THE HONORABLE BODY

Council Chambers Municipal Building North Tonawanda, New York 14120 Tuesday, December 3, 2024 6:30 P.M.

REGULAR SESSION CALLED TO ORDER BY PRESIDENT DIBERNARDO

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: President DiBernardo

Alderman Schmigel, Lavey, Marranca, Loncar

Absent: None

Also Present: Mayor Austin J. Tylec

City Attorney Edward Zebulske III

AUDIENCE PARTICIPATION – NONE

APPROVAL OF THE MINUTES OF THE REGULAR SESSION NOVEMBER 19, 2024

MOVED by Alderman Marranca SECONDED by Alderman Lavey
That the minutes of the regular session held November 19, 2024 be approved as circulated and filed in the Office of the City Clerk.

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

Nays: None (0)

CARRIED.

PROOF OF PUBLICATION PUBLISHED -11/12/2024

1) Legal Notice – Public Hearing for the 2024 Restore New York Community Initiative-Round 9-Director of Community Development

MOVED by Alderman DiBernardo SECONDED by Alderman Lavey

That the Common Council hereby receives and files the aforementioned Proof of Publication.

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

Nays: None (0)

CARRIED.

COMMUNICATIONS FROM CITY OFFICIALS

#1. Common Council President Fank DiBernardo

November 24, 2024

North Tonawanda Common Council 216 Payne Avenue North Tonawanda NY 14120

RE: 2025 Budget Line Item

Dear Honorable Body,

The following item from the Mayor's budget need to be formally addressed as follows:

1. Item (1) From the Mayor's Budget, sidewalk replacement program, the council will not support pulling \$50,000 from the line item from DPW sidewalk operations, 001-5410-0420. The total funds will be allocated for continued sidewalk repairs, as has been over the years, for city responsible repairs and not to reimburse residents for repairs they are responsible for.

Frank DiBernardo Council President-2nd Ward Alderman

MOVED by Alderman Lavey

SECONDED by Alderman Schmigel

That the Common Council hereby recommends not pulling \$50,000, from line item 001-5410-0420 for the Sidewalk Replacement program in the Mayor's budget. The total funds will be allocated for continued sidewalk repairs, as presented by the Common Council President DiBernardo.

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

Nays: None

CARRIED

#2. Common Council President Fank DiBernardo

November 24, 2024

North Tonawanda Common Council 216 Payne Avenue North Tonawanda NY 14120

RE: 2025 Budget Line Item

Dear Honorable Body,

The following item from the Mayor's budget need to be formally addressed as follows:

1. Item (2) rental registration, Council supports the initiative to create a registry for LTR and STR as proposed. This was approved with the part time personnel in the building department allowance hiring to pilot the program in 2025. City Hall is to update the council monthly on progress, to see if there is enough movement and support to continue through 2025 and into 2026.

Frank DiBernardo Council President-2nd Ward Alderman

MOVED by Alderman DiBernardo SECONDED by Alderman Lavey

That the Common Council hereby receives and files the recommendation for Rental Registration Program as presented by the Common Council President DiBernardo.

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

Nays: None (0)

CARRIED.

I. Mayor

November 21, 2024

Honorable Common Council 216 Payne Avenue North Tonawanda NY 14120

RE: Mayoral Veto of Council Amendment to 2025 Budget

Dear Honorable Body,

At a Special Session of The North Tonawanda Common Council held in the Council Chamber at 6pm on Tuesday, November 12, 2024, your Honorable Body passed several Amendments along with the 2025 Budget.

1. In accordance with the Mayor's authority under Section 2.023 of our City Charter, I wish to exercise my veto on the Council's Approved 2025 Budget Amendments pertaining to the Parks and Recreation Department reflected in the attachment.

Please review the attached proposal from our Director of Youth, Recreation, Parks & Seniors, Alex Domaradzki. This revised plan still aligns with the Council's directive to reduce the department's budget by \$34,000.00 and properly allocates funds. The amendments are informed by his professional experience and are designed to minimize the need for significant budget transfers at the end of 2025.

Thank you for your consideration.

Respectfully, Austin Tylec Mayor

MOVED by Alderman DiBernardo SECONDED by Alderman Marranca

That the Common Council hereby overrides the Mayor's Veto on amendments made to the 2025 Budget, by the Common Council

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

Nays: None

CARRIED.

VII. Accountant

November 27, 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 December 3rd, 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 Lavey SECONDED by Alderman Loncar That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated December 3rd, 2024, and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$532,022.28
02	Water Fund	\$34,697.64
04	Sewer Fund	\$68,248.33
06	Capital Project Fund	\$102,029.28
07	Trust & Agency Fund	\$ <u>25,471.01</u>
00	Final Total	\$762,468.54

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

IX. Superintendent of Public Works

November 26, 2024

Honorable Austin J Tylec and Common Council Member City Hall 216 Payne Avenue North Tonawanda NY 14120

Re: 2024 Concrete Sidewalks and Curb Replacement Contract Approval of Change Order No. 1 and Final Project Acceptance

Dear Honorable Boday:

Approval of Change Order No. 1, balancing the project and addressing extra work, and final acceptance of the 2024 Concrete Sidewalk and Cube Replacement Project is hereby requested. The change order is an add change order. Attached is the change order showing the additions and deductions at the end of the project.

