

**THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, January 7, 2025
6:30 P.M.**

REGULAR SESSION CALLED TO ORDER BY PRESIDENT LAVEY

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Absent: None

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

AUDIENCE PARTICIPATION –

Brianne Frawley- Representing Visone Development-Thanked the steering committee for considering Visone Development for the award of 78 Bridge Street.

Frank Bodami, along with several other representatives from Nostra Development were concerned that the City and the Council were rushing into a decision on the developer for 78 Bridge Street, because of a letter sent to the city from the NYSDEC. They are asking the City and Council to table their decision tonight and take a bit more time on the decision.

COMMUNICATIONS FROM CITY OFFICIALS

I.1 Mayor

December 17, 2024

**North Tonawanda Common Council
City Hall /216 Payne Avenue
North Tonawanda, NY 14120**

Re: 2025 SPCA Contract

Dear Common Council:

Attached hereto is the agreement between the City of North Tonawanda and the SPCA Niagara for the sheltering and care of domestic animals. The SPCA of Niagara has graciously agreed to extend our current agreement for an additional one-year while we explore options for the future.

New regulations per New York State may impact our ability to continue contracting with the SPCA Niagara beyond this term. We are committed to diligently seeking viable Alternatives to ensure the continued welfare of the animals in our care.

Following your review and approval, I will proceed with signing the contract. Should you Have any questions, please do not hesitate to contact my office.

Respectfully,
Austin Tylec
Mayor

MOVED by Alderman Marranca **SECONDED** by Alderman DiBernardo
That the Common Council hereby approves the attached 2025 Contract with the SPCA for sheltering and care of domestic animals.

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

Nays: None (0)

CARRIED.

I.2 Mayor

December 30, 2024

North Tonawanda Common Council
City Hall /216 Payne Avenue
North Tonawanda, NY 14120

Re: Appointments to the North Tonawanda Traffic Safety Committee

Dear Honorable Body:

Please be advised that I am re-appointing the following individuals to the Traffic Safety Committee. Mark Lemke, 320 Oakdale Drive North Tonawanda, NY 14120, Neil Ferguson 33 Dean Drive, North Tonawanda, NY 14120, and Robert Brennan, 333 Daniel Drive, North Tonawanda NY 14120, effective January 1, 2025, for terms of two (2) years, expiring December 31, 2026.

I am also appointing Joseph Sikora, 522 Homestead Drive, North Tonawanda, NY 14120 effective January 1, 2025, for a term of one year, expiring December 31, 2025, and Matthew Nalbhone, 662 Treichler, North Tonawanda NY 14120 as the Fire Advisor for a term of two (2) years, expiring December 31, 2026.

Thank you for your attention to this matter

Respectfully,
Austin Tylec
Mayor

MOVED by Alderman Marranca **SECONDED** by Alderman Loncar
That the Common Council hereby approves the following appointments to the Traffic Safety Committee:

1. Mark Lemke, 320 Oakdale Dr. – effective January 1, 2025, for a term of two (2) years expiring December 31, 2026
2. Neil Ferguson, 33 Dean Dr. – effective January 1, 2025, for a term of two (2) years expiring December 31, 2026
3. Robert Brennan, 333 Daniel Dr. – effective January 1, 2025, for a term of two (2) years expiring December 31, 2026
4. Matthew Nalbhone, 662 Treichler - effective January 1, 2025, for a term of two (2) years expiring December 31, 2026

Joseph Sikora, 522 Homestead – will be a one (1) year term effective January 1, 2025, expiring December 31, 2025, with a stipend starting at the end of January 2025.

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

Nays: None (0)

CARRIED.

