

PLEDGE OF ALLEGIANCE

Also Present: Mayor Austin Tylec
City Attorney Edward Zebulske III

Mayor: David Batista City Attorney: Josh Kennedy City Judge: Graeme Ashby

City Clerk/Treasurer: Ryder Henry Council President/ Alderperson at Large: Joel Fesmire

Alderperson at Large: Josh Blaszczak 1st Ward Alderperson: Richie Andres

2nd Ward Alderperson: Keimera Pitner 3rd Ward Alderperson: Keith Steuer

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

1.) Legal Notice – Request for Proposals for the Water and Wastewater Treatment Plant Chemicals – Supt. Water/Wastewater

PROOF OF PUBLICATION PUBLISHED 04/19/2025

1.) Legal Notice – Estoppel Notice for the 2025 Serial Bond to Finance Various Public Improvements – City Clerk-Treasurer

MOVED by Alderman Schmigel SECONDED by Alderman DiBernardo
That the Common Council hereby receives and files the aforementioned Proof of Publications.
Ayes: Alderman Schmigel, DiBernardo, Marranca, Loncar, Lavey (5)
Nays: None (0)
CARRIED.

COMMUNICATIONS FROM CITY OFFICIALS

I. Mayor

April 16, 2025

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

Re: Submission of Lease Agreement between the City of North Tonawanda and the Tonawanda’s Council on the Arts, Inc. for use of the former Carnegie Library

Dear Honorable Body,

Please find enclosed for your review and approval the updated Lease Agreement between the City of North Tonawanda and the Tonawandas’ Council on the Arts, Inc., for continued use of the former Carnegie Library premises located at 240 Goundry Street.

This agreement outlines the responsibilities and commitments of both the City, as Landlord, and the Tonawandas’ Council on the Arts, as Tenant, for the period of three years, beginning in 2025 and extending through 2028. The terms reflect the City’s ongoing support for arts and cultural programming within our community, while ensuring appropriate oversight, insurance coverage, and facility upkeep.

Notably, the agreement includes provisions for annual reporting, City representation on the Tenant’s Board of Directors, and a commitment by the Tenant to eventually become financially self-sustaining in their operations at the facility.

Thank you for your time and attention to this matter.

**Respectfully,
Austin Tylec
Mayor**

MOVED by Alderman Loncar SECONDED by Alderman Marranca
That the Common Council hereby approves the attached updated Lease Agreement between the City of North Tonawanda and the Tonawandas’ Council on the Arts, Inc., for continued use of the former Carnegie Library located at 240 Goundry Street.
Ayes: Alderman Schmigel, DiBernardo, Marranca, Loncar, Lavey (5)
Nays: None (0)
CARRIED.

III. Clerk-Treasurer

April 21, 2025

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

Dear Honorable Mayor and Common Council:

Please be advised that I have received payment in full for back City, School and County taxes, per their tax agreement with the City, for the following parcel:

182.32-1-55 756 Wilson Avenue Cheryl Riley

Therefore, please pass the necessary resolution withdrawing this parcel from the appropriate In Rem foreclosure proceeding.
Thank you for your cooperation.

Very truly yours,
Denise Proefrock
Assistant City Treasurer

MOVED by Alderman Marranca SECONDED by Alderman Loncar
That the Common Council hereby approves the removal of the following parcel:

182.32-1-55 756 Wilson Avenue Cheryl Riley

From the appropriate In Rem foreclosure proceeding for payment in full of City, School and County Taxes.
Ayes: Alderman Schmigel, DiBernardo, Marranca, Loncar, Lavey (5)
Nays: None (0)
CARRIED.

IV.1 Engineer

April 22, 2025

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

Re: Project 2020-04: Erie Canal Bike Path Extension
PIN 5764.74, Comptrollers Contract #D041795- Acceptance of the Federal
Aid Local Project Agreement

Dear Honorable Body:

The New York State Department of Transportation (NYSDOT) has requested that the City of North Tonawanda (City) enter into a Federal Aid Local Project Agreement, which details the commitment of both agencies to participate in the administration and funding of the various phases of the Erie Canal Bike Path Extension from Mayor’s Park to North Tonawanda Botanical Gardens Project.

