

PLEDGE OF ALLEGIANCE

**Also Present: Mayor Austin J. Tylec
City Attorney Edward Zebulske III**

[illegible][illegible]

08-19-2025

II. Attorney

August 11, 2025

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

Re: Proposed Sale of City Real Property – 78 & 98 Bridge Street

Dear Honorable Body:

Below, for your consideration, is a resolution regarding the proposed sale of city real property at 78 and 98 Bridge Street, North Tonawanda, New York, for future development as Bridge Street Landing, LLC.

WHEREAS, the City of North Tonawanda has entered into an Agreement to sell 78 and 98 Bridge Street in the City of North Tonawanda, New York, to VisoneCo Site Development, LLC, of 9829 Main Street, Clarence, New York 14031, with the property to be titled to Bridge Street Landing, LLC.

NOW THEREFORE BE IT RESOLVED, that the Mayor is hereby authorized to execute the deed and any other documents related to said sale.

Should your Honorable Body concur, please authorize the Mayor to execute the sale documents between the City of North Tonawanda and VisoneCo Site Development, LLC, 9829 Main Street, Clarence, New York 14031, subject to any further review by the City Attorney.

**Very truly yours,
Edward a. Zebulske, III
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 6:30 p.m. on August 19th, 2025, approves the Resolution to enter
into an Agreement to sell 78 & 98 Bridge Street to VisoneCo Site Development, LLC and it
reads as follows:

WHEREAS, the City of North Tonawanda has entered into an Agreement to sell 78 and 98 Bridge Street in the City of North Tonawanda, New York, to VisoneCo Site Development, LLC, of 9829 Main Street, Clarence, New York 14031, with the property to be titled to Bridge Street Landing, LLC.

NOW THEREFORE BE IT RESOLVED, that the Mayor is hereby authorized to execute the deed and any other documents related to said sale.

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

IV. Engineer

August 14, 2025

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

**Re: 2025-03: City Parks Paving Improvements Project
Award of Contract**

Dear Honorable Body:

On August 12, 2025, six (6) bids were received and opened by the City Clerk for the City Parks Paving Improvements Project. The results are as follows:

Base Bid:

1. D&H Paving LLC	\$147,201.60
2. Anastasi Trucking and Paving Co.	\$166,314.70
3. Louis Del Prince & Sons, Inc.	\$191,700.00
4. J&D’s Seal Tech Corp.	\$203,374.59*
5. Milherst Construction, Inc.	\$221,210.00
6. Thomann Asphalt Paving Corp.	\$223,850.00

Add Alternate No. 1:

1. D&H Paving LLC	\$12,000.00
2. Anastasi Trucking and Paving Co.	\$2,765.00
3. Louis Del Prince & Sons, Inc.	\$2,700.00
4. J&D’s Seal Tech Corp.	\$4,800.00*
5. Milherst Construction, Inc.	\$12,000.00
6. Thomann Asphalt Paving Corp.	\$5,825.00

Add Alternate No. 2:

1. D&H Paving LLC	\$18,200.00
2. Anastasi Trucking and Paving Co.	\$14,612.00
3. Louis Del Prince & Sons, Inc.	\$24,700.00
4. J&D’s Seal Tech Corp.	\$10,296.00
5. Milherst Construction, Inc.	\$23,400.00
6. Thomann Asphalt Paving Corp.	\$18,720.00

Add Alternate No. 3:

1. D&H Paving LLC	\$93,608.80
2. Anastasi Trucking and Paving Co.	\$73,510.00
3. Louis Del Prince and Sons, Inc.	\$61,700.00
4. J&D’s Seal Tech Corp.	\$35,000.00
5. Milherst Construction, Inc.	\$85,000.00
6. Thomann Asphalt Paving Corp.	\$61,000.00

Total Bid (Base + Alt 1 + Alt 2 + Alt 3):

1. J&D’s Seal Tech Corp.	\$253,470.59*
2. Anastasi Trucking and Paving Co.	\$257,201.70
3. D&H Paving LLC	\$271,010.40
4. Louis Del Prince and Sons, Inc.	\$280,800.00
5. Thomann Asphalt Paving Corp.	\$309,395.00
6. Milherst Construction, Inc.	\$341,610.00

It was determined by the Engineering Department, Department of Public Works and the Parks Department to award the Base Bid + Add Alternate 1 + Add Alternate 2 based on the project budget.

