

**THE HONORABLE BODY**  
**Council Chambers**  
**Municipal Building**  
**North Tonawanda, New York 14120**  
**Tuesday, August 6, 2024**  
**6:30 P.M.**

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**REGULAR SESSION CALLED TO ORDER BY PRESIDENT DIBERNARDO**

**PLEDGE OF ALLEGIANCE**

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**ROLL CALL**

**Present:**          **President DiBernardo**  
                             **Alderman Schmigel, Loncar, Lavey, Marranca**

**Absent:**            **None**

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

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**AUDIENCE PARTICIPATION - None**

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**APPROVAL OF THE MINUTES OF THE REGULAR SESSION JULY 16, 2024**

**MOVED** by Alderman Schmigel            **SECONDED** by Alderman Marranca  
**That the minutes of the regular session held July 16, 2024 be approved as circulated and filed in the Office of the City Clerk.**

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

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**COMMUNICATIONS FROM CITY OFFICIALS**

**II. Attorney**

**July 11, 2024**

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

**Re: Proposal to Reclassify Water and Wastewater Treatment Plant Personnel**  
**Under Section 7.12 of the CSEA Bargaining Unit Agreement**

**Dear Honorable Body:**

**Per Section 7.12 of the Collective Bargaining Agreement between the City of North Tonawanda and the Civil Service Employees Association, Inc., and as a result of mutual agreement by the parties, I am hereby requesting authorization to reclassify various Water and Wastewater Treatment Plant personnel as listed in the attached proposed Memorandum of Agreement.**

08-06-2024

If your Honorable Body concurs, kindly pass a resolution to reclassify the above collective bargaining agreement positions, effective July 17, 2024.

Thank you for your consideration I this matter.

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

**MOVED** by Alderman Lavey                      **SECONDED** by Alderman Marrantca  
That the Common Council hereby approves the attached proposal to reclassify Water and Wastewater Treatment Plant Personnel Under Section 7.12 of the CSEA Bargaining Unit Agreement, effective July 17, 2024.

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

Nays: None (0)

**CARRIED.**

**IV.1 Engineer**

July 30, 2024

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

**Re: US Environmental Protection Agency’s (EPA) Get the Lead Out (GLO) Initiative Technical Assistance**

Dear Honorable Body:

The EPA has reached out to the City of North Tonawanda to participate in their GLO Initiative. through GLO, the EPA will offer technical assistance to accelerate lead service line replacement (LSLR) to ensure safer drinking water in our community. The technical assistance will help us to identify and replace lead service lines within our water system as well as help prepare applications for BIL Drinking Water State Revolving Fund (DWSRF) funding for LSLR administered by the NYS Department of Health and NYS Department of Environmental Facilities Corporation.

Participation in the GLO Initiative is voluntary and at no cost to the City. However, City staff resources will be used (e.g. gathering date) to help facilitate the assistance.

I therefore recommend that the City participate in the EPA’s GLO Initiative.

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

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

**MOVED** by Alderman Loncar                      **SECONDED** by Alderman Lavey  
That the Common Council hereby grants permission for the City of North Tonawanda to participate in the EPA’s GLO Initiative, to offer technical assistance to accelerate lead service line replacement for safer drinking water in the City of North Tonawanda.

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

Nays: None (0)

**CARRIED.**

## IV.2 Engineer

July 31, 2024

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

Re: Main Street CIPP – Engineering Services  
 Project No. 2023-11

Dear Honorable Body:

This project involves the lining of sanitary sewers and manholes along sections of Main and Goundry Streets. Lining the sanitary sewers and manholes will rehabilitate aged sewer infrastructure in this area of the City extending its useful life. To complete this work, the City intends to procure the services of a professional engineering firm.

Accordingly, I respectfully request the Common Council approve the enclosed Sanitary Sewer rehabilitation of Main and Goundry Street Proposal with JM Davidson Engineering, D.P.C., 935 Sheridan Drive, Suite 120, Tonawanda, NY 14150 in an amount of \$34,300; authorizing the Mayor to sign the agreement, subject to the review by the City Attorney.