Accordingly, I respectfully request that thee Comon Council approve add Change Order No. 1 for the 2024 Concrete Sidewalk and Curb Replacement Project in the amount of \$49,688.06 with Malvestuto Construction Inc., 2043 Cayuga Drive Ext., Niagara Falls NY 14304; increasing the contract amount from \$384,480.00; to the final contract amount of \$434,168.06; authorizing the Mayor to sign said change order. Further, that the Common Council accept this project as complete and approve the final payment subject to review by the City Attorney.

Very truly yours,

(0)

Mark Zellner Superintendent of Public Works

MOVED by Alderman DiBernardo SECONDED by Alderman Schmigel
That the Common Council hereby approves the Change Order No.1 to the 2024 Concrete
Sidewalk and Cur Replacement Contract.

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

Nays: None CARRIED.

XIV.1 Youth, Recreation, Parks & Seniors

November 14, 2024

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

Dear Honorable Body:

Please review and approve for signing the attached annual renewal agreement between Mrs. Diane Sheehan and the City of North Tonawanda. Mrs. Sheehan provides the Youth Court and First Offender services to our department as an Independent Contractor. The agreement will allow these services to continue through December 31, 2025. Programs provided by Mrs. Sheehan are reimbursed to the City through the Niagara County Youth Bureau grant funding.

Note: the agreement has been forwarded ahead of time to the City Attorney's Office for review as well.

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

MOVED by Alderman Loncar SECONDED by Alderman DiBernardo That the Common Council hereby approves the attached agreement between Mrs. Diane Sheehan and the City of North Tonawanda, for the Youth Court and First Offender Services through December 31, 2025.

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

Nays: None

CARRIED.

XIV.2 Youth, Recreation, Parks & Seniors

November 11, 2024

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

Dear Honorable Body:

Attached is the updated proposed program fee schedule for 2025, based on revenue amendments voted on by the council. Our budgeted revenue for 2025 is based off this following schedule which sees increases to youth sports, adult team sports, pavilion rentals, boat launch permits and golf fees (all fees highlighted in yellow are reflective of an increase compared to 2024).

These fee increases will help to offset the increase costs of providing services with an anticipated \$101,284.00 in personnel costs from last year, simply due to contractual raises and upgrades per CSEA and OPIEU unions as well as the minimum wage increase which takes effect in 2025.

Revenue Increase	Program
\$6,000.00	Youth & Adult Sports/Programs
\$2,500.00	Pavilion Rentals
\$3,000.00	Tree Planting Program
\$5,500.00	Boat Launch Permits
\$55,000.00	Golf Course (Greens fees & Passes)
\$60,000.00	Golf Concessions (Carts, Merch, Concessionnaire)
	Respectfully submitted,
	Alex Domaradzki

MOVED by Alderman Loncar

SECONDED by Alderman Schmigel

Dir, Youth, Recreation, Parks & Seniors

That the Common Council hereby tables the attached fee schedules for recreational programs and facility charges for the 2025 season, for further discussion.

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

XVII. Traffic Safety Committee

November 26, 2024

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

Traffic Safety Minutes

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

- 1 The committee received a complaint from Karen stating that there should be stop signs at the location of Elmwood and Wright. Karen stated that people race down Wright Avenue though out the day, Member Rob Frank set up the police radar detector and members have been monitoring this area and we see no issues. At the same time, we investigated that there haven't been any accidents as well. The committee denied the request.
- 2. David Fillewarth from the Riviera Theatre on Main Street requested the removal of 3 parking spaces for two new driveways entering the back parking lot of the theatre. Riveria needed to do this because of their expansion project. Removing these parking spaces will reduce the hazard to anyone exiting the parking lot.

The next Traffic Safety Meeting will be held on December 16th, 2024.

Travel safely!

Matthew R. Meisenburg

MOVED by Alderman Lavey SECONDED by Alderman Schmigel
That the Common Council hereby approves the attached recommendations of the Traffic
Safety Committee.

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

COMMUNICATIONS FROM OTHERS

Columbia Hook & Ladder

November 14, 2024

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

Re: Removal from Volunteer Fire Roll

Dear Mayor and Council:

The members of Columbia Hook & Ladder Co. No.1 sadly request the removal from the Volunteer Fire Roll Brian A. Rosart.

He died October 19, 2024. Brother Firefighter Brian Rosart joined Columbia Hook & Ladder on February 4, 1976, and faithfully served the fire company 48 years, 8 months, 15 days.

Respectfully, David L. Evans Recording Secretary

(0)

MOVED by Alderman Loncar SECONDED by Alderman Lavey
That the Common Council hereby approves the removal of Brian A. Rosart from the North
Tonawanda Volunteer Fire Roll.

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

Nays: None CARRIED.

AUDIENCE PARTICIPATION –

<u>Jack Kanack 74 South Meadow</u>-Suggested Tier pricing for the Boat Launches and Golf fees at different times of the year.

Tom Maziarz 174 Goundry Street-Can he review the Rental Registration Program?

ADJOURNMENT

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

Time of adjournment: 7:00 P.M.

Respectfully submitted,

Donna L. Braun

Donna L. Braun City Clerk-Treasurer