Total Bid (Base + Alt 1 + Alt 2):

1. D&H Paving LLC	\$177,401.60
2. Anastasi Trucking and Paving Co.	\$183,691.70
3. J&D’s Seal Tech Corp.	\$218,470.59*
4. Louis Del Prince and Sons, Inc.	\$219,100.00
5. Thomann Asphalt Paving Corp.	\$218,395.00
6. Milherst Construction, Inc.	\$256,610.00

There were mathematical errors found in the J&D’s Seal Tech Corp. bid, an asterisk indicates that the total was corrected based on the unit prices they presented in their bid.

The Engineering Department has reviewed the bid results and is recommending award of the Contract. Accordingly, I respectfully request that the Common Council award the City Parks and Paving Improvements Project to D&H Paving LLC, 485 Kennedy Road, Cheektowaga, NY 14227, at their low Base Bid + Add Alternate 1 + Add Alternate 2 amount of \$177,401.60; authorizing the mayor to sign said contract subject to review by the City Attorney.

Very truly yours,
Chelsea L. Spahr, PE
City Engineer

MOVED by Alderman DiBernardo SECONDED by Alderman Loncar
That the Common Council hereby awards the City Parks and Paving Improvements Project to D&H Paving LLC, 485 Kennedy Road, Cheektowaga, NY 14227, at their low Base Bid + Add Alternate 1 + Add Alternate 2 in the amount of \$177,401.60; and authorizes the mayor to sign said contract.
Ayes: Alderman DiBernardo, Marranca, Loncar, Lavey (4)
Nays: None (0)
CARRIED.

VII.1 Accountant

August 14, 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 August 19th, 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 Loncar
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated August 19th, 2025, and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$528,726.23
02	Water Fund	\$37,306.23
04	Sewer Fund	\$46,662.96
06	Capital Project Fund	\$234,784.26
07	Trust & Agency Fund	<u>\$2,485.74</u>
00	Final Total	<u>\$849,965.42</u>

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

VII.2 Accountant

August 14, 2025

**A LOCAL LAW TO ALLOW THE CITY OF NORTH TONAWANDA, NEW YORK TO
OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPLE
LAW SECTION 3-C**

WHEREAS, on August 12th, 2025, a public hearing was held at 6:15pm in the council chambers, 216 Payne Avenue, North Tonawanda, New York.

WHEREAS, General Municipal Law section 3-c requires Common Council to obtain sixty percent approval to adopt Local law #3 of 2025.

WHEREAS, that a Local Law to override the Tax Levy Limit for the City of North Tonawanda to be voted on, as follows:

MOVED by Alderman Marranca 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 August 19th, 2025 approves the Resolution for Local Law No.3 of 2025 -A Local Law of the City of North Tonawanda, New York to Override the Tax Levy Limit Established in General Municipal Law Section 3-C and it reads as follows:

LOCAL LAW #3 OF 2025
**A LOCAL LAW OF THE CITY OF NORTH TONAWANDA, NEW YORK TO
OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPLE LAW
SECTION 3-C**

Be it enacted by the City Council of the City of North Tonawanda in the county of Niagara, as follows:

Section 1. Legislative intent

It is the intent of the Local Law to override the limit on the amount of real property taxes that may be levied by the City of North Tonawanda, County of Niagara, State of New York pursuant to General Municipal Law 3-c, and to allow City of North Tonawanda to adopt a budget for (a) City purposes and (b) any other special or improvement district governed by the Common Council for the Fiscal Year 2026 that requires a real property tax levy in excess of the “tax levy limit” as defined by the General Municipal Law 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law 3-c, which expressly authorizes the Common Council to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Common Council.

Section 3. Tax Levy Limit Override

The Common Council of the City of North Tonawanda is hereby authorized to adopt a budget for the fiscal year 2026 that requires a real property tax levy in excess of the limit specified in General Municipal Law 3-c.

Section 4. Severability

If any clause, sentence, paragraph, subdivision or part of the Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgement shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of the Local Law or in its application to the person, individual,

firm, or corporation or circumstance, directly involved in the controversy in which such judgement or order shall be rendered.

Section 5. Effective date.

This local law shall take effect immediately upon filing with Secretary of State.

