

PLEDGE OF ALLEGIANCE

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

AUDIENCE PARTICIPATION – None

MOVED by Alderman Lavey **SECONDED by Alderman Marranca**
That the minutes of the special session held July 8, 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.

1.) Legal Notice – Request for Proposals for the Charlie Fleischman Park & Manhattan Street Parking Lot Improvements – City Engineer

MOVED by Alderman Marranca SECONDED by Alderman Loncar

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.

07-15-2025

I. Mayor

July 9, 2025

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

Re: Adoption of the New Official City Flag

Dear Council Members,

I am pleased to submit for your formal consideration the attached resolution adopting a new official flag for the City of North Tonawanda.

On July 8, 2025, at 5:00 PM, we officially unveiled and announced the new city flag during a public ceremony held at City Hall, 216 Payne Avenue. This marked the first time in nearly 60 years that the city has updated its flag, a meaningful step forward that reflects North Tonawanda's continued progress, civic pride, and evolving identity.

This effort was initiated in 2024 through my office, with the formation of a Flag Steering Committee composed of residents, civic leaders, and artists. The committee guided the process with thoughtful care, beginning with a public call for design submissions that resulted in over 30 entries from 20 local artists. Eight finalists were selected and presented for a citywide vote, which received more than 2,400 responses from residents. The winning design, created by local artist Jeremy Sniatecki, was selected for its strong representation of North Tonawanda's heritage and future.

I want to formally thank and recognize the members of the Flag Steering Committee for their time, dedication, and thoughtful contributions throughout this process:

- **Austin Tylec, Mayor**
- **Joseph Lavey, Council President**
- **Donna Braun, City Clerk-Treasurer**
- **Joyce Santiago, Executive Assistant to Mayor**
- **Susan Gosch, City Historian**
- **Alex Domaradzki, Director of Parks & Recreation**
- **Laura Wilson, Director of Lumber City Development**
- **Ava LaBella**
- **Brett Scheuer**
- **Kristin Derby**
- **Ryan DePaolo**

Their work exemplified the best of community collaboration, and I am proud of what we have accomplished together.

I respectfully ask for the Council's full support in adopting the attached resolution and formally recognizing this important moment in our city's history.

**Respectfully,
Austin Tylec
Mayor**

**MOVED by Alderman Schmigel SECONDED by Alderman Marranca
That the Common Council at a regular meeting, held at City Hall, 216 Payne Avenue,
North Tonawanda, New York at 5:00 pm on July 15, 2025, approves the resolution to
Adopt the New Official Flag for the City of North Tonawanda and it reads as follows:**

WHEREAS, the City of North Tonawanda has not updated its official city flag since 1967, and the current flag no longer fully reflects the growth, progress, and evolving identity of the community; and

WHEREAS, in response to this, an initiative was launched through the Office of the Mayor to reimagine the city, with a steering committee comprised of residents, civic leaders, and artists guiding the process; and

WHEREAS, the City issued a public call for design submissions, receiving an overwhelming response from local artists, and conducted a citywide public vote to ensure broad community participation in the selection process; and

WHEREAS, the final design created by Jeremy Sniatecki, a local artist with deep roots in the North Tonawanda community, was selected for its strong representation of the city’s heritage, values, and future aspirations; and

WHEREAS, the new flag will serve as a modern, unifying symbol of civic pride and identity for the city of North Tonawanda, and will be displayed at City Hall and other appropriate public facilities;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of North Tonawanda hereby formally adopts the new design as the Official Flag of the City of North Tonawanda, effective immediately upon passage of this resolution;

BE IT FURTHER RESOLVED, that the Common Council extends its sincere appreciation to the members of the flag steering committee, contributing artists, and the residents who participated in this meaningful civic process;

AND BE IT FINALLY RESOLVED, that the Mayor of the City of North Tonawanda, Austin Tylec, and the City Clerk-Treasurer, Donna Braun, are hereby authorized to sign and certify this resolution and take any necessary actions to implement and recognize the adoption of the new official city flag.

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Austin J. Tylec	Donna L. Braun
Mayor	City Clerk-Treasurer

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

II. Attorney

July 2, 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.

§98-8 Application for Water Service:

“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.

§98-11 Installation of Meters:

(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 ¾ to a property at no cost to the homeowner/property owner. If additional 5/8 by ¾ 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 ownership of all ¾ inch domestic meters once installed.”**

(1)(a) The Water Department shall install all such domestic meters, and the consumer shall be charged a service installation fee to be established by resolution of the Common Council. The Water Department will maintain, keep in repair and adjust all domestic meters except as may be otherwise provided.

§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:

- A. Any person, firm 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.
- B. **If, as a result of gross negligence, a meter becomes frozen, inoperable, or 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.**

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 DiBernardo SECONDED by Alderman Marranca
That the Common Council at a regular meeting, held at City Hall, 216 Payne Avenue, North Tonawanda, New York at 5:00 pm on July 15, 2025, approves the Amendments to City Code §98-8 (c) Application for Water Service, §98-11 (c) (1) Installation of Meters-Domestic Meters and §98-14 Penalties for Offenses and it reads as follows:

§98-8 Application for Water Service:

“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.

