

**THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, March 4, 2025
6:30 P.M.**

REGULAR SESSION CALLED TO ORDER BY PRESIDENT LAVEY

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Absent: None

Also Present: City Attorney Edward Zebulske III

AUDIENCE PARTICIPATION – None

APPROVAL OF THE MINUTES OF THE REGULAR SESSION FEBRUARY 18, 2025

**MOVED by Alderman DiBernardo SECONDED by Alderman Marranca
That the minutes of the regular session held February 18, 2025 be approved as circulated
and filed in the Office of the City Clerk.**

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

Nays: None (0)

CARRIED.

PROOF OF PUBLICATION PUBLISHED 2/1/2025

- 1.) Legal Notice- Public Hearing – To accept comments on a proposal to remove code Section 103-13.4H (2) from the Code of the City of North Tonawanda – Building Inspector

PROOF OF PUBLICATION PUBLISHED 2/11/2025 & 2/18/2025

- 1.) Legal Notice – Collection of the 2025 Niagara County Tax – City Clerk-Treasurer

PUBLICATION PUBLISHED 2/20/2025

- 1.) Legal Notice – Notice of intent to request release of funds to provide housing rehabilitation assistance to qualified, low-income homeowners.

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

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

Nays: None (0)

CARRIED.

COMMUNICATIONS FROM CITY OFFICIALS

I.1 Mayor

February 18, 2025

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

Re: Appointment to Zoning Board of Appeals – Paul Brown

Dear Honorable Body,

Please be advised I will be appointing Paul Brown, 1065 Walck Road, North Tonawanda, NY 14120 to the Zoning Board of Appeals. Mr. Brown will complete the term of Will Guagliardo effectively on March 1, 2025. This term will expire December 31, 2027.

Thank you for your attention to this matter.

**Respectfully,
Austin J. Tylec
Mayor**

MOVED by Alderman Marranca

SECONDED by Alderman

That the Common Council hereby makes no second motion for the receive and file for the appointment of Paul Brown to the Zoning Board of Appeals. Alderman DiBernardo spoke to put on record that he received a call from Sonia Dusza that she feels this appointment is a conflict of interest because of the various properties he owns within the city, and that it would be counter productive to the blight of the city.

Ayes: Alderman Marranca

(1)

Nays: None

(0)

Abstained: Alderman Schmigel, DiBernardo, Loncar, Lavey

(4)

CARRIED.

I.2 Mayor

February 19, 2025

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

**Re: Request for the Nomination of the Harriet Tubman Underground Railroad
NY Scenic Byway**

Dear Honorable Body,

I am writing to formally request the City's endorsement and support for the Harriet Tubman Underground Railroad NY Scenic Byway Nomination and Corridor Management Plan Adoption. This initiative represents an important opportunity to honor the legacy of Harriet Tubman, the Freedom Seekers, and the history of the Underground Railroad that shaped our nation.

The Steering Committee of the Scenic Byway is composed of stakeholders from 22 municipalities and various historical, governmental, and cultural organizations. Their collaborative efforts have resulted in a comprehensive plan that preserves the historic integrity of the byway and fosters cooperative partnerships among local and regional entities.

By supporting this resolution, we would be joining a collective movement to protect, promote, and celebrate the significance of the Harriet Tubman Underground Railroad New

York Scenic Byway, ensuring that future generations can learn from and appreciate this vital part of American history.

I look forward to your favorable review of this resolution and to working together in support of the Scenic Byway's goals.

Thank you for your consideration of this matter.

**Respectfully,
Austin Tylec
Mayor**

**MOVED by Alderman DiBernardo SECONDED by Alderman Lavey
That the Common Council at a regular meeting, held at City Hall, 216 Payne Avenue, North Tonawanda, New York at 6:30 pm on March 4, 2025, approves the resolution for the Harriet Tubman Underground Railroad New York Scenic Byway Nomination and Corridor Management Plan Adoption and it reads as follows:**

**Resolution for Harriet Tubman Underground Railroad New York Scenic Byway
Nomination and Corridor Management Plan Adoption**