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

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

MOVED by Alderman Schmigel                      SECONDED by Alderman Lavey  
 That the Common Council hereby approves the enclosed Sanitary Sewer rehabilitation of Main and Goundry Street Proposal with JM Davidson Engineering, D.P.C., 935 Sheridan Drive, Suite 120, Tonawanda, NY 14150 in the amount of \$34,300; and authorizes the Mayor to sign said agreement,

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

Nays: None (0)

CARRIED.

## IV.3 Engineer

August 1, 2024

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

Re: Project 2024-04 Farnsworth Extension Project  
 Award of Contract

Dear Honorable Body:

On July 23, 2024 two (2) bids were received and opened by the City Clerk for the Farnsworth Extension Project. The results are as follows:

## Total Base Bid:

- |                               |              |
|-------------------------------|--------------|
| 1. Milherst Construction Inc. | \$286,570.10 |
| 2. NFP and Sons, Inc.         | \$346,310.00 |

**Total Alternate 1 (Deduct):**

- |                               |             |
|-------------------------------|-------------|
| 1. Milherst Construction Inc. | \$39,650.00 |
| 2. NFP and Sons, Inc.         | \$42,700.00 |

**Total Alternate 2 (Deduct):**

- |                               |             |
|-------------------------------|-------------|
| 1. Milherst Construction Inc. | \$43,820.00 |
| 2. NFP and Sons, Inc.         | \$68,640.00 |

**Total Alternate 3 (Deduct):**

- |                               |             |
|-------------------------------|-------------|
| 1. Milherst Construction Inc. | \$25,800.00 |
| 2. NFP and Sons, Inc.         | \$19,350.00 |

**Total base Bid and Alternates (1 and 3):**

- |                               |              |
|-------------------------------|--------------|
| 1. Milherst Construction Inc. | \$221,120.10 |
| 2. NFP and Sons, Inc.         | \$284,260.00 |

The Engineering Department and the City's Engineering Consultant, Nussbaumer and Clarke, Inc. have reviewed the bid results and are recommending award of the Contract. Accordingly, I respectfully request that the Common Council award the Farnsworth Extension Contract to Milherst Construction, Inc., 10025 County Road, Clarence Center, NY 14032, at their low Base Bid and Alternates 1 and 3 amount of \$221,120.10; 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 Lavey

That the Common Council hereby awards the contract for the Farnsworth Extension, Project No. 2024-04 to Milherst Construction, Inc., 10025 County Road, Clarence Center, NY 14032, at their low Base Bid and Alternates 1 and 3 in the amount of \$221,120.10; and authorizes the Mayor to sign said contract.

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

(5)

Nays: None

(0)

CARRIED.

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**VII.1 Accountant**

July 30, 2024

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 6<sup>th</sup>, 2024 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 Lavey**  
**That the Common Council hereby authorizes for payment the current Abstract of Claims**  
**for Common Council Audit dated August 6<sup>th</sup>, 2024, and further authorizes the Mayor and**  
**City Clerk-Treasurer to respectively sign and countersign said Warrant:**

|    |                          |                       |
|----|--------------------------|-----------------------|
| 01 | General Fund             | \$627,980.81          |
| 02 | Water Fund               | \$41,830.43           |
| 04 | Sewer Fund               | \$113,350.41          |
| 06 | Capital Project Fund     | \$1,531,234.76        |
| 07 | Trust & Agency Fund      | \$13,017.75           |
| 85 | CD – ADOD-Rehabilitation | <u>\$10,710.00</u>    |
| 00 | Final Total              | <u>\$2,338,124.16</u> |

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

**Nays: None** (0)

**CARRIED.**

## VII.2 Accountant

July 17, 2024

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

**Dear Honorable Body :**

**Please review and approve the 1.1.2025 – 12.31.2025 part-time wage schedule as presented.**

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

**MOVED by Alderman Lavey                      SECONDED by Alderman Schmigel**  
**That the Common Council hereby approves the following Seasonal & Part-time Wage**  
**Schedule effective January 1, 2025 – December 31, 2025:**

