

**THE HONORABLE BODY  
Council Chambers  
Municipal Building  
North Tonawanda, New York 14120  
Tuesday, April 1, 2025  
6:30 P.M.**

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**REGULAR SESSION CALLED TO ORDER BY ALDERMAN MARRANCA**

**PLEDGE OF ALLEGIANCE**

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**ROLL CALL**

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

**Absent: Alderman Lavey**

**Also Present: Mayor Austin Tylec  
City Attorney Edward Zebulske III**

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**AUDIENCE PARTICIPATION – None**

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**APPROVAL OF THE MINUTES OF THE REGULAR SESSION MARCH 18, 2025**

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

**Ayes: Alderman Schmigel, DiBernardo, Marranca, Loncar                      (4)**

**Nays: None                      (0)**

**CARRIED.**

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**PROOF OF PUBLICATION PUBLISHED 3/18/2025**

**1.) Legal Notice- Request for Bids for the City Hall Elevator Modernization – City  
Engineer**

**PROOF OF PUBLICATION PUBLISHED 03/19/2025**

**1.) Legal Notice – Request for Bids for the North Tonawanda Weed and Brush Cutting  
Contract – Building Inspector**

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

**Ayes: Alderman Schmigel, DiBernardo, Marranca, Loncar                      (4)**

**Nays: None                      (0)**

**CARRIED.**

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**COMMUNICATIONS FROM CITY OFFICIALS**

**I. Mayor**

**March 27, 2025**

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

**Re: Appointment of Superintendent of Public Works**

**Dear Honorable Body,**

**Please receive and file the following notice that the Civil Service Certified Eligible List has been received for the North Tonawanda Superintendent of Public Works position. I have appointed John Urban as Superintendent of Public Works effective March 29, 2025.**

**Thank you for your attention and Congratulations to John Urban!**

**Respectfully,  
Austin Tylec  
Mayor**

**MOVED by Alderman DiBernardo      SECONDED by Alderman Schmigel  
That the Common Council hereby receives and files the appointment of John Urban as the Superintendent of Public Works for the City of North Tonawanda effective March 29, 2025.**

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

**(4)**

**Nays: None**

**(0)**

**CARRIED.**

**II. Attorney**

**March 12, 2025**

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

**Re: Ordinance Revisions – Section 98-8 (c) – Application for Water Service and  
Section 98-11 (c)(1) – Installation of Meters – Domestic Meters**

**Dear Honorable Body:**

**Below, for your consideration, are two proposed ordinance revisions (in bold print) under North Tonawanda City Code Chapter 98- Water.**

Section 98-8 Application for Water Service

C. When making a service application for newly-built structures, the consumer must come in person, sign the application, make **an** appointment for installation of the meter and pay a fee of \$200 for the installation of the meter. **In addition to the aforementioned installation cost of the meter, the consumer must pay the current cost and rate for the meter and labor established on the City website.** Property owner may furnish and install new City-approved meter with no charge by the City. Upon installation, meter must be inspected by the City Water Department.

## Section 98-11. Installation of Meters

- (1) The City of North Tonawanda will provide, and the Water Department will furnish, one (1) domestic meter up to and including a size of 5/8 by 3/4 inch to a property at no cost to the homeowner/property owner. If additional 5/8 by 3/4 meters are needed for the property, the property owner will be required to pay the current meter price and installation rate for each new and/or replacement meter. Once payment and installation is complete, the City of North Tonawanda will take ownership of all 3/4 inch domestic meters once installed.**

The Water Department shall install all such domestic meters, and the consumer shall be charged a service installation fee to be established by resolution of the Common Council. The Water Department will maintain, keep in repair, and adjust all domestic meters except as may be otherwise provided.

- (4) If a meter is frozen and needs to be replaced, the property owner will be charged the current cost and rate of a new meter and labor as provided on the City of North Tonawanda website.**

**If your Honorable Body concurs, please pass the appropriate resolutions for the City of North Tonawanda to allow these additions to our North Tonawanda City Code, subject to further review by the City Attorney.**

Very truly yours,  
Edward A. Zebulske III  
City Attorney

**MOVED by Alderman DiBernardo      SECONDED by Alderman Schmigel  
That the Common Council at a regular meeting, held at City Hall, 216 Payne Avenue, North Tonawanda, New York at 6:30 p.m. on April 1, 2025, approves the City Code Ordinance Revisions – Section 98-8 (c) – Application for Water Service and Section 98-11 (c)(1) – Installation of Meters – Domestic Meters and it reads as follows:**

## Section 98-8 Application for Water Service

C. When making a service application for newly-built structures, the consumer must come in person, sign the application, make an appointment for installation of the meter and pay a fee of \$200 for the installation of the meter. **In addition to the aforementioned installation cost of the meter, the consumer must pay the current cost and rate for the meter and labor established on the City website.** Property owner may furnish and install new City-approved meter with no charge by the City. Upon installation, meter must be inspected by the City Water Department.

