## **REGULAR SESSION CALLED TO ORDER BY PRESIDENT LAVEY**

### PLEDGE OF ALLEGIANCE

#### ROLL CALL

Present:	President Lavey Alderman DiBernardo, Marranca, Loncar
Absent:	Alderman Schmigel
Also Present:	Mayor Austin J Tylec Asst. City Attorney Mario Gregori

## AUDIENCE PARTICIPATION – None

#### APPROVAL OF THE MINUTES OF THE REGULAR SESSION JUNE 17, 2025

MOVED by Alderman DiBernardoSECONDED by Alderman LoncarThat the minutes of the regular session held June 17, 2025 be approved as circulated and<br/>filed in the Office of the City Clerk.(4)Ayes: Alderman DiBernardo, Marranca, Loncar, Lavey(4)Nays: None(0)CARRIED.

## PROOF OF PUBLICATION PUBLISHED 06/17/2025

1.) Legal Notice Request for Proposals for Interested Parties Seeking to License 50 feet of Seasonal Dock Space along the Sweeney Canal Docks – Dir. Youth, Recreation, Parks & Seniors

## PROOF OF PUBLICATION PUBLISHED 06/21/2025

1.) Legal Notice – Request for Proposals for the Wurlitzer Court Resurface and Pickleball Conversion – Dir. Youth, Recreation, Parks and Seniors

MOVED by Alderman DiBernardoSECONDED by Alderman MarrancaThat the Common Council hereby receives and files the aforementioned Proof of<br/>Publications.Proof of<br/>Publications.Ayes: Alderman DiBernardo, Marranca, Loncar, Lavey(4)<br/>(0)Nays: None(0)<br/>CARRIED.

# **COMMUNICATIONS FROM CITY OFFICIALS**

**II.1** Attorney

June 26, 2025

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

> Re: Proposed Bargain and Sale Deed with lien Covenant between City of North Tonawanda and MCW Construction, Inc. to Become the Entrance to the Wachowicz Project

**Dear Honorable Body:** 

Attached is a proposed Bargain and Sale Deed with Lien Covenant for the proposed transfer of a portion of Briarwood Drive from the City of North Tonawanda to MCW Construction, Inc., to be used as the entrance of the Wachowicz project.

Should your Honorable Body concur, please pass a resolution to permit the execution of the Bargain and Sale Deed with Lien Covenant by the Mayor, subject to any further review by the City Attorney.

If you have any questions, please do not hesitate to contact me.

Very truly yours, Edward A. Zebulske, III City Attorney

MOVED by Alderman Marranca	SECONDED by Alderman	Loncar		
That the Common Council hereby tabled the aforementioned request.				
Ayes: Alderman DiBernardo, Marranca	, Loncar, Lavey	(4)		
Nays: None				
CARRIED.				

**II.2** Attorney

April 11, 2025

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

> Re: Ordinance Revisions – (1) §98-8 (c) – Application for Water Service (2) §98-11 (c) (1) Installation of Meters – Domestic Meters (3) §98-14 Penalties for Offenses

**Dear Honorable Body:** 

Below for your consideration are two (2) proposed ordinance revisions (in bold print) under North Tonawanda City Code Chapter 98-Water.

**<u>§98-8 Application for Water Service:</u>** 

"When making "a" service application for newly built structures, the consumer must come in person, sign the application, "and" make "an" appointment for installation of the meter. "The consumer must pay the current cost and the current rate for the meter as well as the labor for installation of the meter, which is established on the City Website." The Property owner

may furnish and install new City-approved meter with no charge by the City. Upon installation, meter must be inspected by the City Water Department.

## <u>§98-11 Installation of Meters:</u>

(c) Domestic Meters

The City of North Tonawanda will provide, and the Water Department will furnish (1) "1 domestic meter up to and including a size of 5/8 by <sup>3</sup>/<sub>4</sub> to a property at no cost to the homeowner/property owner. If additional 5/8 by <sup>3</sup>/<sub>4</sub> meters are needed for the property, the property owner will be required to pay the current meter price and installation rate for each new and/or replacement meter. Once payment and installation is complete, the City of North Tonawanda will take owner ship of all <sup>3</sup>/<sub>4</sub> inch domestic meters once installed."