**For part-time employees, working limited hours, one season of the year:**

| <u>POSITION</u>        | <u>1/1/2023 -</u><br><u>12/31/2023</u> | <u>1/1/2024 -</u><br><u>12/31/2024</u> | <u>1/1/2025 -</u><br><u>12/31/2025</u> |
|------------------------|--|--|--|
| Laborer                | \$15.00                                | \$15.00                                | \$15.50                                |
| Crossing Guard         | 15.00                                  | 15.00                                  | 15.50                                  |
| Lifeguard              | \$15.50                                | \$15.50                                | 16.25                                  |
| Sanitation Laborer     | 16.55                                  | 16.55                                  | 17.50                                  |
| Leader                 | \$15.30                                | \$15.30                                | \$15.80                                |
| Head Crossing Guard    | 15.30                                  | 15.30                                  | 15.80                                  |
| Chief Lifeguard        | 16.55                                  | 16.55                                  | Not Used                               |
| Program Supervisor     | \$16.05                                | \$16.05                                | \$16.55                                |
| Pool Supervisor        | 16.55                                  | 16.55                                  | 17.25                                  |
| Harbor Supervisor      | 16.55                                  | 16.55                                  | 17.25                                  |
| Golf Course Supervisor | 18.50                                  | 18.50                                  | 19.50                                  |

**For part time employees, working limited hours, all year:**

| <u>POSITION</u>        | <u>1/1/2023 -</u><br><u>12/31/2023</u> | <u>1/1/2024 -</u><br><u>12/31/2024</u> | <u>1/1/2025 -</u><br><u>12/31/2025</u> |
|------------------------|--|--|--|
| Clerk (part-time)      | \$15.00                                | \$15.00                                | \$15.50                                |
| Engineering Technician | 15.00                                  | 15.00                                  | 17.00                                  |

08-06-2024

|                                    |         |         |       |
|------------------------------------|---------|---------|-------|
| Work Program Crew Leader           | 15.00   | 15.00   | 15.50 |
| Police Matron*                     | 18.00   | 18.00   | 18.00 |
| Animal Control Officer*            | 22.80   | 22.80   | 22.80 |
| Ordinance Officer – (part-time)    | \$18.45 | \$18.45 | 18.95 |
| Plumbing Inspector – (part-time)   | 19.25   | 19.25   | 19.75 |
| Electrical Inspector – (part-time) | 19.25   | 19.25   | 19.75 |

**Minimum Wage:** \$14.20 effective 12/31/2022. \$15.00 effective 12/31/2023 \$15.50 effective 12/31/2024

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

## X.1 Police Chief

July 15, 2024

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

Dear Honorable Body:

I am requesting the Council approve an increase in fines for violations listed on The North Tonawanda Police Department parking summons (NT61). Fine increases will not go into effect until we deplete the stock of our current parking tags and order new booklets, which will occur near the end of 2024. To account for inflation and to stay closer in line to the fine amounts assessed by surrounding departments, I propose the following:

Violations with a \$25 fine increase to \$30.

Violations with a \$35 fine increase to \$40.

Handicap parking violations increase from \$60 to \$100 (similar to City of Tonawanda.)

Thank you for your consideration in this matter. These fine increases will go into effect on October 1, 2024.

Respectfully,  
 Keith Glass  
 Chief of Police

**MOVED** by Alderman Loncar                      **SECONDED** by Alderman Lavey  
 That the Common Council hereby approves the increase for violations listed on the North Tonawanda Police Department Parking Summons (NT61) as follows:

Violations with a \$25 fine increase to \$30.

Violations with a \$35 fine increase to \$40.

Handicap parking violations increase from \$60 to \$100 (similar to City of Tonawanda.)

Effect on October 1, 2024.