I.3 Mayor

December 30, 2024

North Tonawanda Common Council
 City Hall /216 Payne Avenue
 North Tonawanda, NY 14120

Re: Appointments to the North Tonawanda Waterfront Commission

Dear Honorable Body:

Please be advised that I am re-appointing the following individual for the following terms on the Waterfront Commission:

- 1. Jeffrey Licht, 389 Fredericka St, North Tonawanda, NY 14120, effective January 1, 2025, for a term of two (2) years, and expiring December 31, 2026.**
- 2. Benjamin Meyer, 416 Oliver St., North Tonawanda NY 14120, effective January 1, 2025, for a term of two (2) years, expiring December 31, 2026.**
- 3. Craig Greer, 140 Bryant St., North Tonawanda NY 14120, effective January 1, 2025, for a term of two (2) years, and expiring December 31, 2026.**
- 4. Stephen Pawlik, 1100 Thomas Fox Dr. East, North Tonawanda, NY 14120
 January 1, 2025, for a term of two (2) years, and expiring December 31, 2026.**

Thank you for your attention to this matter

**Respectfully,
 Austin Tylec
 Mayor**

**MOVED by Alderman DiBernardo SECONDED by Alderman Marranca
 That the Common Council hereby approves the following re-appointments to the
 Waterfront Commission:**

- 1. Jeffrey Licht, 389 Fredericka St, North Tonawanda, NY 14120, effective January 1, 2025, for a term of two (2) years, and expiring December 31, 2026.**
- 2. Benjamin Meyer, 416 Oliver St., North Tonawanda NY 14120, effective January 1, 2025, for a term of two (2) years, expiring December 31, 2026.**
- 3. Craig Greer, 140 Bryant St., North Tonawanda NY 14120, effective January 1, 2025, for a term of two (2) years, and expiring December 31, 2026.**
- 4. Stephen Pawlik, 1100 Thomas Fox Dr. East, North Tonawanda, NY 14120
 January 1, 2025, for a term of two (2) years, and expiring December 31, 2026.**

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

I.4 Mayor

December 30, 2024

North Tonawanda Common Council
 City Hall /216 Payne Avenue
 North Tonawanda, NY 14120

Re: Re-Appointments to the Plumbing Board

Dear Honorable Body:

Please be advised that I am re-appointing Joseph Liberto, 839 Deerfield Dr., North Tonawanda, NY 14120 and Leonard Joyce, 1652 Fillner Ave, North Tonawanda, NY

14120 to the Plumbing Board effective January 1, 2025, for two (2) years, expiring December 31, 2026.

Thank you for your attention to this matter

Respectfully,
Austin Tylec
Mayor

MOVED by Alderman Loncar **SECONDED** by Alderman DiBernardo
That the Common Council hereby approves the re-appointments of Joseph Liberto, 839 Deerfield Dr. and Leonard Joyce, 1652 Fillner Ave. to the Plumbing Board effective January 1, 2025, for a two (2) year term expiring December 31, 2026
Ayes: Alderman Schmigel, DiBernardo, Marranca, Loncar, Lavey (5)
Nays: None (0)
CARRIED.

I.5 Mayor

December 30, 2024

North Tonawanda Common Council
City Hall /216 Payne Avenue
North Tonawanda, NY 14120

Re: Appointment of Housing Authority Board

Dear Honorable Body:

Please be advised that I am re-appointing Lyle Dewiel, 101 19th Avenue, North Tonawanda, NY 14120 to the Housing Authority effective February 1, 2025, for a five (5) year term, expiring January 31, 2030.

Thank you for your attention to this matter

Respectfully,
Austin Tylec
Mayor

MOVED by Alderman Marranca **SECONDED** by Alderman Schmigel
That the Common Council hereby approves the re-appointment of Lyle Dewiel, 101 19th Ave. to the Housing Authority Board effective February 1, 2025, for a five (5) year term expiring January 31, 2030
Ayes: Alderman Schmigel, DiBernardo, Marranca, Loncar, Lavey (5)
Nays: None (0)
CARRIED.

II. City Attorney

December 19, 2024

Honorable Mayor and City Council
216 Payne Avenue
North Tonawanda, NY 14120

Re: Proposed Memorandum of Agreement Between the City of North Tonawanda, New York, and the Civil Service Employees Association, Inc., Local 1000, AFSCME AFL-CIO, Local 832, City of North Tonawanda Unit, #7692 for 1) Expansion of Employee Areas of Residency, and 2) Approval of a Change in their Medical Insurance Plan for Retirees

Dear Honorable Body:

Attached, for your consideration, is the proposed Memorandum of Agreement between the City of North Tonawanda and Civil Service Employees Association, Inc., City of North Tonawanda Unit #7692 for: 1) the expansion of employee residency areas for full-time CSEA employees and 2) approval of a change in medical insurance benefits for retirees under Section 12.13 of their collective bargaining agreement.