As such, I am requesting that the Council adopt a resolution that the City authorizes the Mayor to sign the enclosed Federal Aid Local Project Agreement with the NYSDOT for a total of \$1,865,500. This amount is both the Federal and non-Federal share of the cost of the above project’s Construction/Construction Inspection phase. The City must commit to pay, in the first instance, 100% of the Federal and non-Federal share of the cost of this

project's phase. The NYSDOT will then reimburse the City as the project is progressed. Please find the resolution attached.

Very truly yours,
Chelsea L. Spahr, P.E.
City Engineer

MOVED by Alderman Loncar

SECONDED by Alderman Schmigel

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 May 6th, 2025, approved the Resolution Authorizing the Implementation, and funding in the first instance 100% of the Federal-aid and State "Marchiselli" Program-aid eligible costs, of transportation federal-aid project, and appropriating funds; therefore, and it reads as follows:

WHEREAS, a project for the City of North Tonawanda Erie Canal Bike Path Extension, P.I.N. 5764.74 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ration of 80% Federal funds and 20% non-federal funds; and

WHEREAS, the City of North Tonawanda desires to advance the Project by making a commitment of 100% of the non-federal share of the cost of the Construction/Construction Inspection phases of the Project PIN 5764.74 which is estimated to be \$1,865,500.

NOW, THEREFORE, the City of North Tonawanda Common Council, duly convened does hereby

RESOLVE, that the City of North Tonawanda Common Council hereby approves the above-subject project; and it is hereby further

RESOLVED, that the City of North Tonawanda Common Council hereby authorizes the City of North Tonawanda to pay in the first instance 100% of the federal and non-federal share of the cost of the Construction/Construction Inspection phases of the work for the Project or portions thereof; and it is further

RESOLVED, that the sum of \$1,865,500 will hereby be appropriated from expenditure line 600-7997-0205 Erie Canal Bike Path Extension in the 2025 budget and made available to cover the cost of participation in the above phase of the Project; and it is further

RESOLVED, that in the event the full federal and non-federal share costs of the project exceeds the amount appropriated above, the Common Council of North Tonawanda shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof, and it is further

RESOLVED, that the Mayor of the City of North Tonawanda be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the City of North Tonawanda with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project and it is further

RESOLVED, this Resolution shall take effect immediately

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

(5)

Nays: None

(0)

CARRIED.

IV.2 Engineer

April 24, 2025

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

Re: 2024-11: City Hall Elevator Modernization Contract
Award of Contract

Dear Honorable Body:

On April 22, 2025, two (2) bids were received and opened by the City Clerk for the City Hall Elevator Modernization Contract. The results are as follows:

Total Base Bid:		
1. Elevator Maintenance of Buffalo, Inc.		\$78,900.00
2. Bison Elevator Service, Inc.		\$147,500.00
Total Base Bid + Alternate No.1:		
1. Elevator Maintenance of Buffalo, Inc.		\$96,150.00
2. Bison Elevator Service, Inc.		\$161,300.00

The Engineering Department have reviewed the bid results and are recommending award of the Contract Accordingly, I respectfully request that the Common Council award the City Hall Elevator Modernization Contract to Elevator Maintenance of Buffalo, Inc., 65 Innsbruck Drive, Cheektowaga, NY 14227, at their low Base Bid + Alternative No.1 amount of \$96,150.00; authorizing the Mayor to sign said contract subject to review by the City Attorney.

Very truly yours,
Chelsea L. Spahr, P.E.
City Engineer

MOVED by Alderman Loncar SECONDED by Alderman DiBernardo
That the Common Council hereby awards the City Hall Elevator Modernization Contract to Elevator Maintenance of Buffalo, Inc., 65 Innsbruck Drive, Cheektowaga, NY 14227, at their low Base Bid + Alternative No.1 amount of \$96,150.00; and authorizes the Mayor to sign said contract.
Ayes: Alderman Schmigel, DiBernardo, Marranca, Loncar, Lavey (5)
Nays: None (0)
CARRIED.

