

City of North Tonawanda

DONNA L. BRAUN
City Clerk-Treasurer
dbraun@northtonawanda.org

Lori Swartz
Assistant City Clerk

Denise Proefrock
Assistant City Treasurer

OFFICE OF THE CITY CLERK - TREASURER
VITAL STATISTICS
CITY HALL
216 PAYNE AVENUE
NORTH TONAWANDA, N.Y. 14120

Treasurer's Office: (716) 695-8575
Clerk's Office: (716) 695-8555
Fax: (716) 695-8557

May 30, 2024

The following meetings have been scheduled for TUESDAY, JUNE 4, 2024

6:15 PM Common Council Meeting Discussion

6:30 PM Common Council Meeting

Respectfully submitted,



**Donna L. Braun
City Clerk-Treasurer**

**TO: Honorable Mayor & Common Council
Alderman Schmigel, DiBernardo, Lavey, Loncar, Marranta**

FROM: Donna L. Braun, City Clerk-Treasurer

RE: Agenda for Regular Session TUESDAY, JUNE 4, 2024 6:30PM

AUDIENCE PARTICIPATION – Agenda items only, not to exceed 90 minutes with each speaker limited to a five-minute maximum.

PROOF OF PUBLICATION PUBLISHED 05/21/2024

- 1) Legal Notice – Request for Proposals for the Oliver, Walck and Old Falls Mill and Overlay Project - City Engineer

PROOF OF PUBLICATION PUBLISHED 05/23/2024

- 1) Legal Notice – Request for Proposals for the Towing Contract with the City of North Tonawanda – Police Chief

COMMUNICATIONS FROM CITY OFFICIALS

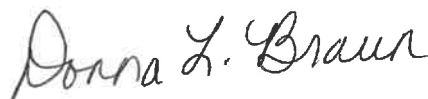
- | | | |
|------------------------------|---|--|
| <u>#1. Doug Hanes</u> | - | Re: Receive and File Letter of Resignation as Deputy in Emergency Management |
| I.1 Mayor | - | Re: Proposed Resolution to be adopted by the City of North Tonawanda to Oppose Offshore Wind Facilities in Lake Erie |
| I.2 Mayor | - | Re: Approval of AFSCME & OPEIU Memorandum of Agreement |
| II. Attorney | - | Re: Proposed Authorization to Add a Water and Wastewater Treatment Plant Mechanic/Trainee to the City Waterworks Under Section 7.12 of the CSEA Bargaining Unit Agreement |

- IV. Engineer - Re: Approval of Professional Services Agreement for the Investigation of Black Oily Substance at Botanical Gardens
- VII.1 Accountant - Re: Payment of the Abstract of Claims Dated June 4, 2024
- VII.2 Accountant - Re: Budgetary Transfer – For the Environmental Cleanup at the Botanical Gardens
- IX. Supt. Public Works - Re: Approval of Street Lighting for Meadow Drive Extension, Briarwood Drive and East Goundry
- XI. Fire Chief - Re: Appointment of First and Second Assistant Directors in the Emergency Management Office
- XVII. Traffic Safety Committee - Re: Various Traffic Safety Recommendations from their May meeting

COMMUNICATIONS FROM OTHERS

- A.
Richard Andres - Re: Permission to hold the 4th of July Kids Parade
- B.
iHope Community Church - Re: Permission to close Thompson St./Bryant St., Friday, June 28, 2024 for an outdoor event

Respectfully submitted,



**Donna L. Braun
City Clerk-Treasurer**

STATE OF NEW YORK
NIAGARA COUNTY, } SS, _____

JUN 04 2024

Jackie Bilogan, of said county, being duly sworn, deposes and says that she is now and during the whole time hereinafter mentioned was the Clerk of

NIAGARA GAZETTE

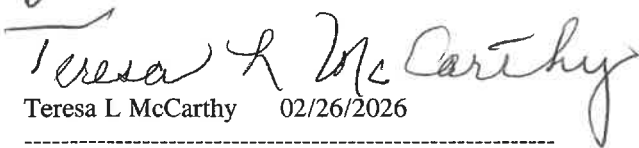
A newspaper published in the County and State aforesaid, and that the annexed printed legal # 333303 was printed and published in said paper on the following dates:

05/21/2024



Principal Clerk

Subscribed and sworn to before me this
5-21-24


Teresa L. McCarthy 02/26/2026

Notary Public Expiration Date

RECEIVED
CITY CLERK'S OFFICE

2024 MAY 29 AM 8:27
NORTH TONAWANDA NY

TERESA L. MCCARTHY
Notary Public - State of New York
No. 01MC4962698
Qualified in Niagara County
My Comm. Expires Feb. 26, 2026

**LEGAL NOTICE
CITY OF NORTH TONAWANDA, NEW YORK
ENGINEERING DEPARTMENT**

NOTICE TO BIDDERS

SEALED PROPOSALS for the Oliver, Walck and Old Falls Mill and Overlay project as called for by the Contract, in accordance with plans and specifications thereof, will be received by the City Clerk/Treasurer of the City of North Tonawanda, New York, until 11:00 AM, Prevailing Time, Tuesday, June 11th, 2024, at which time they will be publicly opened.

A copy of the Contract Documents is on file and is available for inspection during the usual business hours at the office of the City Engineer in the City Hall, 216 Payne Avenue, North Tonawanda, New York; and at Construction Exchange of Buffalo and Western New York, 2660 William Street, Cheektowaga, NY 14227.

The project consists of the milling and overlaying of 1.57 of asphalt top-coat on Oliver Street (from Sixth Avenue to Thompson Street), Walck Road (from Erie Avenue to Old Falls Boulevard) and Old Falls Boulevard (from Walck Road to East Robinson Street) and the adjustment of existing manholes, drainage structures and valve boxes to bring them to grade.