After review, should your Honorable Body concur, please pass a resolution approving the Above-referenced Agreement, subject to any further review by the City Attorney.

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

MOVED by Alderman Loncar SECONDED by Alderman Schmigel
That the Common Council hereby approves the attached Memorandum of Agreement between the City of North Tonawanda and the Civil Service Employees Association (CSEA) for 1) the Expansion of Areas of Residency and 2) the Approval of a Change in their Medical Insurance Plan for Retirees.
Ayes: Alderman Schmigel, DiBernardo, Marranca, Loncar, Lavey (5)
Nays: None (0)
CARRIED.

VII. Accountant

**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 January 7th, 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 January 7th, 2025 and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$544,484.24
02	Water Fund	\$27,665.38
04	Sewer Fund	\$47,237.40
06	Capital Project Fund	\$101,464.80
07	Trust & Agency Fund	\$8,554.60
00	Final Total	<u>\$729,406.42</u>

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

XVII. Traffic Safety

December 16, 2024

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

Traffic Safety Minutes:

The December 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 R. Brennan. The minutes from the previous meeting were read and accepted, the following new concerns/requests were discussed, and recommendations made.

1. Nicole Huber a Psychologist from Ohio School requested autistic children signs throughout the perimeter of the school. The committee agreed with the request.
2. Jillian from 786 Ohio Street requested to re-install stop signs at Ohio and Ardmore. Jillian said there are so many cars speeding down Ohio Street. Member Frank set up enforcement to monitor this area and found no issues. The committee denied the request.
3. Louisa Street between Niagara and Pinewoods legally needs stop signs. The location of the stop signs will only be on Louisa. The City of North Tonawanda is guided by the MUTCD Manual on Uniform Traffic Control Devices. The requirements for a stop sign are streets that are considered passive crossings. Louisa Street qualifies 100 percent. The committee agreed with the request.
4. The mayor promptly requested stop signs on Payne Ave at Schenck Street. The Traffic Department will be installing them as soon as undergrounds are located.

The next Traffic Safety Meeting will be held on January 20, 2025.

Travel safely!
 Matthew R. Meisenburg

MOVED by Alderman Marranca **SECONDED** by Alderman DiBernardo
 That the Common Council hereby approves Traffic Safety recommendation #1 and #4 and receives and files the December Traffic Safety meeting minutes.
 Ayes: Alderman Schmigel, DiBernardo, Marranca, Loncar, Lavey (5)
 Nays: None (0)
CARRIED.

XXV. Monthly Reports

.1 Clerk-Treasurer .2 Police Department .3 Senior Citizen Center

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

XXXII. Dir. Community Development

October 31, 2024

Honorable Mayor and Common Council
City Hall / 216 Payne Avenue

North Tonawanda, NY 14120

Re: 78 Bridge Street – Preferred Developer selection

Dear Honorable Body:

As you are aware, the City issued a Request for Development Proposals (RFP) for 78 Bridge Street, the city-owned former fire training site on Tonawanda Island, on May 1st, 2024. The city received 3 proposals by the July 1st, 2024 deadline. A review committee representing the Community Development Office, Engineering Office, Mayor's Office, Common Council, Lumber City Development Corporation, and Niagara County Brownfields Program was formed to review the proposals and conduct interviews with each developer.

All 3 proposals were submitted by well qualified development teams. Following a lengthy review, the review committee unanimously selected Visone Co. Site Development, LLC's "Bridge Street Landing" proposal.

Visone Co. Site Development, LLC is a Clarence-based developer, a full-service general construction firm, and property management company. The enterprise manages over 300,000 square feet of residential, commercial, retail, and light manufacturing real estate in Western New York. They have also successfully constructed over \$225 Million of municipal, industrial, residential, and commercial construction projects.

