THE HONORABLE BODY

Council Chambers Municipal Building North Tonawanda, New York 14120 Tuesday, June 3, 2025 6:30 P.M.

REGULAR SESSION CALLED TO ORDER BY PRESIDENT LAVEY

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: President Lavey

Alderman Schmigel, DiBernardo, Marranca, Loncar

Absent: None

Also Present: City Attorney Edward Zebulske III

<u>AUDIENCE PARTICIPATION</u> – None

APPROVAL OF THE MINUTES OF THE REGULAR SESSION MAY 20, 2025

MOVED by Alderman DiBernardo SECONDED by Alderman Schmigel That the minutes of the regular session held May 20, 2025 be approved as circulated and filed in the Office of the City Clerk.

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

Nays: None (0)

CARRIED.

COMMUNICATIONS FROM CITY OFFICIALS

II. Attorney

May 30, 2025

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

Re: Proposed Lease Agreement-Thursdays on the Water

Dear Honorable Body:

Attached, for your review, is a proposed lease agreement between the City of North Tonawanda and JG Production and Entertainment, LLC, for the concert series commonly known as "Thursdays on the Water", to be held at Gratwick Park. The promoter will provide a series of seven (7) concerts to be held on the following dates: July 10, July 17, July 24, August 7, August 14, August 21, and August 28, 2025.

Should your Honorable Body concur, please authorize the mayor to execute the agreement between the City of North Tonawanda and JG Production & Entertainment, LLC, subject to any further review by the City Attorney.

Very truly yours, Edward Zebulske, III City Attorney

MOVED by Alderman DiBernardo SECONDED by Alderman Loncar That the Common Council hereby approves the attached contract between the City of

North Tonawanda and JG Productions and Entertainment, LLC for the "Thursdays on the Water" concert series at Gratwick Park.

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

Nays: None (0)

CARRIED.

IV.1 Engineer

May 20, 2025

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

Re: Oliver Street Walkability and Green Infrastructure Improvements Project No.

Authorized Representative and Local Match Funding for Green Resiliency Grant (GRG)

Honorable Body:

The City was awarded a New York State Environmental Facilities Corporation (NYSEFC) GRG grant, in the amount of \$1,500,000, for our Oliver Street Walkability and Green Infrastructure Improvements Project. To enter into the grant agreement with NYSEFC, the City must pass a resolution authorizing a City representative to execute the appropriation of the minimum local match of \$166,667.

The Common Council should act on the following attached resolution to authorize the Mayor as the authorized representative and commit to the required minimum match. Thank you for your time and consideration.

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

MOVED by Alderman DiBernardo SECONDED by Alderman Schmigel That the Common Council at a regular meeting, held at City Hall, 216 Payne Avenue, North Tonawanda, New York at 6:30 pm on June 3, 2025, approves the resolution for the Oliver Street Walkability and Green Infrastructure Improvements, Project No. 2024-01 and the Authorized Representative and Local Matching Funds for Green Resiliency Grant (GRG) and it reads as follows:

WHEREAS, the City of North Tonawanda (Applicant) proposes the implementation of walkability and green infrastructure improvements along Oliver Street from Sweeney Street to Thompson Street (the "Project")

NOW THEREFORE BE IT RESOLVED, that the sum of \$166,667 will hereby be appropriated from expenditure line 623-5997-0245 in the 2025 budget and made available to cover the required minimum local match for the Project; and be it further

RESOLVED, that the Mayor is hereby authorized to execute the Grant Agreement and any other contracts, documents and instruments necessary to bring about the Project and to fulfill obligation under the Grant Agreement subject to review and approval by the City Attorney.

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

CARRIED.

IV.2 Engineer

May 27, 2025

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

> Re: 2020-04: PIN 5764.74 Erie Canal Bike Path Extension Contract **Award of Contract**

Dear Honorable Body:

On May 20, 2025, four (4) bids were received and opened by the City Clerk for the PIN 5764.74 Erie Canal Bike Path Extension Contract. The results are as follows:

Total Base Bid:

1.	Nova Site Company, LLC	\$2,329,845.00
2.	Edbauer Construction	\$2,501,415.50
3.	Milherst Construction Inc.	\$2,922,059.00
4.	Scot Lawn Yard Inc.	\$3,283,577.27

Our design consultant C&S Companies has reviewed the bid results and are recommending award of Contract, see attached letter. Accordingly, I respectfully request that the Common Council award the PIN 5764.74 Erie Canal Bike Path Extension Contract to Nova Site Company, LLC, 6 Lena Court, West Seneca, NY 14224, at their low Base Bid amount of \$2,329,845.00: 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 DiBernardo SECONDED by Alderman Loncar That the Common Council hereby awards the PIN 5764.74 Erie Canal Bike Path Extension Contract to Nova Site Company, LLC, 6 Lena Court, West Seneca, NY 14224, at their low Base Bid amount of \$2,329,845.00 and authorizes the mayor to sign said contract.