Copies of the Contract Documents required for review or bidding purposes may be obtained at the City Engineer's office, City Hall, 216 Payne Avenue, North Tonawanda, New York, on or after May 21st, 2024, upon deposit of \$50.00 (2 - \$25.00 checks made payable to the City Treasurer of North Tonawanda) for each set of documents so obtained. The full amount of the deposit for one set of documents, and one-half of the deposit for any additional sets of documents will be refunded to each bidder who submits a formal proposal to the City, and who also returns the documents in good condition to the office of the City Engineer within thirty (30) days after his bid security has been returned to him. Equipment manufacturers, contractors, subcontractors and others who do not submit formal proposals to the City, will be refunded one-half the amount of the deposit for all sets of complete documents returned in good condition to the office of the City Engineer within thirty (30) days after the opening of bids. No refund will be made for documents received after this thirty (30) day period. Contract Documents must be obtained from the City for bidding on this project. Electronically obtained copies of the bid documents will not be accepted.

Each proposal must be accompanied by cash, a certified check payable to the City of North Tonawanda, or bid bond, having as surety thereon a surety company acceptable to the City Attorney, in an amount not less than five percent (5%) of the amount of the base bid, conditioned that, if his proposal is accepted, he will enter into a contract for the same, and that he will execute any such further security as may be required for the faithful performance of the contract.

An optional pre-bid meeting will be held at 10:00 AM prevailing time on June 4th, 2024, in the City Hall Conference Room. Attendance at the pre-bid meeting is recommended but is not mandatory.

All bids shall be submitted to the City Clerk/Treasurer's office in a sealed envelope addressed to the City of North Tonawanda and shall be plainly marked on the outside with the Contractor's name and title of the bid. Bids for contracts shall be designated as, 2024-06 OLIVER, WALCK AND OLD FALLS MILL AND OVERLAY.

Attention of bidders is particularly called to the requirements as to conditions of employment to be observed and minimum wage rates to be paid under the contract.

The minimum wage rates to be paid to laborers and mechanics engaged in the construction of this project shall be the latest wage rates established by the State Industrial Commissioner.

The Owner reserves the right to reject any or all bids for failure to comply with the requirements of the Contract Documents but may, at its discretion, waive any informalities or irregularities.

The Owner further reserves the right to reject any or all bids or to award a contract which, in its judgment, is in the best interest of the Owner.

No bidder may withdraw his bid within sixty (60) days after the opening thereof, but may withdraw same at any time prior to the opening thereof. Bidder must sign the statement of non-collusion in accordance with Article 17 of the Laws of the State of New York.

Donna L. Braun
City Clerk/Treasurer
City of North Tonawanda

STATE OF NEW YORK
NIAGARA COUNTY, } SS, _____

JUN 04 2024

Jackie Bilogan, of said county, being duly sworn, deposes and says that she is now and during the whole time hereinafter mentioned was the Clerk of

NIAGARA GAZETTE

A newspaper published in the County and State aforesaid, and that the annexed printed legal # 333588 was printed and published in said paper on the following dates:

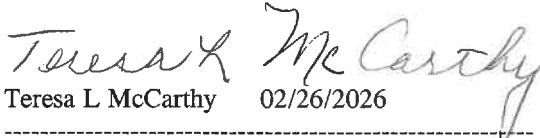
05/23/2024



Principal Clerk

2024 MAY 29 AM 8:21
NORTH TONAWANDA NY
RECEIVED
CITY CLERK'S OFFICE

Subscribed and sworn to before me this
5.23.24


Teresa L. McCarthy 02/26/2026

Notary Public Expiration Date

TERESA L MCCARTHY
Notary Public - State of New York
No. 01MC4962698
Qualified in Niagara County
My Comm. Expires Feb. 26, 2026

**LEGAL NOTICE
TOWING CONTRACT
CITY OF NORTH TONAWANDA**

NOTICE IS HEREBY GIVEN that the City of North Tonawanda is looking for towing agencies for the City of North Tonawanda.

Bid packets/applications can be picked up at the North Tonawanda Police station located at 216 Payne Avenue. Proposals and applications must be received in person or via mail no later than June 13, 2024, at 9:00am EST. All proposals shall be sealed, clearly labeled on the front of the package, and delivered to:

North Tonawanda Police Department
c/o Chief Keith Glass
216 Payne Avenue
North Tonawanda, NY 14120
NW333588

5/23/2024

Subject **Resignation**
 From Doug Hanes <gratwick6@gmail.com>
 To NTFD - Joseph Sikora <firechief@ntfire.com>
 Date 2024-04-21 15:21



J.P.

Due to on-going health issues I must tender my resignation as Deputy in Emergency Management., It has been my honor serving the people of North Tonawanda in my years of service.

I thank Chief Sikora for appointing me. He has been a pleasure to work with during that time..

Best regards,
 Douglas N. Hanes

JUN 04 2024

d

2024 MAY 28 PM2:32
 NORTH TONAWANDA NY

RECEIVED
 CITY CLERK'S OFFICE

CITY OF NORTH TONAWANDA

Office of the Mayor

AUSTIN J. TYLEC

D.1

JUN 04 2024

May 30, 2024

North Tonawanda Common Council
216 Payne Ave City Hall
North Tonawanda, NY 14120

RE: Proposed resolution to be adopted by the City of North Tonawanda to Oppose Offshore Wind Facilities in Lake Erie

Dear Honorable Body,

I am writing to propose a resolution regarding the potential industrialization of Lake Erie through offshore wind energy development.

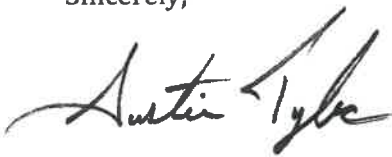
Despite NYSERDA's 2022 study findings and ongoing political efforts to advance wind energy, concerns persist about Lake Erie's health and the uncertainties surrounding offshore turbine effects. The proposed installation of up to 200 Mega Watts of wind energy capacity, as outlined in Senate Bill S7035, raises significant environmental questions.

Furthermore, while the industrialization of Lake Erie may seem promising for renewable energy goals, it overlooks the lake's fragile ecosystem and the impacts on local communities and industries reliant on its resources.

The proposed resolution underscores the necessity for a thorough examination before any development proceeds. Key concerns remain unaddressed by NYSERDA, including the impacts on local ecosystems and communities, and the potential disruption to fishing, tourism, and other economic activities.

Please see the attached resolution for your consideration.