Visone Co.'s "Bridge Street Landing" project is a proposed 3-story 100,430 square foot mixed-use development which will include 73 market rate apartment units, 7 vacation rental/residence hotel units, and a waterfront commercial space ideal for a coffee shop/café type of tenant along the Little River waterfront. The unit mix will include predominately 1- and 2- bedroom units, with a few studios and 3- bedroom units. Additionally, the project includes a public access riverwalk and public benefit area. This project will be the first step to establish residential density on Tonawanda Island, and a unique design approach that will set a high standard for future Tonawanda Island development projects. Please see enclosed for additional information on the Bridge Street Landing Project.

The estimated total cost is \$21,882,600 and Visone Co. Site Development is offering a purchase price for the property of \$400,900.

If selected by this Honorable Body, Visone Co. Site Development will have 60 days to execute a Land Disposition Agreement (LDA) with the City and 18 months from the execution of the LDA to secure financing and all required site plan and building approvals. Upon completion of these tasks, Visone Co. Site Development will have 6 months to begin construction and 245 months to complete the project.

On behalf of the selection committee, I respectfully request this Honorable Body select and designate Visone Co. Site Development, LLC as preferred developer for 78 Bridge Street, direct the City Attorney to draft a Land Disposition Agreement in accordance with the outline set forth in the original RFP, and authorize the Mayor to execute the Land Disposition Agreement with Visone Co. Site Development, LLC.

Please contact my office if you have any questions or would like to review any of the development proposals.

Kindest regards,
 Laura K. Wilson
 Dir. Community Development

MOVED by Alderman Marranca SECONDED by Alderman Lavey
 That the Common Council hereby approves the selection of Visone Co. Site Development, LLC as the preferred developer for 78 Bridge Street, based on recommendations from the steering committee, and directs the City Attorney to draft a Land Disposition Agreement in accordance with the outline set forth in the original RFP, and Council also authorizes the

Mayor to execute the Land Disposition Agreement with Visone Co. Site Development, LLC.

Ayes: Alderman Schmigel, Marranca, Loncar, Lavey (4)

Abstain: DiBernardo (1)

CARRIED.

LATE COMMUNICATION

MOVED by Alderman Marranca SECONDED by Alderman DiBernardo

To bring the following communication to the floor.

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

Nays: None (0)

CARRIED.

#1.

Frank DiBernardo

January 7, 2025

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

Re: DEC Letter

Dear Honorable Body:

I would like to add a late comm to the agenda for January 7, 2025, for a receive and file letter from the DEC regarding 78 Bridge Street.

Frank DiBernardo
2nd Ward Alderman, Council President

MOVED by Alderman Marranca SECONDED by Alderman DiBernardo

That the Common Council hereby receives and files the letter from the DEC regarding Potential Hazardous Waste Disposal Site at 78 Bridge Street.

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

Nays: None (0)

CARRIED.

AUDIENCE PARTICIPATION

Frank Bodami & Sandy Bodami with Nostra Development – Shared their concerns that the city lost out on a 22 Acre Development on Tonawanda Island, because of the decision to award the RFP to another developer.

Sean Hopkins – with Nostra Development, asked the Council to rescind their decision on awarding the RFP to Visone Development for the 78 Bridge Street Property. Also stated that the letter from the NYSDEC doesn't concern them, because they have dealt with this before.

Joe LaDuci-Nostra Development-The city stated to them that they would work together with Nostra and to trust us. Also would ask the city and council to rescind their vote and give the process more time.

Brianne Frawley-Visone Development- Thanked the Council and reminded them that the RFP process started in May of this year and commends the steering committee.

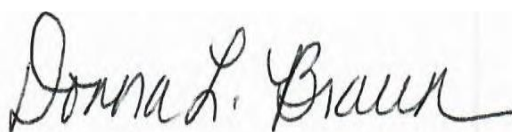
AMENDED 1/10/25

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: 7:05 P.M.

Respectfully submitted,

A handwritten signature in black ink that reads "Donna L. Braun". The signature is written in a cursive style with a long horizontal flourish at the end.

Donna L. Braun
City Clerk-Treasurer