WHEREAS, the historic qualities of the Harriet Tubman Underground Railroad New York Scenic Byway, as described in the corridor management plan, and the surrounding areas have been appreciated and celebrated for over a century by the residents of New York State, as well as tourists, historians, artists, authors and other visitors to the region; and it is the unique combination of the journeys of Harriet Tubman and those Freedom Seekers who traveled on the Underground Railroad that create the special sense of place that is vital in telling the New York story of the human desire for freedom and the historic sites they utilized during their journey to emancipation; and

WHEREAS, the Steering Committee of the Harriet Tubman Underground Railroad New York Scenic Byway, composed of representatives of 22 municipalities along the proposed scenic byway route, committed to working cooperatively to protect and promote the historic, scenic, recreational, and economic well-being of the 544-mile Corridor throughout the state and agreed to pursue the nomination of the Harriet Tubman Underground Railroad New York Scenic Byway; and

WHEREAS, under the leadership of the Harriet Tubman Underground Railroad New York Scenic Byway Steering Committee, each of the 22 counties contributed to the development of this corridor management plan by encouraging public participation, confirming the vision and goals, and leading individual meetings of the Collaborative; and

WHEREAS, the Steering Committee of the Harriet Tubman Underground Railroad New York Scenic Byway, consisting of relatives of Harriet Tubman, descendants of Freedom Seekers, Harriet Tubman and/or Underground Railroad historians, representatives from state and federal agencies, has strengthened the historic integrity, representation, and the principles of the corridor management plan; and

WHEREAS, in the process of developing this corridor management plan, the Harriet Tubman Underground Railroad New York Scenic Byway Steering Committee has strengthened the bonds of inter-municipal cooperation, and the involved entities envisions further benefit through scenic byway designation including sustained collaborative progress, increased funding opportunities for recommendations identified in the plan, enhanced partnerships with agencies responsible for the stewardship of resources along and adjacent to the byway route, and an improved visitor experience that interprets and promotes the corridor's intrinsic qualities and resources; and

NOW, THEREFORE, BE IT RESOLVED, that the City of North Tonawanda supports the designation of the Harriet Tubman Underground Railroad New York Scenic Byway which includes programs for stewardship and enhancement of the historic scenic byway and guidance to manage future activities along its corridor; and

BE IT FURTHER RESOLVED, that the City of North Tonawanda confirms that they will not approve any requests for new off-premise outdoor advertising signs along the designated Harriet Tubman Underground Railroad New York Scenic Byway route; and

BE IT FURTHER RESOLVED, that the Town of North Tonawanda will work in partnership with the other municipalities along the Harriet Tubman Underground Railroad New York Scenic Byway and local and regional stakeholders in order to support the future Byway programs, economic development, marketing, and collaborate with these interested entities to explore opportunities for cooperation to realize the Scenic Byway goals.

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

III. Clerk-Treasurer

February 24, 2025

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

Re: Volunteer Fire Companies Fundraising 2025

Dear Honorable Body:

As you have been made aware by the North Tonawanda Fire Chief, and in accordance with the NYS Comptroller's Office; all (6) North Tonawanda Volunteer Fire Companies are required to provide the City with a list of all fundraising activities on an annual bases.

In accordance with these regulations, I have reviewed the correspondence that I have received with the Fire Chief and have found them to be in order and in proper form.

I respectfully request that your Honorable Body vote in an affirmative to grant Live Hose #4, Columbia Hook & Ladder #1, Gratwick Hose Co. #6, Sweeney Hose Co. #7, and Active Hose Co. #2 permission to run their respective fundraisers for 2025.

I thank you in advance for your anticipated cooperation.

Sincerely,
 Donna L. Braun
 City Clerk-Treasurer

MOVED by Alderman DiBernardo SECONDED by Alderman Schmigel
That the Common Council hereby grants approval for Live Hose #4, Columbia Hook & Ladder #1, Gratwick Hose Co. #6, Sweeney Hose Co. #7, and Active Hose Co. #2 permission to run their respective fundraisers for 2025.