Sincerely,



Austin Tylec
Mayor

RECEIVED
CITY CLERK'S OFFICE

2024 MAY 30 AM 11:45
NORTH TONAWANDA, NY

**RESOLUTION SUBMITTED BY MAYOR AUSTIN J. TYLEC AND
NORTH TONAWANDA COMMON COUNCIL**

WHEREAS, NY State has passed the Climate Leadership and Community Protection Act (the Climate Act) calling for 70 percent of electricity in the state to be produced by renewable resources by 2030, and 100 percent of the state's electricity be generated by renewable resources by 2040; and

WHEREAS, Congressman Nicholas A. Langworthy has voiced deep concern on the addition of Wind Turbines and introduced legislation to curb this negative development. H.R. 426, the *Lakes Before Turbines Act* would protect our environment and local economies from ill-conceived wind energy projects on these waters.

WHEREAS, wind energy has been designated by the Climate Act as an essential form of renewable energy; and

WHEREAS, there are a number of commercial wind energy facilities operating in Western New York, with more in the planning and permitting stages; and

WHEREAS, NY State's power grid manager New York Independent Systems Operator (NYISO) has determined the Western New York zone of grid to be 89 percent free of carbon emissions in the generation of electricity; (1), and

WHEREAS, NYISO has described the lack of electricity transmission facilities capable of transmitting electricity from Western New York to downstate grid zones which are 90 percent dependent on fossil fuels for generating electricity; (2), and

WHEREAS, the New York State Energy Research and Development Authority determined in 2022 that this is not the right time to consider constructing offshore wind facilities in Lake Erie; (3), and

WHEREAS, the offshore wind industry is experiencing global difficulties related to inflation and supply line shortages as evidenced by the recent NY State Public Service Commission decision denying industry requests for higher power delivery rates: (4), and

WHEREAS, the long planned Lake Erie offshore wind energy project known as Icebreaker Wind near Cleveland, Ohio, has recently been suspended (4a),

WHEREAS, questions concerning offshore wind energy facilities in fresh water bodies remain unanswered such as these which are not included in the NYSERDA reports of 2011 and 2022:

- What assurances that toxic industrial wastes in the lakebed will not be disturbed to endanger safe drinking water and enter the food chain of Lake Erie's fish and bird species (5)
- How would the placement of offshore wind turbines in Lake Erie affect the migratory pathways and behavior of economically important game fish (6)

- What would be the impact on tourism of placing wind turbines in Lake Erie (7)
- Specifically, how would offshore wind turbines in Lake Erie contribute to the emissions reduction goals of the Climate Act (8)
- How would the radar interference created by offshore wind turbines in Lake Erie affect the safety of shipping, recreational boating, search and rescue operations and international border security (9)
- How would microplastics and toxic chemicals like BPA and PFAS emitted by wind turbines impact water quality and the ecology of Lake Erie (10)
- How much oil and other petroleum products are contained within each offshore wind turbine and how would oil spills from wind turbines be mediated, and other maintenance performed during annual periods of ice coverage on Lake Erie (11)
- How would noise and vibrations emitted by wind turbines impact the quiet enjoyment of Lake Erie by fishers, boaters and nearshore residents and visitors (12)
- What are the effects of vibrations emitted by wind turbines on the organisms living in the lakebed. (13)
- How would the blinking red lights atop each offshore wind turbines be reconciled with increased interest in preventing light pollution in dark skies (14)
- What would be the impact of placing offshore wind turbines in Lake Erie's migratory flyways of birds, bats and butterflies (15)
- What are the cumulative impacts of placing offshore wind turbines in Lake Erie given the already large concentration of onshore wind turbines along the Ontario shoreline and the elevations overlooking the lake in Chautauqua County
- What restrictions or no-go zones would be imposed on fishers and boaters in Lake Erie (16)
- How would the Public Trust Doctrine which serves to protect the interests of all Western New Yorkers in a healthy Lake Erie be honored in the context of primary financial benefits to the offshore wind industry.
- How would offshore wind turbines impact historic sites such as shipwrecks and lighthouses (17)
- Would the rights of the Seneca Nation of Indians to administer water quality standards on the Cattaraugus Reservation be a consideration in placing offshore wind turbines in Lake Erie (18)
- Would the high costs of offshore wind energy in Lake Erie be explained to Town of Hamburg electricity ratepayers in terms of monthly increases to their utility bills.
- How would property values along the lake shore be impacted by viewsheds including offshore wind turbines and their industrial support and maintenance activities.

NOW, THEREFORE BE IT RESOLVED:

The City of North Tonawanda opposes, at this time, any efforts to introduce offshore wind turbines in the waters of Lake Erie.

BE IT FURTHER RESOLVED, that the City of North Tonawanda supports Congressman Nick Langworthy's *Lakes Before Turbines Act* (H.R. 426) and urges its immediate consideration in Congress.

BE IT FURTHER RESOLVED, that the City Clerk-Treasurer shall forward an email copy of this Town Board resolution to:

Honorable Governor Kathy Hochul: melissa.bochenski@exec.ny.gov

Honorable United States Congressman Nicholas Langworthy:

repnicholaslangworthy@mail8.housecommunications.gov

Honorable Senate Majority Leader Andrea Stewart-Cousins: scousins@nysenate.gov

Honorable Senate Minority Leader Rob Ortt: ortt@nysenate.gov

Honorable Erie County Executive Mark Poloncarz: county.executive@erie.gov

Assemblyman William Conrad: conradw@nyassembly.gov

Literature Citations

1. Nyiso.com/power-trends
2. Nyiso.com/power-trends
3. NYSERDA.com Great Lakes Wind Energy Feasibility Study
4. Spglobal.com/marketintelligence/en/news-insights/latest-news-headlines
 - 4a. Cleveland.com/news/2023/12/icebreaker-wind-project-halted-no-plans-to-resurrect-effort
5. Tethys.pnnl/summaries/benthic-disturbance-offshore-wind-foundations-anchors-cables
6. Journal of Fish Biology onlinelibrary-wiley.com/doi/full/10.1111/jfb.13948
7. Epa.gov/Greatlakes/lake-erie
8. NYS DPS DMM Case 15-E-0302 line 495 Comments of Save Ontario Shores, Inc.
9. Nationalacademies.org/news/2022/02/offshore-wind-farms-can-interfere-with-ship-radar-and-navigation-says-new-report
10. Docs.wind-watch.org/leading-edge-erosion-and-pollution-from-wind-turbine-blades
11. Surgeaccelerator.com/do-wind-turbines-leak-oil
12. International Journal of Engineering research and Technology, ISSN2278-0181, Mitigation of Underwater Vibrations Due To Offshore Wind Turbines
13. Tethys.pnnl.gov/publications/commercial-cuttlefish-exposed-noise-offshore-windmill-construction-show-short-range
14. Proposed NY State Senate bill 7663 enacting dark skies protection
15. Birds eros.usgs.gov/dorremote-sensing-activities/2012/usgs/airspace-use-night-migrating-landbirds
16. Yachtingmonthly.com/news/sailor-prosecuted-for-wind-farm-sabotage
17. Syracuse.com/news/2011/03/judge-says-lake-erie-shipwrecks
18. Epa.gov/wqs-tech/water-quality-standard-regulations-seneca-nation-indians



AUSTIN J. TYLEC

I.2

JUN 04 2024

May 30th, 2024

North Tonawanda Common Council
216 Payne Ave (City Hall)
North Tonawanda, NY 14120

2024 MAY 30 PM 2:44
NORTH TONAWANDA NY

RE: AFSCME & OPEIU Memorandum Of Agreement

RECEIVED
CITY CLERK'S OFFICE

Honorable Body,

For the past few years, our Department of Public Works (DPW) mechanics under the AFSCME Union have been assisting our Fire Department by maintaining all their vehicles while the fire mechanic was periodically away for months at a time. The fire mechanic has since left for other employment, and recently, a step increase was approved for our CSEA mechanics to maintain all light-duty fire vehicles. However, our DPW mechanics continue to maintain all heavy-duty fire vehicles with no additional compensation, creating an approximate \$4.20/hr gap in compensation between our CSEA and AFSCME mechanics.

After discussions with AFSCME representatives and the DPW Superintendent, I am requesting the Common Council consider approving the following proposals:

1. Increase the compensation for DPW mechanics by \$3.20/hr as long as AFSCME mechanics continue to work on the City Fire heavy duty trucks and equipment. The increase shall be removed and wages reverted back to the original agreement if the AFSCME mechanics are no longer required to work on the heavy duty Fire trucks and equipment.
2. Provide the DPW Superintendent with an annual \$2,000 stipend to oversee the additional maintenance work and will continue for future years if the AFSCME mechanics continue to work on the City Fire heavy duty trucks and equipment. In addition, section 5.5.3 of the OPEIU bargaining agreement states that an employee shall be fairly compensated for additional work they perform.

In discussions with City Accountant Jeff Zellner and Superintendent Mark Zellner, the proposed increase in compensation for our DPW mechanics would cost approximately \$39,941. It is important to note that with a DPW mechanic vacancy and cutbacks on

sanitation personnel, we have enough funds in our DPW's personnel service budget line to cover the additional compensation.

This proposal aims to avoid potential grievances and arbitration by providing equitable compensation for additional services rendered by our AFSCME mechanics and DPW Superintendent. This will ensure that our Fire Department vehicles are maintained in a timely fashion.

Thank you for your consideration on this matter.

Respectfully,

A handwritten signature in black ink that reads "Austin Tylec". The signature is written in a cursive style with a large, sweeping initial "A".

Austin Tylec
Mayor

*Memorandum of Agreement
Between
City of North Tonawanda
And
NYS Council No. 66 and its Affiliated Local Union No. 515A
Of the American Federation of State County and
Municipal Employees AFL-CIO*

THIS UNDERSTANDING, by and between the City of North Tonawanda (hereinafter, "City") and the NYS Council No. 66 and its Affiliated Local Union No. 515A of the American Federation of State County and Municipal Employees AFL-CIO (hereinafter "AFSCME") and,

WHEREAS the City and AFSCME are parties to a collective bargaining agreement (hereinafter, "CBA") covering the period January 1, 2022, through December 31, 2025, and

NOW, THEREFORE, in consideration of the mutual agreements and covenants contained herein, it is understood and agreed by and between the parties as follows:

1. That the positions of DPW Heavy Equipment Mechanic (6 employees) and Heavy Equipment Mechanic Supervisor (1 employee) are to receive a temporary hourly increase in their wages in the amount of \$3.20 per hour as shown in the attachment. This increase shall be applied to all work performed from January 1, 2024 until December 31, 2025 at which time their hourly wage shall revert to the negotiated wages in the CBA.
2. That AFSCME hereby withdraws their Grievance filed with the City Attorney on January 3, 2024 relative to this issue.

The parties agree that this agreement is without precedent or prejudice to either party with respect to future matters.

IN WITNESS THEREOF, the parties have caused this Agreement to be executed on the _____ Day of June, 2024.

City of North Tonawanda

AFSCME

Austin J. Tylec
Mayor, City of North Tonawanda

Robert Rozicki
President

John Mooney
Labor Relations Specialist

Current Wages – NT DPW Heavy Equipment Mechanics

AFSCME Contract, H-6 Classification

Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
\$24.64	\$25.61	\$26.57	\$27.85	\$29.88	\$31.03

Proposed Wages – NT DPW Heavy Equipment Mechanics

We recommend adding a new classification titled H-7 to the AFSCME Union contract for the purpose of this proposal.

Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
\$27.84	\$28.81	\$29.77	\$31.05	\$33.08	\$34.23

Current Wages – Heavy Equipment Maintenance Supervisor

AFSCME Contract, Salary

Step 1	Step 2	Step 3	Step 4
\$69,646	\$73,280	\$76,918	\$80,846

Proposed Wages – Heavy Equipment Maintenance Supervisor

Step 1	Step 2	Step 3	Step 4
\$76,302	\$79,936	\$83,574	\$87,502

*Memorandum of Agreement
Between
City of North Tonawanda
And
The Office and Professional Employees International Union
AFL-CIO & CLC
And it's Affiliated Local Union No. 153*

THIS UNDERSTANDING, by and between the City of North Tonawanda (hereinafter, "City") and The Office and Professional Employees International Union, AFL-CIO & CLC And it's Affiliated Local Union No. 153 (hereinafter "OPEIU") and,

WHEREAS the City and OPEIU are parties to a collective bargaining agreement (hereinafter, "CBA") covering the period January 1, 2024, through December 31, 2029, and

NOW, THEREFORE, in consideration of the mutual agreements and covenants contained herein, it is understood and agreed by and between the parties as follows:

1. That the position of DPW Superintendent receive a \$2,000 stipend for the years 2024 (retroactive to January 1, 2024) and 2025 payable quarterly. This stipend will continue for future years if the AFSCME mechanics continue to work on the City Fire heavy duty trucks and equipment.

The parties agree that this agreement is without precedent or prejudice to either party with respect to future matters.

IN WITNESS THEREOF, the parties have caused this Agreement to be executed on the _____ Day of June, 2024.

City of North Tonawanda

OPEIU

Austin J. Tylec
Mayor, City of North Tonawanda

Mark Zellner
President

City of North Tonawanda

EDWARD A. ZEBULSKE, III
CITY ATTORNEY

NICHOLAS B. ROBINSON
ASSISTANT CITY ATTORNEY

MATTHEW T. MOSHER
ASSISTANT CITY ATTORNEY

OFFICE OF THE CITY ATTORNEY
CITY HALL
216 PAYNE AVENUE
NORTH TONAWANDA, N.Y. 14120-5489



TELEPHONE
(716) 695-8590
FAX (716) 695-8592

JUN 04 2024

May 29, 2024

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

RE: Proposed Authorization to Add a Water and Wastewater Treatment Plant
Mechanic/Trainee to the City Waterworks 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., I am hereby requesting authorization to add a Water and Wastewater Treatment Plant Mechanic/Trainee to the City's Waterworks, at Job Group Title X.

If your Honorable Body concurs, kindly pass a resolution to add the above position, effective June 1, 2024.

Thank you for your consideration in this matter.

Very truly yours,


Edward A. Zebulske, III
City Attorney

EAZ/lk
Enc.

Cc: Austin Tylec, Mayor

RECEIVED
CITY CLERK'S OFFICE

2024 MAY 29 PM 3:55
NORTH TONAWANDA NY

*Memorandum of Agreement
Between
City of North Tonawanda
And
Civil Service Employees Association, Inc.
Local 1000, AFSCME, AFL-CIO, Local 832
City of North Tonawanda Unit # 7692*

THIS UNDERSTANDING, by and between the City of North Tonawanda (hereinafter, "City") and the Civil Service Employees Association, Local 1000, AFSCME, AFL-CIO, Local 832 Unit 7692 (hereinafter, "CSEA") and,

WHEREAS, the Mayor of the City and CSEA are parties to a collective bargaining agreement (hereinafter, "CBA") covering the period January 1, 2024 through December 31, 2028 and

NOW, THEREFORE, in consideration of the mutual agreements and covenants contained herein, it is understood and agreed by and between the parties as follows:

1. The City and CSEA agree that the title of "Water and Wastewater Treatment Plant Mechanic/Trainee" shall be added to the CSEA Bargaining Unit contract under Section 7.12 Group Title X.
2. This agreement will go into effect June 1, 2024, with the approval of the Mayor.
3. The parties agree that this agreement is without precedent or prejudice to either party with respect to future matters.

IN WITNESS THEREOF, the parties have caused this Agreement to be executed on the _____ Day of May 2024.

City of North Tonawanda

Civil Service Employees Association

Austin J. Tylec
Mayor

Brian Kosikowski
President

Sharon Ivey
CSEA Labor Relations Specialist



City of North Tonawanda
Department of Engineering
 City Hall, 216 Payne Avenue
 North Tonawanda, NY 14120-5493
 www.northtonawanda.org

Chelsea L. Spahr, P.E.
 City Engineer
 Phone: (716) 695-8565
 Fax: (716) 695-8568

May 28, 2024

IV.
JUN 04 2024

Honorable Austin J. Tylec, Mayor
 and Common Council Members
 City Hall
 216 Payne Avenue
 North Tonawanda, New York 14120

**Re: Botanical Gardens
 Investigation of Black Oily Substance
 Professional Services Agreement**

Honorable Body:

As you may be aware, in the fall of last year a black oily substance was observed on the ground at the southern end of the North Tonawanda Botanical Garden. The NYSDEC was contacted and they advised that the City conduct an environmental investigation to determine the origins of this substance. Attached is a proposal from GHD to perform the needed investigation.

Accordingly, I respectfully request that the Common Council authorize the Mayor to sign an agreement with GHD, 2055 Niagara Falls Blvd., Suite 3, Niagara Falls, NY 14204, to develop the work plan to submit to the NYSDEC, HASP Development, field investigation, and final report in the amount \$14,419; subject to review by the City Attorney.

Very truly yours,

Chelsea L. Spahr
 Chelsea L. Spahr, P.E.
 City Engineer

CLS:cls

Cc: file, w/encls.
 Edward A. Zebulski III, City Attorney, w/encls.
 Jeffery Zellner, City Accountant
 Alex Domaradzki, Director of Parks, Recreation and Youth
 John Pentilchuk, GHD

RECEIVED
 CITY CLERK'S OFFICE

2024 MAY 29 AM 10:08
 NORTH TONAWANDA NY

RECEIVED
 CITY CLERK'S OFFICE
 2024 MAY 29 AM 10:08
 NORTH TONAWANDA NY

2055 Niagara Falls Boulevard, Suite 3
Niagara Falls, New York 14304
United States
www.ghd.com



Our ref: 12630939

April 17, 2024

Ms. Chelsea Spahr, PE
City of North Tonawanda Engineering Department
216 Payne Avenue
North Tonawanda, NY 14120

Proposal for 2024 City of North Tonawanda Botanical Gardens Environmental Investigation

Dear Ms. Spahr:

GHD is pleased to submit this proposal at the request of the City of North Tonawanda (City) for Professional Environmental Services to conduct an environmental investigation at the City of North Tonawanda Botanical Gardens, located in North Tonawanda, New York (Site).