PLEASE TAKE NOTICE THE EXTENT THAT THIS LOCAL LAW MAY CONFLICT WITH APPLICABLE PORTIONS OF THE GENERAL CITY LAW OF THE STATE OF NEW YORK, IT IS STATED INTENTION OF THE CITY TO EXERCISE ITS AUTHORITY TO SUPERSEDE AND AMEND, AS GRANTED UNDER THE MUNICIPAL HOME RULE LAW OF THE STATE OF NEW YORK, SECTION 10. THE CITY HEREBY PROVIDES NOTICE THAT IT IS EXERCISING ITS AUTHORITY TO SUPERSEDE AND AMEND PURSANT TO MUNICIPAL HOME RULE LAW OF THE STATE OF NEW YORK SECTION 22.5

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

X.1 Police Chief

August 4, 2025

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

Dear Honorable Body:

There should be an amendment to §96-53 (C) of our city code, as it was not updated to reflect the new fine amounts for parking in a handicapped spot without a placard. The amended fine amounts should read:

§96-53 Parking in shopping centers.

C. Penalties for offenses.

The violation of §96-53 of this ordinance shall constitute a traffic infraction, and every person convicted of a traffic infraction for a violation of this ordinance shall be punishable by a fine of not more than \$100 or by imprisonment for not more than 15 days, or by both such fine and imprisonment. For a second such conviction within 18 months thereafter, such persons shall be punished by a fine of not more than \$150 or by imprisonment for not more than 45 days, or by both such fine and imprisonment; upon a third or subsequent conviction within 18 months after the first conviction, such person shall be punished by a fine of not more than \$250 or by imprisonment for not more than 90 days, or by both such fine and imprisonment.

The current amounts are shown below:

96-53 Parking in shopping centers.

C. Penalties for offenses.

The violation of §96-53 of this ordinance shall constitute a traffic infraction, and every person convicted of a traffic infraction for a violation of this ordinance shall be punishable by a fine of not more than \$50 or by imprisonment for not more than 15 days, or by both such fine and imprisonment. For a second such conviction within 18 months thereafter, such persons shall be punished by a fine of not more than \$100 or by imprisonment for not more than 45 days, or by both such fine and imprisonment; upon a third or subsequent conviction within 18 months after the first conviction, such person shall be punished by a

fine of not more than \$250 or by imprisonment for not more than 90 days, or by both such fine and imprisonment.

Keith Glass
Chief of Police

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 6:30 p.m. on August 19th, 2025, approves the Resolution to
amend Vehicle and Traffic Law §96-53 (C) of our city code and it reads as follows:

§96-53 Parking in shopping centers.

C. Penalties for offenses.

The violation of §96-53 of this ordinance shall constitute a traffic infraction, and every person convicted of a traffic infraction for a violation of this ordinance shall be punishable by a fine of not more than \$100 or by imprisonment for not more than 15 days, or by both such fine and imprisonment. For a second such conviction within 18 months thereafter, such persons shall be punished by a fine of not more than \$150 or by imprisonment for not more than 45 days, or by both such fine and imprisonment; upon a third or subsequent conviction within 18 months after the first conviction, such person shall be punished by a fine of not more than \$250 or by imprisonment for not more than 90 days, or by both such fine and imprisonment.

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

X.2 Police Chief

August 11, 2025

**Honorable Austin Tylec, Mayor
And Common Council
City Hall
North Tonawanda, NY 14120**

Dear Honorable Body:

Would you please reappoint Yanni N. Malamas as Commissioner of Deeds for the City of North Tonawanda, effective from August 24, 2025 and ending on August 23, 2027.

**Respectfully,
Keith T. Glass
Chief of Police**

Moved by Alderman DiBernardo SECONDED by Alderman Loncar

**That the Common Council hereby approves Yanni Malamas as a Commissioner of Deeds
for the City of North Tonawanda, effective August 24, 2025, and ending August 23, 2027**

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

Nays: None **(0)**

CARRIED.

X.3 Police Chief

August 4, 2025

**Mayor Austin Tylec
And Common Council
216 Payne Avenue**

XXV. Monthly Reports**.1 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 DiBernardo, Marranca, Loncar, Lavey****(4)****Nays: None****(0)****CARRIED.****XXXII. Dir. Community Development****August 14th, 2025****Honorable Mayor and City Council****City Hall / 216 Payne Avenue****North Tonawanda, NY 14120****Re: Community Development Block Grant Program (CDBG) – Request for
Required Public Hearing****Dear Honorable Body,**

In consideration of a possible application to the New York State Office of Homes and Community Renewal Community Development Block Grant program, per CDBG regulations, the City of North Tonawanda is required to hold a public meeting to discuss CDBG activities and the potential application. The hearing must be held at a meeting with a quorum of the Common Council.

I would like to formally request authorization to hold a required public meeting for the Community Development Block Grant program to be held on Tuesday, September 9th at 6:00 PM in the Common Council chambers immediately preceding the regularly scheduled Common Council work session.

Thank you for your time and consideration.

