

THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, October 1, 2024
6:00 P.M.

REGULAR SESSION CALLED TO ORDER BY PRESIDENT DIBERNARDO

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Absent: None

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

AUDIENCE PARTICIPATION - None

MAYORS 2025 BUDGET PRESENTATION

APPROVAL OF THE MINUTES OF THE REGULAR SESSION SEPTEMBER 17, 2024

MOVED by Alderman DiBernardo **SECONDED** by Alderman Lavey
That the minutes of the regular session held September 17, 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.

PROOF OF PUBLICATION PUBLISHED 09/04/2024, 09/11/2024

- 1) **Legal Notice – Collector’s Notice of Payment of School Taxes – City Clerk-Treasurer**

PROOF OF PUBLICATION PUBLISHED 9/17/2024

- 1) **Legal Notice – Request for Proposals for the Wastewater Treatment Plant Carbon Filter Building Process Piping Improvements – Supt. Water/Wastewater**

MOVED by Alderman DiBernardo **SECONDED** by Alderman Marranca
That the Common Council hereby receives and files the aforementioned Proof of Publications.

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

Nays: None (0)

CARRIED.

COMMUNICATIONS FROM CITY OFFICIALS

VII.1 Accountant

September 25, 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 October 1st, 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 DiBernardo SECONDED by Alderman Schmigel
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated October 1st, 2024, and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$508,023.31
02	Water Fund	\$29,954.56
04	Sewer Fund	\$34,100.88
06	Capital Project Fund	\$32,392.33
07	Trust & Agency Fund	<u>\$7,851.09</u>
00	Final Total	<u>\$612,322.17</u>

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

VII.2 Accountant

September 24, 2024

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

Dear Honorable Body:

Please be advised that because of the City of North Tonawanda changing administrators for the City's Deferred Compensation 457b Plan, I am submitting a resolution that removes Lincoln Financial Group Trust Company as the Trustee of the City's Compensation 457b Plan and appoints Equitable Advisors as successor Trustees of the city of North Tonawanda Deferred Compensation Plan.

Accordingly, please adopt the attached resolution and authorize the City Accountant to execute the same.

Warm regards,
 Jeffrey Zellner
 City Accountant

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 6:00 p.m. on October 1st, 2024 approves the Resolution changing the administrators for the North Tonawanda City's Deferred Compensation 457b Plan and it reads as follows:

City of North Tonawanda 457(B) Plan
Transfer Request

I hereby certify that the following is a true copy of resolutions duly adopted by **The City of North Tonawanda** herein after called the Employer, on October 1, 2024.

NOW THEREFORE, be it resolved that the Employer hereby removes **Lincoln Financial Group Trust Company** as Trustee of the Plan and appoints City Accountant Jeffrey Zellner as the Successor Trustee effective as of October 1, 2024. Equitable will be the new record keeper

RESOLVED, that the Employer hereby authorizes the transfer of plan assets to the Successor Trustee/Custodian as indicated in separate instructions.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Employer on this 1st of October, 2024.

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

XVII. Traffic Safety

September 16, 2024

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

Traffic Safety Minutes:

The September meeting of the North Tonawanda Traffic Safety Committee was called to order at 1800 hours. Roll call showed the following members present: M. Meisenburg, J. Sikora, R. Frank, M. Lemke, N. Ferguson, A. DiBernardo and N. Phelps. The minutes from the previous meeting were read and accepted, the following new concerns/requests were discussed, and recommendations made.

1. The committee once again reviewed the complaint on Geneva Street #4 on August's minutes. The Committee denied the request there is no issue.

The next Traffic Safety meeting will be held on October 21, 2024

Travel safely!
 Matthew R. Meisenburg

MOVED by Alderman DiBernardo **SECONDED** by Alderman Marrassa
 That the Common Council hereby receives and files the Traffic Safety minutes from their September Meeting.

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

XXV. Monthly Reports**.1 Police Department**

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

XXXII. Dir. Community Development

September 25, 2024

Honorable Common Council
216 Payne Avenue
North Tonawanda, NY 14120

Dear Honorable Body,

The City of North Tonawanda is seeking \$500,000 through the Northern Boarder Regional Commission Catalyst Program to support its Sewer Collection and Water Distribution Capital Improvement Plan development.

The project scope includes condition assessments of the water and sewer infrastructure to develop an asset inventory for each system. Computerized hydraulic models will also be created to understand existing and future operation conditions. The sewer model will help define improvements to eliminate sanitary sewer overflows that discharge untreated sewage directly into nearby creeks and the Niagara River, and to eliminate sewage backups into individual residences. The water model will help identify projects to improve fire flow in areas of the city that do not have adequate fire protection. The results of the modeling effort will lead to the development of a 20-year capital improvement program for the water and sanitary sewer systems.

Included in this project will be a focus on inventorying lead service lines (LSLs) to individual properties and development of an LSL Replacement Plan that will comply with the proposed EPA Lead and Copper Rule Provisions (LCRR) and Lead and Copper Rule Improvements (LCRI) including mechanisms for prioritizing the removal of LSLs in disadvantaged areas of the City.

The City of North Tonawanda applied to the Northern Boarder Regional Commission Spring 2024 round in March 2024, however, was unsuccessful. A pre-application to the 2024 Fall Round Northern Boarder Regional Commission Catalyst program was submitted in early September 2024, and the City of North Tonawanda has been invited to apply.

I kindly request your authorization for the attached Municipal Resolution, and for the Mayor to sign and submit a grant application for approximately \$500,000 to the Northern Boarder Regional Commission Catalyst Program, which is due on October 18th, 2024.

Sincerely,
Laura Wilson
Dir. Community Development

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 6:00 p.m. on October 1st, 2024 approves the Resolution to apply to the 2024 Fall Round Northern Boarder Regional Commission Catalyst Program and it reads as follows:

A Resolution authorizing that Austin Tylec who is the Mayor of the City of North Tonawanda is empowered to act on behalf of the City of North Tonawanda as the Authorized Official.

Resolved by the City of North Tonawanda Common Council of the City of North Tonawanda as follows:

WHEREAS, City Charter, requires the City Council to designate the source of any money appropriated after the budget is adopted; and

WHEREAS, the City of North Tonawanda has been awarded \$500,000 for the Fall 2024 Northern Boarder Regional Catalyst Program to support the City's Sewer Collection and Water Distribution Capital Improvement development.

NOW THEREFORE, the Mayor of the City of North Tonawanda, is hereby authorized, on behalf of the City of North Tonawanda, to apply for, accept, and expend grant funds from the Northern Boarders Regional Commission. The named authorized official has permission to sign all NBRC investment documents that bind the applicant.

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

AUDIENCE PARTICIPATION

Robert Heider, 1395 Sweeney Street – Would like an update on the Bike Path that is going down Sweeney Street.

Jacob Quinn – Wanted to discuss the October 7th event outside City Hall and what security measures there will be. Also asked for a permit from the Mayor's Office

ADJOURNMENT

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

Time of adjournment: 6:58 P.M.

Respectfully submitted,

Donna L. Braun

Donna L. Braun
City Clerk-Treasurer