1. Site Background

In September 2023, the City of North Towanda observed a "black oily substance" at the City of North Tonawanda Botanical Gardens in North Tonawanda, NY. The substance was observed in the same general location as an underground storage tank (UST) removal and tar seep investigation which was conducted in 2015/2016. After notifying the New York State Department of Environmental Conservation (NYSDEC), the City collected a sample of the substance on September 20, 2023 to be analyzed for NYSDEC CP-51 Soil Cleanup Guidance (CP-51) volatile organic compounds (VOCs), CP-51 semi-volatile organic compounds (SVOCs), and total petroleum hydrocarbons (TPH).

After receiving the results of the September 2023 sample, the NYSDEC requested that the City further investigate the area around the location of the substance.

2. Scope of Work

The Scope of Work (SOW) is based on information provided by the City and GHD's experience conducting work at the Site.

GHD's Scope of Work will be separated into the following tasks:

- Task 1 – Development and submittal of a Work Plan to NYSDEC: GHD will develop a brief work plan for submittal to the NYSDEC. The work plan will provide the details of the proposed investigation and reporting to NYSDEC. The draft work plan will be submitted to the City for approval. One approved by the City, GHD will issue a final work plan for submittal to the NYSDEC.

- Task 2 - Coordination and Health and Safety Plan Development: GHD will work with the City to coordinate the investigation activities. GHD will also generate a Site-specific HASP, as necessary, in accordance with the Hazardous Waste Operations and Emergency Response (HAZWOPER) Regulation 29 CFR 1910.120. The HASP will include Job Safety Analyses (JSAs) pertinent to the individual tasks being performed.
- Task 3 – Field work: GHD will procure a local drilling contractor and install 5 soils borings in the area around the location of the black oily substance. One boring will be installed at the exact location of the substance, and the other 4 borings will be installed approximately 5 feet away from the location in each direction. The soil borings will be advanced to a maximum of approximately 10 feet below grade. All soil samples will be visually screened for signs of contamination and screened for total VOCs using a photoionization detector (PID). The soil interval with the highest PID reading above background and/or visual indications of impact will be submitted for laboratory analysis from each boring.

Soil samples will be analyzed for the same parameters that were analyzed for the initial September 2023 sample of the black oily substance except for TPH. Those parameters include CP-51 VOCs, CP-51 SVOCs (polyaromatic hydrocarbons). Analytical results will be requested on a standard two-week turnaround basis.

All soil cuttings will be placed back into the borehole.

- Task 4 – Final Reporting: Upon receipt of the laboratory data, GHD will review and validate the analytical data and compare it to the appropriate NYSDEC soil quality criteria. GHD will then prepare a letter report outlining the activities completed, the laboratory results, and conclusions and recommendations. The draft letter report will be submitted to the City within two weeks of receipt of the analytical results. Once approved by the City, GHD will issue a final report for submittal to the NYSDEC.

3. Project Team

GHD will utilize experienced project team members, primarily from the Niagara Falls, New York office, that are familiar with the Site. GHD will provide investigation field observation during drilling activities. GHD personnel will be responsible for field observations, documentation of field activities, soil logs, and soil sampling.

4. Schedule

GHD will begin coordination of the investigation activities upon approval of this proposal by the City. The draft work plan will be submitted to the City within one week following approval to proceed. Field activities will commence within two weeks following NYSDEC approval of the work plan, allowing sufficient time to allow DigSafe to contact the various local public utilities and have a utility markout completed. This proposal assumes all work can be completed during a standard workday and that no evening or weekend work will be required. The draft letter report will be submitted to the City within two weeks of receipt of the analytical results.

5. Cost Estimate


GHD's estimated costs, presented on the table below, are on a time-and-materials basis and are presented as a "not-to-exceed" maximum, based on assumptions provided herein.

Description		Labor Total	Total Subcontractors	Total Disbursements	Estimated Project Total
Task 1	Work Plan	\$1,250	\$0	\$30	\$1,280
Task 2	Coordination - HASP Development	\$1,423	\$0	\$35	\$1,458
Task 3	Field Investigation	\$2,966	\$3,450	\$285	\$6,701
Task 4	Final Report	\$4,855	\$0	\$125	\$4,980
Estimated Project Total		\$10,494	\$3,450	\$475	\$14,419

No work outside of the scope of work identified herein will be completed without prior written approval from the City. If unforeseen changes to the scope of services requested by the City occur during the project and result in necessary adjustments to the approved budget, GHD will identify such changes immediately to facilitate issuance of an amendment to cover the cost of the additional services. Any adjustments to the budget will be developed based on GHD's accepted unit pricing schedule and as agreed upon by the City.

If you have any questions, please do not hesitate to contact me.

Regards



John Pentilchuk
Project Manager

519-340-4313
john.pentilchuk@ghd.com

Copy to: Shaun McEvoy, GHD

JEFFREY ZELLNER
CITY ACCOUNTANT

JENNIFER CRESS
PAYROLL PERSONNEL SPECIALIST

SHERI GAMPP
JUNIOR ACCOUNTANT

City of North Tonawanda

DEPARTMENT OF ACCOUNTING
CITY HALL
216 PAYNE AVENUE NORTH
TONAWANDA, N.Y. 14120

TELEPHONE: (716) 695-8545
FAX: (716) 695-8573

VII.1

JUN 04 2024

May 30, 2024

Honorable Austin J. Tylec, Mayor
And Common Council Members
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 June 4th, 2024, and further authorize the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant.

Warm Regards,


JEFFREY ZELLNER
CITY ACCOUNTANT

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2024 MAY 30 AM 11:03
NORTH TONAWANDA NY

JEFFREY ZELLNER
CITY ACCOUNTANT

JENNIFER CRESS
PAYROLL PERSONNEL SPECIALIST

SHERI GAMPP
JUNIOR ACCOUNTANT

City of North Tonawanda

DEPARTMENT OF ACCOUNTING
CITY HALL
216 PAYNE AVENUE NORTH
TONAWANDA, N.Y. 14120

TELEPHONE: (716) 695-8545
FAX: (716) 695-8573

JUN 04 2024

5/24/2024

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

Dear Honorable Body:

In accordance with Article V, Division 2, Section 5.023, and Section 2.2 of the Budgetary Transfer Policy, please authorize the City Accountant to make the following amendment of fiscal year 2024 appropriations, based on the request of the Department Head, copy attached.