Sincerely,**Laura Wilson****Dir. Community Development****MOVED by Alderman Loncar****SECONDED by Alderman Marranca**

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 August 19th, 2025, approves the Resolution for setting date for a Public Hearing for Community Development Block Grant Application and it reads as follows:

WHEREAS, the City of North Tonawanda City Council wishes to assess the advisability of submitting a Community Development Block Grant (“CDBG”) application to the New York State Office of Community Renewal (the “OCR”) for a grant to implement an economic development project at Niagara Climbing Center, 1333 Strad Ave, and

WHEREAS, the North Tonawanda City Council is required to hold a public hearing to provide information to the public and to consider citizen comments regarding community needs and the proposed economic development project prior to submitting an application for CDBG funding, now, therefore, be it

RESOLVED, that a public hearing be held on Tuesday September 9th at 6:00 PM at North Tonawanda City Hall, 216 Payne Avenue, North Tonawanda, New York, before the North Tonawanda City Council, whereat all interested parties shall be heard regarding the CDBG program, the City’s community development and economic development programs, and the proposed funding application, and be if futher

RESOLVED, that published notice of such hearing in the City’s official paper and posted notice on the City website shall be given at least eight (8) days before the public hearing

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

COMMUNICATIONS FROM OTHERS

A.
Tina Balling

August 14, 2025

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

Dear Honorable Body:

I would like to close Vandervoort and Ganson Street, on Saturday, October 11, 2025, from 12pm to 8pm for a Halloween/Fall Fest Party.

Tina Balling

MOVED by Alderman Loncar SECONDED by Alderman Marranca
That the Common Council hereby grants permission to close Vandervoort and Ganson Street, Saturday, October 11th from 12pm to 8pm for a Halloween/Fall Fest Party and directs the DPW to provide barricades for said event.
Ayes: Alderman DiBernardo, Marranca, Loncar, Lavey (4)
Nays: None (0)
CARRIED.

AUDIENCE PARTICIPATION

Jack Kanak-84 South Meadow Drive- Can our Future Water Bills have when our next Water Meter is going to be read? Because of the new Water Meter, that we don’t have the meter cards anymore-it would be good to know when they are going to be read.

Mike Karen-775 Revere Ave.-When is the Police going to start policing the traffic on Nash and the area of Erie and Walck? I am very concerned about how people drive in the city. Question to the Mayor-Who oversees making the decision on what streets are going to be paved? He had a complaint about a large pothole on Walck-he believes it is a sinkhole. Also, he is very upset about the water & sewer charges on his recent bill. Would like the city to look into a summer meter to place on your hose, so he won’t get charged sewer rates for watering his garden.

Deb Cudzilo 625 Woodbury Drive-Expressed her concerns about an incident that happened at The North Tonawanda Youth and Recreation Department involving a bullying incident with her two grandsons. She addressed many items to the Mayor on how the situation was handled and was disappointed. She was respectfully asking that the Mayor and the Director issue a public apology and please investigate how this incident happened. Also, she would like the city to look into reviewing their policies on running City run Facebook pages.

Nancy Klepp 1295 Erie Ave.- She also is concerned about how people drive in the city. She feels that Erie Avenue should be patrolled more for speeders. Also wanted to know if her request to put up a Deer Crossing sign on Erie had been addressed. She pointed out that there are more deer in the area than ever.

Dan Cudzilo-71 Brentwood Drive. -Addressed the council on the bullying incident at the Youth Center and was very disappointed in how the mayor's office had handled the situation.

Kurt Klepp 1295 Erie Ave.-Called the DPW twice about shrubbery he had put out to the curb for pick up, he was told that different Teams handle pick up differently. Asked the Mayor why is that? Also asked if we have a Street Cleaner, because he has made a tool that he uses to clean up the street in front of his house.

Mike Gondek 257 Brentwood Drive.-Thanked our City Engineer for her Leadership. Asked what is happening with the HOA on Cardinal Way? Why are there so many Water Main Breaks throughout the city? Wanted an update on the Pool construction. Also complained about the house along Sweeney Street, that are storing more than one boat on their property.

ADJOURNMENT

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

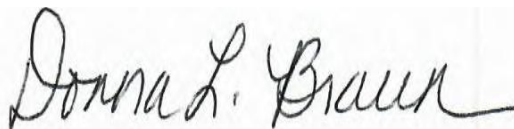
Time of Adjournment: 7:26 P.M

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

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

Time of adjournment: 7:44 PM

Respectfully submitted,



Donna L. Braun
City Clerk-Treasurer