEREFORE, BE IT RESOLVED** that the Common Council hereby declares itself lead agency in connection with the requirements of SEQRA; and

**BE IT FURTHER RESOLVED** that the Common Council hereby declares that each of the Projects is a “Type II” Action, which requires no further review under SEQRA.

STATE OF NEW YORK       )  
COUNTY OF NIAGARA     ) ss.:

I, the undersigned City Clerk-Treasurer of the City of North Tonawanda, Niagara County, New York (the “City”) DO HEREBY CERTIFY as follows:

1. I am the duly qualified and acting City Clerk-Treasurer of the City and the custodian of the records of the City, including the minutes of the proceedings of the Common Council, and am duly authorized to execute this certificate.
2. A regular meeting of the Common Council of the City was held on April 15, 2025, and Minutes of said meeting have been duly recorded in the Minute Book kept by me in accordance with law for the purpose of recording the minutes of meetings of said Board.
3. Attached hereto is a true and correct copy of a Bond Resolution duly adopted at a regular meeting of the Common Council held on April 15, 2025 and entitled:

**A RESOLUTION, DATED APRIL 15, 2025, OF THE CITY OF NORTH TONAWANDA, COUNTY OF NIAGARA, NEW YORK AS TO SEQRA DETERMINATION.**

4. That said meeting was duly convened and held and that said resolution was duly adopted in all respects in accordance with the law and regulations of the City. To the extent required by law or said regulations, due and proper notice of said meeting was given. A legal quorum of members of the Common Council was present throughout said meeting, and a legally sufficient number of members (majority of the Common Council) voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under the law, said regulations, or otherwise, incident to said meeting and the adoption of the resolution, including the publication, if required by law, have been duly fulfilled, carried out and otherwise observed.
5. Public Notice of the time and place of said meeting was duly posted and duly given to the public and the news media in accordance with the Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, and that all members of said Board had due notice of said meeting and that the meeting was in all respects duly held and a quorum was present and acted throughout.
6. The seal appearing below constitutes the official seal of the City and was duly affixed by the undersigned at the time this certificate was signed.

**IN WITNESS WHEREOF**, I have hereunto set my hand and have hereunto affixed the corporate seal of the City of North Tonawanda this 15<sup>th</sup> day of April, 2025.

**CITY OF NORTH TONAWANDA**  
**Donna L. Braun, City Clerk-Treasurer**

Ayes: Alderman Schmigel, DiBernardo, Marranca, Lavey  
 Nays: None  
**CARRIED.**

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(4)  
 (0)

#### **AUDIENCE PARTICIPATION** -

**Residents from Woodward Avenue**-voiced their concerns about a Paper Street, that is owned by the city is going up for sale in our In-Rem Auction. They have been maintaining the property for 30 years. They offered to buy it from the city many years ago and was told it wasn't for sale. They voiced their disappointment with the city for not communicating the sale to them.

**Nancy Klepp 1295 Erie Avenue**- Had some questions on the New Water Meter Installations.

**Robert Terry 1195 Alice Street**-Flooding concerns on Alice, between Moll & Master Street. He feels it is a dangerous situation in the wintertime, it freezes up. In the spring the rainwater just sits and is damaging the street. Can the city do something about the drainage?

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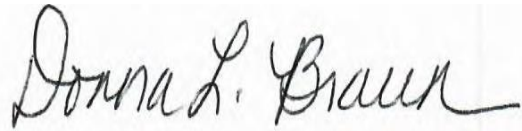
#### **ADJOURNMENT**

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

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**Time of Adjournment: 7:27 P.M**

**Respectfully submitted,**



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