## Section 98-11. Installation of Meters

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The Water Department shall install all such domestic meters, and the consumer shall be charged a service installation fee to be established by resolution of the Common Council. The Water Department will maintain, keep in repair, and adjust all domestic meters except as may be otherwise provided.

- (4) If a meter is frozen and needs to be replaced, the property owner will be charged the current cost and rate of a new meter and labor as provided on the City of North Tonawanda website.**

Ayes: Alderman Schmigel, DiBernardo, Marranta, Loncar (4)  
 Nays: None (0)  
**CARRIED.**

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### III. Clerk-Treasurer

March 21, 2025

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

**Re: Collection of 2025 City Taxes**

Dear Common Council:

I am requesting that the Council approve the Collector's Warrant for the collection of the 2025 City Taxes. The collection period will begin on April 1, 2025, and conclude on May 9<sup>th</sup>, 2025. Taxes paid after May 9<sup>th</sup> will be subject to interest and fees.

Regards,  
 Donna L. Braun  
 City Clerk-Treasurer

**MOVED** by Alderman DiBernardo      **SECONDED** by Alderman Marranta  
**That the Common Council hereby approves the Collector's Warrant for the North Tonawanda City Taxes in the amount of \$22,158,964.73 due May 9<sup>th</sup>, 2025.**

Ayes: Alderman Schmigel, DiBernardo, Marranta, Loncar (4)  
 Nays: None (0)  
**CARRIED.**

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### IV.1 Engineer

March 24, 2025

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

**Re: Erie Canal Bike Path Extension – Mayor's Park to Botanical Garden  
 PIN 5764.74, Contract Agreement for CI & CS Services**

Dear Honorable Body:

The City has been awarded grant funding through the NYSDOS, DASNY, Canal Corps, and NYSDOT for the extension of the bike path from Mayor's Park to the Botanical Garden. With the City match, the total funding for this project is \$2,079,500.00.

As part of the grant requirements for the NYSDOT, the services from a professional engineering firm are required for the Construction Inspection and Construction Support (CI & SC) on this project.

A request for qualifications in accordance with the Local Design Services Agreement (LDSA) – Consultant Selection Procedure furnished by the New York State County Highway Superintendents Associations (NYSCHSA), was issued in January 2025 and the City received five proposals from professional firms. A review committee was convened with representation from City Engineering, Community Development, Lumber City Development Corporation, Parks and Recreation, and the Department of Public Works, to review the proposals and provide a recommendation to the Council.

Upon review, the committee is recommending the city select C&S Companies to perform the CI & CS services. C&S Companies is a local firm with experience in transportation engineering design. The review committee felt the team assembled by C&S Companies demonstrated the experience, expertise, and capacity to complete this project for the City.

I am hereby requesting this honorable body consider selecting C&S Companies to complete the CI & CS services for the Erie Canal Bike Path Extension Project from Mayor's Park to the Botanical Garden and authorize the Mayor to sign a contract with C&S Companies, pending review and approval by the City Attorney, for the proposed fee of \$186,000.

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

Very truly yours,  
Chelsea L. Spahr, P.E.  
City Engineer

**MOVED** by Alderman DiBernardo      **SECONDED** by Alderman Marranca  
That the Common Council hereby approves C&S Companies to complete the CI & CS services for the Erie Canal Bike Path Extension Project from Mayor's Park to the Botanical Garden and authorizes the Mayor to sign said contract with C&S Companies, for the proposed fee of \$186,000.

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

Nays: None (0)

**CARRIED.**

IV.2 Engineer

March 24, 2025

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

**Re: Erie Canal Bike Path Extension – Mayor's Park to Botanical Garden  
PIN 5764.74, Supplemental Agreement No.3**

Dear Honorable Body:

Additional ROW work is required for this project that was not part of the original scope with C&S. This work includes preparation of additional ROW maps for land acquisition at the Nor Ton Red Jacket Club, formerly Canal Corp land, and research and mapping to confirm property acquisition easements on Canal Corp lands where the new bike path will be.

I therefore recommend that the Common Council authorize the Mayor to sign the enclosed Supplemental Agreement No.3 for the additional design scope with C&S Companies, 141 Elm Street, Buffalo, NY 14203; in an amount not to exceed \$20,042.00; subject to review by the City Attorney.