V. Supt. Water/Wastewater

April 30, 2025

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

Re: Award of Bid for Chlorine Supply at the Water and Wastewater Treatment Plants

Honorable Body:

On April 22nd, 2025 bids were received and opened for Chlorine Supply services at the Water and Wastewater Treatment Plants.

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

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

**Warm regards,
Jeffrey R. Zellner
City Accountant**

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

XXV. Monthly Reports

.1 Police Department

MOVED by Alderman Loncar SECONDED by Alderman Schmigel
That the Common Council hereby receives and files the aforementioned Monthly Report.
Ayes: Alderman Schmigel, DiBernardo, Marranca, Loncar, Lavey (5)
Nays: None (0)
CARRIED.

COMMUNICATIONS FROM OTHERS

A.
Carnegie Art Center

April 16, 2025

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

Re: Carnegie Art Spree! Festival Street Closure request August 16-17, 2025

Dear Honorable Body,

The staff and board at the Carnegie Art Center are requesting your approval for street closures in the boundaries of Sweeney Street, Webster Street (Main to Renaissance Bridge blocks), and the Renaissance Bridge for the third year of a local arts and culture festival on the dates of Saturday, August16 and Sunday, August 17, 2025 from 7am – 5pm. The proposed closure is attached where the majority of Webster Street will be daytime participation from brick and mortar merchants on Webster Street in red and the additional event campus for artist booths are called out in blue. The merchant area should not interfere with any evening programming at the Riviera Theatre or other businesses beyond Tremont Street. Last year saw over 70 artists participate, the majority of downtown merchants promoting their vibrant offerings, and news coverage in Buffalo Rising, Step Out Buffalo, Ken-Ton Bee, Niagara Gazette, WGRZ, Spectrum News, and WIVB. The Carnegie Art Spree! Festival will be a juried art festival showcasing local artists with booth spaces and highlighting the Downtown District of North Tonawanda. Appropriate insurance riders for this event have been priced and will be purchased after final approval from the Common Council. We are coordinating with the City of Tonawanda to have this event continue across the Renaissance Bridge along Main Street. In addition, the Carnegie Art Center is proposing to pay the City of North Tonawanda a fee up to \$3,500 to offset DPW, Police, and Emergency Services coverage based on hours recorded.

The purpose of the Carnegie Art Center is to sponsor, promote and encourage the development of visual and performing arts. The organization provides educational and cultural enrichment to the Western New York region. Like many volunteer based non-profits, the Carnegie has seen steep declines in revenue. The Carnegie Art Spree! Festival will help bolster our mission and serve as a much needed fundraiser for our programming, operations, and long term goals of sustainable business practices.

Your approval will help support our mission, underscore the importance of and commitment to the arts in North Tonawanda, and emphasize our local business and historic district downtown. Thank you for your time.

Sincerely,
Kristin Derby
President, Carnegie Art Center

MOVED by Alderman DiBernardo SECONDED by Alderman Marranca
That the Common Council hereby grants permission to the Carnegie Art Center to close Sweeney Street, Webster Street and the Renaissance Bridge, Saturday, August 16th and Sunday, August 17th, 2025, from 7am to 5pm for the Carnegie Art Spree! Festival and directs the Police Department and the DPW to assist with necessary accommodations for said event.
Ayes: Alderman Schmigel, DiBernardo, Marranca, Loncar, Lavey (5)
Nays: None (0)
CARRIED.

B.
Herschell Carrousel Museum

April 17, 2025

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

Greetings Common Council Members,

The Herschell Carrousel Factory Museum is asking the council to approve the use of public facilities and the closing of a public street for the fifth annual Classics at the Carrousel fundraiser car show Saturday, July 26th from 11am – 3pm. The museum is seeking the use of Heritage Park and Felton Field and closing Thompson Street from Lincoln Avenue to Vandervoort Street for the duration of the event.