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§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:

- A. 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.
- B. **If, as a result of gross negligence, a meter becomes frozen, inoperable, or 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.**

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

III. Clerk-Treasurer

July 1, 2025

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

Re: City Auction Bids

Dear Honorable Body:

On Monday May 12, 2025 and ending Tuesday, May 27, 2025 my office in conjunction with the City Attorney's Office conducted an online Public Auction through Auctions International at which 35 City owned parcels were auctioned. At the Common Council meeting of June 17th, you approved 32 of the bids and tabled 2 properties. There was 1 parcel that was offered to the underbidder and now received. I have attached for your

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review the property address, bidder name and bid amount. I respectfully request that your Honorable Body accept the bid that was paid.

If your Honorable Body should concur, please vote in the affirmative on the above request pending final review by the City Attorney’s Office.

Sincerely,
Donna L. Braun
City Clerk-Treasurer

MOVED by Alderman DiBernardo SECONDED by Alderman Loncar
That the Common Council hereby accepts the bid from the underbidder for City Owned property that was offered at the online public auction May 12, 2025 to May 27, 2025 and it is as follows:

<u>SBL#</u>	<u>Address</u>	<u>Bidder Name</u>	<u>Amount</u>
182.21-1-40	111 Seventeenth Ave	Donald Wagner	\$38,000
Ayes: Alderman Schmigel, DiBernardo, Marranca, Loncar, Lavey			(5)
Nays: None			(0)
CARRIED.			

VII. Accountant

July 6, 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 15th, 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 Schmigel
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated July 15th, 2025, and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$388,932.70
02	Water Fund	\$42,034.91
04	Sewer Fund	\$102,280.24
06	Capital Project Fund	\$139,757.10
07	Trust & Agency Fund	<u>\$6,511.45</u>
00	Final Total	<u>\$679,516.40</u>

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

X.1 Police Chief

July 8, 2025

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

Re: Detective Promotion

I intend on promoting Officer Frank Burkhart, who is assigned to the Niagara County Drug Task Force, to the rank of police detective to fall in accordance with the current contract between the City of North Tonawanda and the NTPBA and civil service law, with regard to job description. Officer Burkhart will continue his assignment with the NCDTF.

Officer Burkhart’s promotion will be effective on July 18, 2025.

Administration of oath will be given by administered on Friday, July 18, 2025, at 9:00am in the common council chambers.

**Thank you,
Keith Glass
Chief of Police**

**MOVED by Alderman Lavey SECONDED by Alderman DiBernardo
That the Common Council hereby approves the promotion of Officer Frank Burkhart to the rank of Police Detective for the North Tonawanda Police Department effective July 18, 2025.
Ayes: Alderman Schmigel, DiBernardo, Marranca, Loncar, Lavey (5)
Nays: None (0)
CARRIED.**

X.2 Police Chief

July 8, 2025

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

Re: Captain Promotion

Dear Honorable Body:

Lieutenant Michelle Day will be promoted to the position of police captain to fill the vacancy created by the retirement of Captain Daryl Truty. Lieutenant Day’s promotion will take effect on July 18, 2025.

Administration of oath will be given on Friday, July 18, 2025, at 9:00am in the common council chambers.

**Thank you,
Keith Glass
Chief of Police**

**MOVED by Alderman Loncar SECONDED by Alderman Marranca
That the Common Council hereby approves the promotion of Lieutenant Michelle Day to the rank of Captain for the North Tonawanda Police Department effective July 18, 2025.**

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

XIV.1 Dir. Youth, Recreation, Parks & Seniors

July 2, 2025

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

Dear Mayor Tylec and Common Council,

The North Tonawanda Botanical Garden Organization (NTBGO) would like to apply for a grant with the NYS Department of Environmental Conservation under the Environmental Justice (EJ) Community Impact Grant Program Round 12. This grant is geared towards not-for-profits serving an EJ and/or Disadvantaged Community. The application falls under the “Capacity Building” category and their intent is to apply for \$120,000 - \$150,000 to enlist grant writing services and interns to manage the ongoing habitat restoration projects for a 3-year period. There is no match for funding required from the city; however the municipal endorsement is required.

As you are well aware, the NTBGO has been maintaining and beautifying the grounds at 1825 Sweeney Street, and over the past few years have collaborated and maintained several projects after successfully securing several grants. This particular grant opportunity helps them greatly in their ability to increase their organizational capacity for the benefit of the park and the community it serves. Please consider passing the resolution which is needed as part of the grant submission.