<u>Amount</u>	<u>Increase Account</u>	<u>Decrease Account</u>
\$14,419	001.1440.0480	001.8091.0420
	Engineering – Operations	Gratwick Riverside Park – R&M

Reason: Environmental cleanup at the Botanical Gardens, DEC requested

Warm Regards,



JEFFREY ZELLNER
CITY ACCOUNTANT

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2024 MAY 24 AM 10:59
NORTH TONAWANDA NY

Budgetary Transfer Request Form

Department: Engineering

Date: 5/24/2024

Dollar Amount	Appropriation Accounts and Documentation	
	From Appropriation Account	Into Appropriation Account
\$14,419	001.8091.4820 Gratick Riverside Park – R&M Account Number Account Description	001.1440.0480 Engineering operations Account Number Account Description
Explanation:		
Environmental clean up at Botanical gardens per DEC request.		

Please Check One

Common Council Action	NO Common Council Action
-----------------------	--------------------------

X

	5/24/2024
Department Head Signature	Date

Budgetary Transfer Policy

2.11 - Budgetary transfers can be initiated by a Department

Head on his or her signature if **all** of the following criteria is met:

1. Transfer appropriations must be less than \$250.00
2. Transfer only between existing appropriation accounts within your Department Budget
3. Accumulated transfers made into any one appropriation account can not total more than \$250.00 within any fiscal year

2.21 - Budgetary transfers can be initiated by a Department Head through the Common Council if **one** of the following Criteria is met:

1. Transfer appropriations must be over \$250.00
2. Creation of a new appropriation account your budget

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For Accounting Department Use Only

	Department of Accounting Audit	Common Council Meeting Date
	3	6/4/2024

IX

May 28, 2024

JUN 04 2024

Honorable Austin J. Tylec, Mayor
and Common Council Members
City Hall
216 Payne Avenue
North Tonawanda, New York 14120

Re: Street Lighting – Meadow Drive Extension, Briarwood Drive and East Goundry

Dear Honorable Body:

In conjunction of the City Engineering Department, we requested the annual facilities and energy use charges for LED street lighting from National Grid for proposed new street lighting on the Meadow Drive Extension from Wayne Avenue to Erie Avenue, Briarwood Drive from East Goundry to the end, and East Goundry Street from Brentwood Drive to the beginning of the new Bush Meadows subdivision.

We estimate that there will be approximately 29 new street lights to be installed on Meadow Drive and approximately 10 new street lights to be installed on Briarwood Drive/East Goundry Street. The estimated annual cost per street light is approximately \$188.70 from National Grid.

The estimated annual cost for these facilities is \$7,359.30

I recommend that the Council resolve to authorized National Grid to install new street lighting on Meadow Drive, Briarwood Drive, and East Goundry Street and that the City Clerk be directed to send a copy of the Council's Resolution to Ms. Bernice Montague, Customer Representative for National Grid.

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

Very truly yours,



Mark Zellner
Department of Public Works Superintendent

MZ:cls

Cc: file
Chelsea L. Spahr, PE, City Engineer
Edward A. Zebulske III, City Attorney
Jeffery Zellner, City Accountant
Bernice Montague, National Grid

2024 MAY 30 PM1:14
NORTH TONAWANDA NY

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NORTH TONAWANDA FIRE DEPARTMENT

OFFICE OF THE FIRE CHIEF

495 Zimmerman St., North Tonawanda, NY 14120

Tel. (716)693-2201 Fax. (716)693-2216

XL

JUN 04 2024

May 28, 2024

Honorable Mayor Austin J. Tylec
& Common Council
216 Payne Avenue
North Tonawanda, NY 14120

Re: Appointment of First and Second Assistant Directors in the Emergency Management Office.

Dear Honorable Body:

Please be advised that I am appointing Robert R. Orlowski Jr., 598 Meadowbrook Dr., North Tonawanda, NY 14120, to the position of First Assistant Director in the Emergency Management Office. I am also moving James A. Diermyer, 3419, Lockport Rd., Sanborn, NY 14132, from the Third Assistant Director up to the Second Assistant Director. I am confident both will do great in their new positions. Both appointments will be effective June 7th, 2024.

Thank you for your attention to this matter.

Sincerely,
Joseph D. Sikora
Fire Chief/Director of EMO

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2024 MAY 28 PM 2:32
NORTH TONAWANDA NY

May 28, 2024

Austin Tylec

216 Payne Avenue North Tonawanda, NY 14120

Traffic Safety Minutes:

XVII.

JUN 04 2024

The May 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, M. Lemke, N. Ferguson, N. Phelps, A. Dibernardo and B. Brennan. The minutes from the previous meeting were read and accepted, the following new concerns/requests were discussed, and recommendations made.

1. Resident at 107 Claire St. states passage of vehicles is difficult and is requesting no parking signs on his side of the street from Sweeney St. to his residence. The committee denied the request, there is plenty of room on Claire.
2. Resident at 758 Payne Ave Corner of Payne and Spaulding has requested a "No Parking Here to Corner" sign. People are parking close to the intersection blocking the view of drivers turning both onto and off Spaulding. The committee agreed with the request.
3. Resident on Geneva St. requested that Vandervoort at Geneva be reviewed for signs that would prevent cars parking on Vandervoort from blocking the view of drivers leaving Geneva St... After reviewing, heavy parking on Vandervoort was sporadic. The committee denied the request.
4. A request that stated Stop Signs should be installed at the crosswalk in front of the Riviera Theatre (Webster St.). Pedestrian traffic counts have been increasing dramatically making it a hazard at that crosswalk. To Calm the vehicles and pedestrians in that area it was agreed upon to install stop signs for 30 days to give both parties a chance.

The next Traffic Safety Meeting will be held on June 17, 2024.

Travel safely!