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

VII.1 Accountant

February 27, 2025

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 March 4th, 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 DiBernardo SECONDED by Alderman Schmigel
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated March 4th, 2025, and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$547,226.40
02	Water Fund	\$22,558.29
04	Sewer Fund	\$31,585.32
06	Capital Project Fund	\$242,047.90
07	Trust & Agency Fund	<u>\$9,719.21</u>
00	Final Total	<u>\$853,137.12</u>

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

VII.2 Accountant

February 27, 2025

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

Dear Honorable Body :

Attached, for your consideration, is a proposal to extend the current contract between AP Benefit Advisors, LLC, d/b/a Premier Consulting Associates, and the City of North Tonawanda. As you are aware, this company provides medical and prescription health plan consulting services for the City of North Tonawanda.

Should you Honorable body concur, please pass a resolution approving the Amendment to Extend the above-referenced agreement, subject to any further review by the City Attorney.

Warm Regards,
Jeffrey Zellner
City Accountant

MOVED by Alderman DiBernardo SECONDED by Alderman Lavey
That the Common Council hereby approves the attached proposal to extend the current contract between AP Benefit Advisors, LLC Premier Consulting Associates to provide medical and prescription health plan consulting services for the City of North Tonawanda.

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

XI. Fire Chief

February 18, 2025

Honorable Mayor Austin Tylec
 Common Council Members
 216 Payne Avenue
 North Tonawanda, NY 14120

Honorable Body,

In accordance with the City Charter of the City of North Tonawanda, and pursuant to the authority vested in me by §3.002.e thereof, I make the following promotion:

Captain Matthew S. Smolinski is promoted to the rank of Assistant Fire Chief within the City of North Tonawanda Fire Department.

A brief ceremony will be held on February 28, 2025, and Matthew will start as an Assistant Fire Chief on the aforementioned date.

Respectfully submitted,
 Douglas D. Orłowski
 Fire Chief

MOVED by Alderman Lavey

SECONDED by Alderman Loncar

That the Common Council hereby approves the appointment of Captain Matthew S. Smolinski to the rank of Assistant Fire Chief with the City of North Tonawanda Fire Department.

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

(5)

Nays: None

(0)

CARRIED.

XVII. Traffic Safety Committee

February 19, 2025

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

Traffic Safety Minutes:

The February 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, N. Phelps, M. Nalbone and R. Brennan. The minutes from the previous meeting were read and accepted, the following new concerns/requests were discussed, and recommendations made.

There are no requests for this month. Stop signs at Payne/Schenck are working well and the speeding complaints are low due to snow.

The next Traffic Safety Meeting will be held on March 24, 2025.

Travel safely!
 Matthew R. Meisenburg

MOVED by Alderman DiBernardo SECONDED by Alderman Schmigel
That the Common Council hereby receives and files the February Traffic Safety meeting minutes.

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

Nays: None (0)

CARRIED.

XXXII. Community Development

February 27, 2025

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

Dear Honorable Body,

As you are aware, Visone Co. Site Development was selected as the preferred developer for 78 Bridge Street on January 7th, 2025 by the North Tonawanda Common Council.

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.

The estimated total project cost is approximately \$21,882,600, with a sale price of \$380,900. This project aligns with our ongoing efforts to revitalize our waterfront, encourage smart growth, and enhance economic development opportunities within the city.

Visone Co. has demonstrated a strong commitment to high-quality development that complements our community’s vision for the future. Their Bridge Street Landing project at 78 Bridge Street will contribute to our growing downtown district by adding new residential and commercial opportunities, activating a key corridor, and strengthening connections between our waterfront and business areas. This project supports the goals outlined in our Downtown Revitalization Initiative, LWRP, BOA, and Comprehensive Plan, and will serve as a catalyst for further investment in the area.

I respectfully request your approval for the City of North Tonawanda to enter into a Purchase/Sales Agreement and Master Developer agreement for the Bridge Street Landing project at 78 Bridge Street and authorizing the Mayor to execute the agreement.

Thank you for your consideration.

**Sincerely,
 Laura Wilson
 Dir. Community Development**

MOVED by Alderman Marranca SECONDED by Alderman DiBernardo
That the Common Council hereby approves the attached Purchase/Sales Agreement and Master Developer agreement for the Bridge Street Landing project at 78 Bridge Street to Visone Co. and authorizes the Mayor to sign said agreement.