Ayes: Alderman Schmigel, DiBernardo, Marranca, Loncar, Lavey **(5)** Nays: None

CARRIED.

(0)

IV.3 Engineer

May 29, 2025

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

Re: 2024-01: Smart Growth 2.0 Implementation-Award of Contract

Dear Honorable Body:

On May 28, 2025, (1) bid was received and opened by the City Clerk for Smart Growth

2.0 Implementation Contract. The results are as follows:

Total Base Bid:

1. Scott Lawn Yard

\$721,123.00

Add Alternate No. 1 (EV Charging in Manhattan Street Parking)

1. Scott Lawn Yard

\$195,885.00

Add Alternate No. 2 (Street Lighting on Webster Street)

2. Scott Lawn Yard

\$1,264,790.00

Our design consultant LaBella has reviewed the bid results and are recommending award of the Contract, see attached letter. Accordingly, I respectfully request that the Common Council award the Smart Growth 2.0 Implementation Contract to Scott Lawn Yard, 3305 Haseley Drive, Niagara Falls, NY 14304, at their low Base Bid amount of \$721,123.00 and Contingent on acquiring the grants highlighted in the contract Add Alternate No. 1 in the Amount of \$195,885.00 as a separate contract; authorizing the mayor to sign said Contracts subject to review by the City Attorney.

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

MOVED by Alderman DiBernardo SECONDED by Alderman Marranca That the Common Council hereby awards the Smart Growth 2.0 Implementation Contract to Scott Lawn Yard, 3305 Haseley Drive, Niagara Falls, NY 14304, at their low Base Bid amount of \$721,123.00 contingent on acquiring the grants highlighted in the contract Add Alternate No. 1 in the Amount of \$195,885.00 as a separate contract; and authorizes the mayor to sign said contracts.

Ayes: Alderman Schmigel, DiBernardo, Marranca, Loncar, Lavey **(5)** Navs: None

CARRIED.

(0)

VII. Accountant

May 27, 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 June 3rd, 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 Marranca SECONDED by Alderman DiBernardo That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated June 3rd, 2025, and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$297,582.49
02	Water Fund	\$38,418.93
04	Sewer Fund	\$19,787.79
06	Capital Project Fund	\$442,644.47
07	Trust & Agency Fund	<u>\$6,574.69</u>
00	Final Total	\$ <u>805,008.37</u>

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

XVII. Traffic Safety

May 19, 2025

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

Traffic Safety Minutes:

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

- 1. Note: 1 in April minutes from Carlton Durham from 1416 East Robinson Rd, the right lane coming from the bridge going west bound on East Robinson be changed to right turn only. The committee made a final decision to agree to this request.
- 2. Note: 3 in April minutes Member Brennan had a request on Walck Rd. going west bound at Nash Rd that the right lane should be right turn only. The committee made a final decision to agree to this request.
- 3. Note: 4 In April minutes, install a guard rail along the curve on Payne Ave. from Fredericka to Daniel Drive. A reputable contractor named Elderlee, Inc. will be coming out to the location in the week of May 26th to give the city a quote.
- 4. Request from Rhonda Johnson from 284 Warner Ave asked for 30 mph signs on Warner Ave. She stated that the street has no 30-mph signage. She was correct and the committee agreed to install speed signs on Warner Ave.
- 5. Second request from Rhonda Johnson for the removal of the: "Deaf Child" sign as the female is no longer on Warner Ave. The committee all agreed to the removal.

The next Traffic Safety Meeting will be on June 16th, 2025

Travel Safely! Matthew R Meisenburg

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

Ayes: Alderman Schmigel, DiBernardo, Marranca, Loncar, Lavey **(5)**

Nays: None (0)

CARRIED.

XXV. Monthly Reports

.1 Police Reports

MOVED by Alderman DiBernardo 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.

AUDIENCE PARTICIPATION -

<u>Richard Madej-499 Witmer Road</u> - Concerned about a ditch that has been dug near Drake School. Why isn't there one like this dug near Donner Creek?

ADJOURNMENT

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

Time of Adjournment: 6:40 P.M

Respectfully submitted,

Jonna L. Braun

Donna L. Braun City Clerk-Treasurer