## §98-11 (4) (added provision)

(4) if a meter is frozen, and needs to be replaced, the property owner will be charged the current cost and rate of a new meter and labor as provided on the City of North Tonawanda website.

## §98-14 Penalties for Offenses:

1. Any person, form or corporation violating any provisions of this chapter, to include tampering with the meter, shall be fined not less than \$250 nor more than \$1,000 for each offense. Further, if any monetary credit exists at the time a meter is found to have been tampered with, that existing credit shall be null and void. The Building Inspector and Code Enforcement officer shall be responsible for enforcing compliance with this chapter.

If your Honorable body concurs, please pass the appropriate resolutions for the City of North Tonawanda to allow these additions to our North Tonawanda City Code, subject to further review by the City Attorney.

> Very truly yours, Mario J. Gregori, Esq. Asst. City Attorney

MOVED by Alderman DiBernardoSECONDED by Alderman LoncarThat the Common Council hereby tabled the aforementioned request to change the<br/>language in §98-11 (4)(4)Ayes: Alderman DiBernardo, Marranca, Loncar, Lavey(4)Nays: None(0)CARRIED.

VII. Accountant

June 26, 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 July 1<sup>st</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 DiBernardo SECONDED by Alderman Marranca That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated July 1<sup>st</sup>, 2025, and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$360,172.80
02	Water Fund	\$34,368.18
04	Sewer Fund	\$21,248.80
06	<b>Capital Project Fund</b>	\$845,130.41
07	Trust & Agency Fund	\$37,272.46
00	Final Total	\$ <u>1,298,192.65</u>

Ayes: Alderman DiBernardo, Marranca, Loncar, Lavey Nays: None CARRIED.

XVII. Traffic Safety

June 16, 2025

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

**Traffic Safety Minutes:** 

The June meeting of the North Tonawanda Traffic 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. Request from Jenny Cress to install stop signs on Ohio at Ardmore. Ohio street is directly connected to Niagara Falls Blvd. As people transition to Ohio street they are still at a high rate of speed. With Ohio school involved and the increase of families the committee agreed with the request
- 2. Member Meisenburg requested the removal of the stop signs on Evans at Bryant St. The Committee agreed with the request.
- 3. Member Meisenburg requested the removal of the stop signs on Hewitt at Barrally St. The committee agreed with the request.
- 4. Request from Amanda Hockwater to remove the "No Parking" signs in front of Rescue Fire Hall. The building is no longer an active fire hall. The little league sports are still active with a concession stand making concern for safety, injury or fire. If we were to remove the "No Parking" signs an EM vehicle wouldn't be able to get down the street which is a huge safety issue. The committee denied the request.
- 5. The contractor Elderlee completed the quote for the guard rail along the curve on Payne Ave. from Fredericka to Daniel drive. The city agreed to move forward, and we should see the installation soon.

The next Traffic Safety meeting will be held on July 21st, 2025.

(4)

(0)

## Travel safety! Matthew R. Meisenburg

MOVED by Alderman DiBernardoSECONDED by Alderman LoncarThat the Common Council hereby approves Traffic Safety recommendation #1, #2, #3 andreceives and files the June Traffic Safety minutes.Ayes: Alderman DiBernardo, Marranca, Loncar, Lavey(4)Nays: None(0)CARRIED.

XXXII. Dir. Community Development

#### June 27, 2025

Honorable Austin J. Tylec, Mayor And Common Council Members City Hall / 216 Payne Avenue North Tonawanda, NY 14120 Re: City of North Tonawanda Zoning Code Update-Consultant Services

**Dear Honorable Body:** 

The City was awarded grant funding through the NYSDOS Smart Growth Planning Program for a total of \$135,000 to complete a City-Wide Zoning Code update, which will assist in the implementation of the Comprehensive Plan update.