Matthew R. Meisenburg

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2024 MAY 28 PM2:51
NORTH TONAWANDA NY

Donna Braun

CFO. A.

From: Richard Andres <legislatorandres@gmail.com>
Sent: Thursday, May 16, 2024 3:17 PM
To: Donna Braun
Subject: 4th of July Parade

JUN 04 2024

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear NT Common Council,

Once again I am requesting your permission to hold the 4th of July Kids Parade. This has become an annual tradition in North Tonawanda and has drawn many families to two of the Jewels of North Tonawanda, Pine Woods Park and the Herschel Carousel Museum. We are requesting we post no parking signs on Thompson Street from Niagara to Vandervoort and have the auxiliary police escort the parade and block traffic at all relevant intersections. We are also looking to have access to Pine Woods Park as a staging area. The parade will begin at 10 am on July 4.

Thank you for your consideration of this matter.

Sincerely,

Richard Andres
Niagara County Legislator

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2024 MAY 17 AM 9:28
NORTH TONAWANDA NY

CFO. B

JUN 04 2024



iHOPE COMMUNITY
CHURCH

City of North Tonawanda
216 Payne Avenue
North Tonawanda, NY 14120

Traffic Superintendent:

Our team at iHope Community Church is planning an outdoor event on the night of Friday, June 28th to provide refreshments and children's activities open to anyone participating in our children's program during the week. **We would like to request temporary closure of the street directly in front of the church building (Corner of Thompson St / Bryant St to the edge of the neighboring property at 324 Thompson Street) from 7:00 PM – 9:00 PM on Friday, June 28th 2024.**

A temporary street closure in this area would not only provide more space to operate the event, but it would also ensure the safety of many small children who will be in attendance. The sidewalk and street will be used for set-up of tables and chairs, free food service and carnival-style games.

Attached is a map of the area requested for closure.

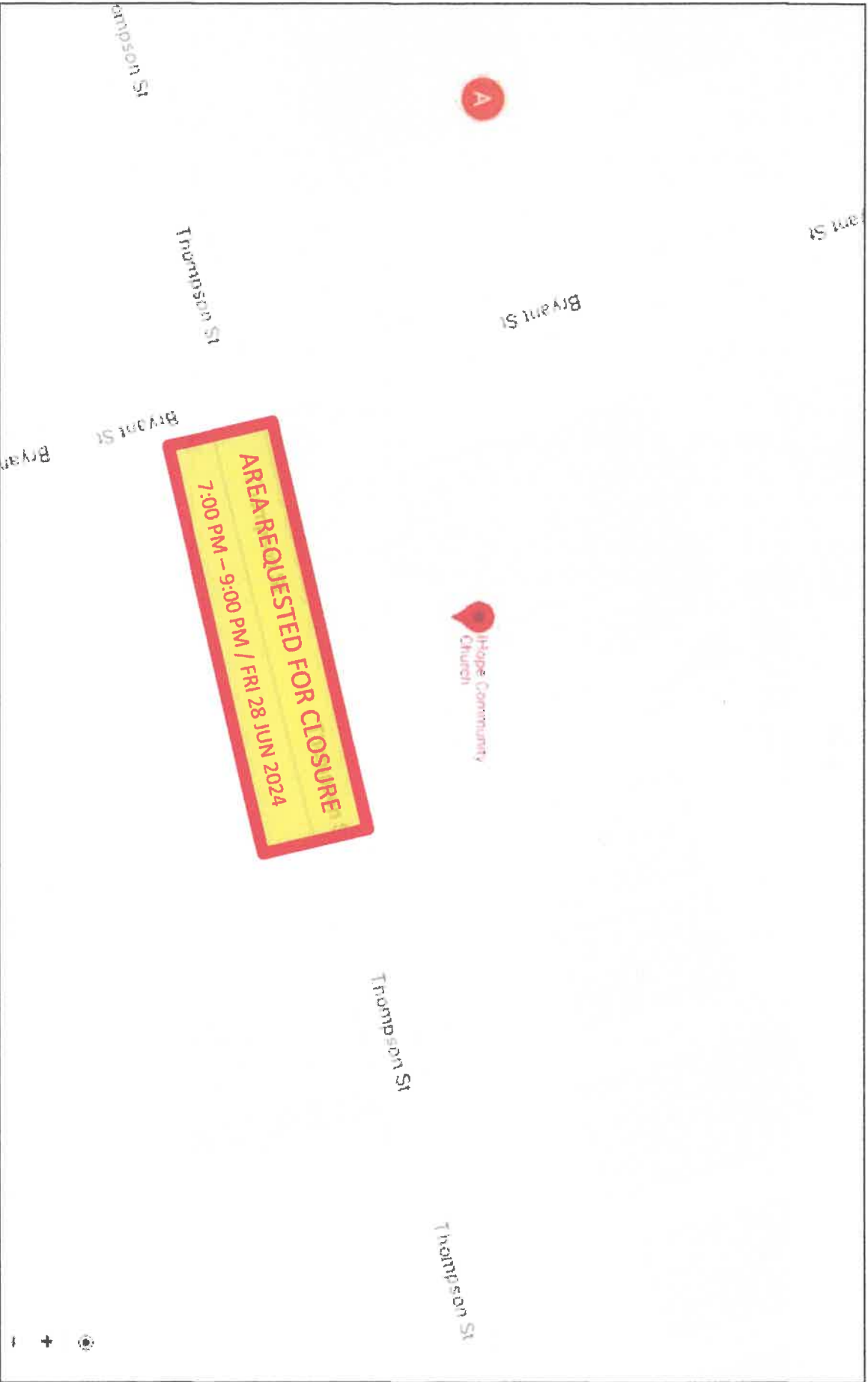
Respectfully,

A handwritten signature in black ink, appearing to read 'Benjamin Reiman'.

Benjamin Reiman
Member
iHope Church Board

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2024 MAY 30 PM2:21
NORTH TONAWANDA NY



Thompson St

1st St

Bryan St

Thompson St

Bryan St

Bryan St

Hope Community Church

Thompson St

Thompson St

AREA REQUESTED FOR CLOSURE
7:00 PM - 9:00 PM / FRI 28 JUN 2024