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

Very truly yours,  
Chelsea L. Spahr, P.E.  
City Engineer

**MOVED** by Alderman Marranca      **SECONDED** by Alderman DiBernardo  
 That the Common Council hereby authorizes the Mayor to sign the enclosed Supplemental Agreement No.3 for the additional design scope with C&S Companies, 141 Elm Street, Buffalo, NY 14203; in an amount not to exceed \$20,042.00.

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

Nays: None (0)

**CARRIED.**

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#### IV.3 Engineer

March 27, 2025

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

**Re: Project 2018-05; Live Hose Floor Repair Project  
 Approval of Change Order and Final Project Acceptance**

Dear Honorable Body:

Approval of Change Order No.1 and final acceptance of the Live Hose Floor Repair Project is hereby requested. The change order is to balance the project. Attached is the change order showing the deductions at the end of the project.

Accordingly, I respectfully request that the Common Council approve the deduct Change Order No.1 for the Live Hose Floor Repair Project in the amount of \$341.12 with Walter S. Johnson Bldg. Co. Inc., 6638 Mooradian Drive, Niagara Falls, NY 14302; decreasing the contract amount from \$235,116.00; to the final contract amount of \$234,774.88; 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,  
 Travis J. Sikora, E.I.T.  
 Assistant City Engineer

**MOVED** by Alderman Marranca      **SECONDED** by Alderman Loncar  
 That the Common Council hereby approves the deduct Change Order No.1 for the Live Hose Floor Repair Project in the amount of \$341.12 with Walter S. Johnson Bldg. Co. Inc., 6638 Mooradian Drive, Niagara Falls, NY 14302; decreasing the contract amount from \$235,116.00; to the final contract amount of \$234,774.88; and authorizes the mayor to sign said change order. The Common Council also accepts this project as complete and approves the final payment.

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

Nays: None (0)

**CARRIED.**

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#### VII.1 Accountant

March 26, 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 April 1<sup>st</sup>, 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 April 1<sup>st</sup>, 2025, and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$656,282.31
02	Water Fund	\$17,256.13
04	Sewer Fund	\$91,391.43
06	Capital Project Fund	\$54,693.69
07	Trust & Agency Fund	\$9,127.99
00	Final Total	<u>\$828,751.55</u>

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

Nays: None (0)

CARRIED.

## VII.2 Accountant

March 26, 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 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 2025 appropriations, based on the request of the Department Head, copy attached.

<u>Amount</u>	<u>Increase Account</u>	<u>Decrease Account</u>
\$13,000	001.7180.0100 Swimming Pool -Personal Services	001.9060.0807 Medical Insurance

Reason: With construction for the Pool not anticipated to start until after our summer season. Parks superintendent and the mayor are proposing that we allocate funds to open the Raindrop pool. This is possible due to the savings generated by our Medical RFP.

Warm Regards,  
Jeffrey Zellner  
City Accountant

MOVED by Alderman DiBernardo                      SECONDED by Alderman Loncar  
That the Common Council hereby authorizes the City Accountant to make the following Budgetary Transfer of fiscal year 2025 appropriations, based on the request of the Department Head:

<u>Amount</u>	<u>Increase Account</u>	<u>Decrease Account</u>
\$13,000	001.7180.0100 Swimming Pool -Personal Services	001.9060.0807 Medical Insurance

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

Nays: None (0)

**CARRIED.**

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#### **XI. Fire Chief**

March 25, 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:

Firefighter David P. Cole is promoted to the rank of Captain within the City of North Tonawanda Fire Department.

A brief ceremony will be held in the Council Chambers on March 28, 2025, beginning at 9:30 am, and David will start as a Captain on the aforementioned date.

Respectfully submitted,  
Douglas D. Orłowski  
Fire Chief

**MOVED** by Alderman DiBernardo      **SECONDED** by Alderman Marranca  
That the Common Council hereby approves the appointment of David P. Cole to the rank of Captain, with the City of North Tonawanda Fire Department, effective March 28, 2025.

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

Nays: None (0)

**CARRIED.**

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#### **XIV. Dir. Youth, Recreation, Parks & Seniors**

March 26, 2025

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

Dear Mayor Tylec and Common Council,

I am requesting approval to sign a Memorandum of Agreement between the City and the Tonawanda Soccer Club allowing their use of the soccer fields located at Gratwick Riverside Park for their soccer program under the terms of the agreement. The MOA has been forwarded to the City Attorney's office for review.

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





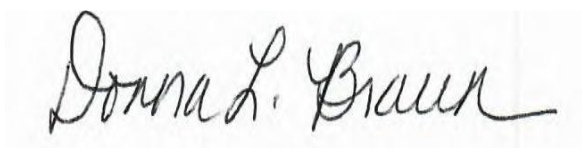
**ADJOURNMENT**

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

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**Time of Adjournment: 6:53P.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**