This will be the fifth edition of the Classics at the Carrousel Car Show, and the third year asking for the closure of the street. The closing of the street offers the public a safer venue to view all of the vehicles located in Heritage Park and Felton Field. Last year we received 91 vehicles for the event and are expecting over 100 this year. By closing the street to only local traffic, we created a safer environment for the public visiting the event. We are seeking barriers from the Department of Public Works and Auxiliary Police to man these barriers during the event (11am-3pm). After approval, I will work with these groups for the event.

The Classics at the Carrousel is a large fundraising event for the museum, raising over \$7,000 last yar. The event includes: a car show with prizes, music, a 50/50 raffle, a basket raffle, and food trucks. The event is free to the public to attend, and it is \$20 per vehicle to participate in the show. Last year’s attendance was approximately 500 people. We expect similar crowds for this year’s event. Neighbors have been informed of previous citations and only have parking concerns. The museum will continue to place signs up at the parking spots on Heritage Park and Lincoln Avenue, stating it is not event parking. We already have an agreement with Monarch Kitchen design to use their parking lot for visitor parking on the day of the event. With these plans in place, we are confident that the event will be a successful event for the public, the museum, and the city.

Sincerely,
Ian K. Seppala

MOVED by Alderman Loncar SECONDED by Alderman Schmigel
That the Common Council hereby grants permission for the Carrousel Museum to have use of Heritage Park and Felton Field with the closing off of Thompson Street from Lincoln to Vandervoort, Saturday, July 26th, 2025, from 11am to 3pm, for their Classics at the Carrousel event. The Council also directs DPW and the Police Department to assist for said event.

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

C.
 Columbia Hook & Ladder Co.

April 28, 2025

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

Re: Volunteer Firefighter 50-Year Exemption

Dear Council and Mayor:

The members of Columbia Hook & Ladder Co. No.1, Inc., respectfully request a 50-Year Volunteer Firefighter Exemption be granted to, and the Certificate be prepared for:

Donald W. Bressette

He joined this volunteer fire company January 8, 1975.

Very truly yours,
 David L. Evans
 Recording Secretary

MOVED by Alderman Loncar SECONDED by Alderman Marranca
That the Common Council hereby grants an Exemption Petition to Donald W. Bressette for
50 years of service as a Volunteer Firefighter for the City of North Tonawanda.
 Ayes: Alderman Schmigel, DiBernardo, Marranca, Loncar, Lavey (5)
 Nays: None (0)
CARRIED.

AUDIENCE PARTICIPATION -

Mike Carin 792 Revere Avenue- Resident was concerned about his water/sewer bills and asked for explanation on the charges. He is having a difficult time getting off his street onto Nash Road, ever since the city went down to one lane. He counted 34 cars that he had to wait on, to get off his street.

ADJOURNMENT

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

Time of Adjournment: 6:46 P.M

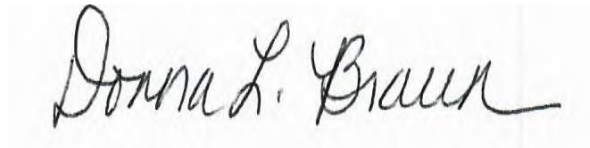
Motion to take a 10 minute recess before the Executive Session

MOVED by Alderman DiBernardo SECONDED by Alderman Marranca
For the Common Council to go into an Executive Session.
CARRIED.

MOVED by Alderman Lavey SECONDED by Alderman Marranca
For the Common Council to go out of the Executive Session.
CARRIED.

Time of adjournment: 7:08 PM

Respectfully submitted,

A handwritten signature in black ink that reads "Donna L. Braun". The signature is written in a cursive style with a long horizontal flourish at the end.

Donna L. Braun
City Clerk-Treasurer