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

**Nays:** None (0)

**CARRIED.**

## X.2 Police Chief

June 23, 2024

Mayor Austin Tylec and  
 The North Tonawanda Common Council

216 Payne Avenue  
North Tonawanda, NY 14120

Dear Honorable Body:

Both United Towing and Bellreng's Automotive Center have met the qualifications for being added to the city tow list. I intend to use them both immediately on a rotating basis to cover the tow calls in the city.

Respectfully,  
Keith Glass  
Chief of Police

MOVED by Alderman Marranca                      SECONDED by Alderman Schmigel  
That the Common Council hereby tables the aforementioned request for the North Tonawanda Police Department Tow Contracts for further review.

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

Nays: None (0)

CARRIED.

X.3 Police Chief

July 31, 2024

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

Dear Honorable Body:

I intend on hiring Joseph Ramunno and Nicholas Rosart as new officers to our department. Both have already graduated from their respective law enforcement academies and can start the field training program immediately. Start date for these recruits will be August 16, 2024. Funds are included for these recruits in the 2024 budget.

Respectfully,  
Keith Glass  
Chief of Police

MOVED by Alderman Loncar                      SECONDED by Alderman DiBernardo  
That the Common Council hereby approves the appointment of Joseph Ramunno and Nicholas Rosart as new officers for the North Tonawanda Police Department, effective August 16, 2024.

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

Nays: None (0)

CARRIED.

XXV. Monthly Reports

.1 Police Department

MOVED by Alderman Marranca                      SECONDED by Alderman Lavey  
That the Common Council hereby receives and files the aforementioned Monthly Report.

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

Nays: None (0)

CARRIED.

## COMMUNICATIONS FROM OTHERS

A.  
Belmont Housing Resources of WNY

July 24, 2024

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

Good afternoon,

Well, June has come and gone, and we just finished the last of the updates to the CNT PHA administrative plan. I am writing to ask if you could include an agenda item for the next upcoming Council meeting.

As a reminder, this agenda item requests approval to update the PHA Administrative Plan. These adjustments are necessary due to recent regulatory changes made by the Department of Housing and Urban Development (HUD). Specifically, the changes have been made to the Housing Opportunities Through Modernization Act (HOTMA) Policy and the National Standards for the Physical Inspection of Real Estate (NSPIRE).

The proposed modifications to our Administrative Plan are essential to ensure the compliance and effectiveness of our housing choice voucher programs. I have included a summary of the changes that have been completed in the plan.

I would greatly appreciate your consideration of this agenda item. If you have any questions or concerns, please feel free to let me know.

Respectfully,  
Joy Tedeschi  
Vice President of Housing Programs

**MOVED** by Alderman Schmigel      **SECONDED** by Alderman Loncar  
That the Common Council hereby approves the updates to the PHA Administrative Plan for Belmont Housing Resources of WNY, Inc.

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

Nays: None (0)

**CARRIED.**

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B.  
Renaissance Club

July 30, 2024

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

Dear Council:

The Renaissance Club would like permission to close Vandervoort Street from Thompson to Geneva on Sunday, August 18, 2024 from 12pm to 6pm for the NT Porchfest.

Sincerely,  
Michael Dove



**MOVED** by Alderman Lavey                      **SECONDED** by Alderman DiBernardo  
 That the Common Council hereby grants permission for the Renaissance Club to close Vandervoort Street, Sunday August 18, 2024 between Thompson and Geneva from 12pm to 6pm for the NT Porchfest. Council directs the DPW to provide the necessary barricades for said event.

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

Nays: None (0)

**CARRIED.**

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**AUDIENCE PARTICIPATION**

**Joe Midura, 115 10 Avenue** – Was asking why the City is redesigning the flag for North Tonawanda and why it was not open to outside of North Tonawanda, would like to see more advertising for it.

**Jake Quinn, 14 Henry Street** – Was asking to display a flag for the anniversary of October 7<sup>th</sup> Massacre in Israel for 24 hours, and would like to hold a vigil that day at City Hall.

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**ADJOURNMENT**

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

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Tim of adjournment: 6:50 P.M.

Respectfully submitted,

*Donna L. Braun*

Donna L. Braun  
 City Clerk-Treasurer