**Respectfully submitted,
Alex Domaradzki
Dir. Youth, Recreation, Parks & Seniors**

**MOVED by Alderman DiBernardo SECONDED by Alderman Loncar
That the Common Council at a regular meeting, held at City Hall, 216 Payne Avenue, North Tonawanda, New York at 5:00 pm on July 15, 2025, approves the resolution in support for NTBGO to submit an application to the Environmental Justice Community Impact Grant Round 12 and it reads as follows:**

WHEREAS, the North Tonawanda Botanical Garden Organization Inc., is applying to the New York State Department of Environmental Conservation for a grant under the Environmental Justice Community Impact Grant Program Round 12 for a project to be located at the North Tonawanda Botanical Garden, a site located within the territorial jurisdiction of the City of North Tonawanda; and

WHEREAS, as a requirement under the rules of this program, said not-for-profit corporation must obtain the “approval/endorsement of the governing body of the municipality in which the project will be located”;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of North Tonawanda hereby does approve and endorse the application of North Tonawanda Botanical Garden Organization Inc., for a grant under the state of New York Department of Environmental Conservation’s Environmental Justice Program Round 12, for a project known as the North Tonawanda Botanical Garden Organization Native Plant/Habitat Restoration and Grant Writing Capacity Building Project and located within this community.

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

XIV.2 Dir. Youth, Recreation, Parks & Seniors

July 2, 2025

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

The City recently issued a public Request for Proposals (RFP) to solicit interested parties seeking to license dock space for commercial use along the Sweeney Canal Docks. The goal of this RFP is to attract a commercial user whose business presence enhances the seasonal traffic and vibrancy of the Erie Canal/Gateway Harbor area of North Tonawanda.

We received one proposal from Buffalo Tiki Tours Inc-DBA TNT Tiki Tours upon review, the proposal fits the criteria that we are looking for in our goals for this opportunity. This company, which has been operating a similar operation in the Buffalo Harbor since 2017 and an expansion operation in Florida since 2019 has demonstrated the ability to successfully provide quality a safe recreational opportunity that will enhance the downtown experience, further making North Tonawanda a desirable destination.

I am requesting approval to accept this proposal with Buffalo Tiki Tours Inc-DBA TNT Tiki Tours, and enter into a contractual agreement drafted by our City Attorney with terms and conditions as outlined in the RFP. This is contingent upon receiving required insurance coverage and Canal Corp Permits from the businesses also detailed in the RFP.

**Respectfully submitted,
Alex Domaradzki
Dir. Youth, Recreation, Parks & Seniors**

**MOVED by Alderman DiBernardo SECONDED by Alderman Lavey
That the Common Council hereby approves the proposal with Buffalo Tiki Tours Inc-DBA TNT Tiki Tours, to license dock space for commercial use along the Sweeney Canal Docks.
Ayes: Alderman Schmigel, DiBernardo, Loncar, Marranca, Lavey (5)
Nays: None (0)
CARRIED.**

XXV. Monthly Reports

.1 Senior Citizen Center .2 Clerk-Treasurer

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

COMMUNICATIONS FROM OTHERS

**A.
Remember Ryan Foundation Inc.**

July 7, 2025

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

Dear Honorable Body:

Since 2007, The Remember Ryan Foundation Inc. has been dedicated to promoting the visual and performing arts, primarily in North Tonawanda public and private schools, through our Grants Fund and Direct Gift Programs. Among our initiatives, we have provided hundreds of musical instruments for use by students, including many from families who cannot afford to buy or rent them. As a registered not-for-profit organization and public charity, we rely on donor support through various fundraising activities.

As such, we are requesting permission to conduct Ryan's Run 5K Race on Sunday, September 14, 2025 at 9:00am. We anticipate up to 150 participants the proposed course route, which begins and ends at Spruce Elementary School, is attached.

The race itself will last approximately 1.5 hours, followed by an additional hour of post-race activities which take place entirely on school grounds. For the streets involved, we will follow the lead of other 5K events held in North Tonawanda by canvassing the neighborhoods with signage and flyers prior to the race.

We appreciate your time and consideration of our request. Thank you.

Best Regards,
John H. George, President

MOVED by Alderman Marranca **SECONDED** by Alderman Loncar
That the Common Council here grants permission for The Remember Ryan Foundation Inc. to run their Ryan's Run 5K Race on Sunday, September 14, 2025 and directs the Police Department to assist along the route and the DPW to provide barricades if needed.
Ayes: Alderman Schmigel, DiBernardo, Marranca, Loncar, Lavey (5)
Nays: None (0)
CARRIED.

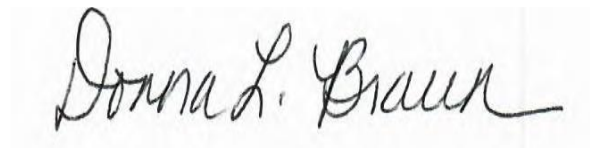
AUDIENCE PARTICIPATION - None

ADJOURNMENT

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

Time of Adjournment: 5:13 P.M

Respectfully submitted,



Donna L. Braun
City Clerk-Treasurer