To complete this work, the city has issued a Request for Proposals (RFP) to procure the services of a professional planning firm. This firm's responsibilities will include public engagement, a local regulations assessment and recommendations report, proposed local regulations (update to the existing zoning code), SEQRA and Final GEIS development, and assistance with the local adoption process.

A request for proposals was issued in April 2025 and the City received five (5) proposals from professional firms. A review committee was convened with representation from City Engineering, Community Development, the Mayor's Office, Building Inspector's Office and a representative from Architectural Resources to review and score the proposals, and provide a recommendation to the Council.

Upon review, the committee is recommending the City select C&S Engineers to perform the zoning code update. The review committee felt the team assembled by C&S Engineers demonstrated the experience, expertise, and capacity to complete this project for the City.

I am hereby requesting this honorable body consider selecting C&S Engineers to complete the City of North Tonawanda Zoning Code Update and authorize the Mayor to sign a contract with C&S pending review and approval City Attorney for the proposed not to exceed fee of \$150,000.

Please let me know if you have any further questions or concerns. Thank you for your consideration.

Very truly yours, Laura Wilson Dir. Community Development

MOVED by Alderman DiBernardoSECONDED by Alderman MarrancaThat the Common Council hereby approves C&S Engineers to perform the Zoning Codeupdate for the City of North Tonawanda and directs the Mayor to sign said contract not toexceed \$150,000.Ayes: Alderman DiBernardo, Marranca, Loncar, Lavey(4)Nays: None(0)CARRIED.

## **COMMUNICATIONS FROM OTHERS**

A. North Tonawanda Athletic Association

June 16, 2025

City of North Tonawanda 216 Payne Avenue North Tonawanda, NY 14120

**Dear Honorable Body:** 

On behalf of the North Tonawanda Athletic Association (NTAA), I respectfully request permission to close Strad Avenue between D'Angelo Drive and the southern driveway of 1241 Strad Avenue on Saturday, August 30, 2025, from 8:00 AM to 8:00 PM.

This closure is being requested in support of a special community event – NTAA's 50<sup>th</sup> Anniversary Celebration. As part of the festivities, we will be hosting youth football and cheer games throughout the day, as well as a formal ceremony at 1:00 PM to recognize five decades of service to the youth and families of North Tonawanda. The street closure will ensure the safety of our players, spectators, and guests during this milestone event. This will also allow our families and volunteers to enjoy the festivities by closing our concession stand and having food trucks in the closed road area.

An attached map outlines the sections of Strad Avenue we are requesting to be closed for the duration of the event.

We appreciate your consideration and continued support of youth sports in our community. Please let us know if you need any additional information or documentation to process this request.

Sincerely, John DiVirgilio, President North Tonawanda Athletic Association

MOVED by Alderman LoncarSECONDED by Alderman DiBernardoThat the Common Council hereby grants permission for the North Tonawanda AthleticAssociation (NTAA) to close Strad Avenue between D'Angelo Drive and the southerndriveway of 1241 Strad Avenue on Saturday, August 30, 2025, from 8:00 AM to 8:00 PM,for their 50<sup>th</sup> Anniversary Celebration and directs the DPW to provide barricades for saidevent.Ayes: Alderman DiBernardo, Marranca, Loncar, Lavey(4)Nays: None

B. Live Hose Company No.4

CARRIED.

June 23, 2025

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

**Re: 50 Year Volunteer Firefighter Exemption** 

**Dear Honorable Body:** 

The Live Hose Volunteer Fire Company No.4 Inc., respectfully request 50-year exemption be granted to the following member.

**James Walters** 

Joined Line Hose – March 3, 1975

Sincerely, **David Maziarz** President

MOVED by Alderman DiBernardo SECONDED by Alderman Lavey That the Common Council hereby grants an Exemption Petition to James Walter for 50years of service as a Volunteer Firefighter with the City of North Tonawanda Fire Department. Ayes: Alderman DiBernardo, Marranca, Loncar, Lavey (4) Nays: None (0) CARRIED.

AUDIENCE PARTICIPATION - None

#### **ADJOURNMENT**

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

Time of Adjournment: 6:45 P.M

Respectfully submitted,

mal. Braun

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