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

Nays: None (0)

CARRIED.

COMMUNICATIONS FROM OTHERS

A.

**Kathleen Zulia, Steven Zulia
Hilary Roe and Robert Roe**

February 15, 2025

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

Dear Honorable Body:

I, Kathleen Zulia, 1219 Bowen Drive West, Steven Zulia, 1219 Bowen Drive West, Hilary Roe, 757 Pioneer Drive, and Robert Roe, 757 Pioneer Drive are requesting to be appointed as a Commissioner of Deeds for the City of North Tonawanda.

**Sincerely,
Kathleen Zulia, Steven Zulia,
Hilary Roe, and Robert Roe**

MOVED by Alderman Lavey

SECONDED by Alderman Marranca

That the Common Council hereby grants permission for Kathleen Zulia, 1219 Bowen Drive West, Steven Zulia, 1219 Bowen Drive West, Hilary Roe, 757 Pioneer Drive, and Robert Roe, 757 Pioneer Drive to be appointed as Commissioner of Deeds for the City of North Tonawanda.

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

(5)

Nays: None

(0)

CARRIED.

B.

**Gabrielle Richards, Jason Richards
Guiseppe Mittiga and Judith Mittiga**

February 18, 2025

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

Dear Honorable Body:

I, Gabrielle Richards, 178 Seventeenth Ave, Jason Richards, 178 Seventeenth Ave, Guiseppe Mittiga, 316 Bryant St, and Judith Mittiga, 316 Bryant St, are requesting to be appointed as a Commissioner of Deeds for the City of North Tonawanda.

**Sincerely,
Gabrielle Richards, Jason Richards
Guiseppe Mittiga and Judith Mittiga**

MOVED by Alderman Lavey

SECONDED by Alderman Marranca

That the Common Council hereby grants permission for Gabrielle Richards, 178 Seventeenth Ave, Jason Richards, 178 Seventeenth Ave, Guiseppe Mittiga, 316 Bryant St, and Judith Mittiga, 316 Bryant St to be appointed as Commissioner of Deeds for the City of North Tonawanda.

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

(5)

Nays: None

(0)

CARRIED.

**E.
Halli Glina, Joyce Santiago
Thomas K. Murphy, Austin Tylec
and Darlene Bolsover**

February 24, 2025

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

Dear Honorable Body:

I, Halli Glina, 1385 Sweeney St., Joyce Santiago, 147 Eighth Ave., Thomas K. Murphy, 321 Wurlitzer Dr., and Austin Tylec, 121 Center Ave., Darlene Bolsover, 1337 Sweeney St., are requesting to be appointed as a Commissioner of Deeds for the City of North Tonawanda.

Sincerely,
Halli Glina, Joyce Santiago
Thomas K. Murphy and Austin Tylec

MOVED by Alderman Lavey SECONDED by Alderman Marranta
That the Common Council hereby grants permission for Halli Glina, 1385 Sweeney St., Joyce Santiago, 147 Eighth Ave., Thomas K. Murphy, 321 Wurlitzer Dr., Austin Tylec, 121 Center Ave., and Darlene Bolsover, 1337 Sweeney St., to be appointed as Commissioner of Deeds for the City of North Tonawanda.
Ayes: Alderman Schmigel, DiBernardo, Marranta, Loncar, Lavey (5)
Nays: None (0)
CARRIED.

AUDIENCE PARTICIPATION - None

Jack Kanack, 84 South Meadow Drive – Would like an update on the issues regarding his neighbor, City Attorney Zebulske said he thought the issue was resolved but would check on the situation again.

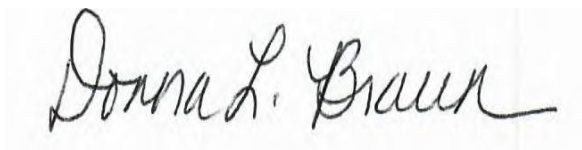
ADJOURNMENT

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

Time of Adjournment: 6:45 P.M.

****The City Attorney said that there was no need for the Executive Session****

Respectfully submitted,



Donna L. Braun
City Clerk-Treasurer