

**THE HONORABLE BODY  
Council Chambers  
Municipal Building  
North Tonawanda, New York 14120  
Tuesday, December 16, 2025  
6:30 P.M.**

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**REGULAR SESSION CALLED TO ORDER BY PRESIDENT LAVEY**

**PLEDGE OF ALLEGIANCE**

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**ROLL CALL**

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

**Absent: Alderman, Loncar, DiBernardo**

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

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**AUDIENCE PARTICIPATION –**

**Joe Midura, 115 10<sup>th</sup> Avenue – Is Concerned about the Water Meter Changes.**

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**PROOF OF PUBLICATION PUBLISHED 11/29/2025**

**1) Legal Notice – Public Hearing for proposed Local Law No. 1 of 2026 entitled  
Establishing Sewer Rates for 2026 – City Clerk-Treasurer**

**2) Legal Notice – Public Hearing for CDBG Economic Development Project  
#822ED505-22 – Dir. Community Development**

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

**Ayes: Alderman Schmigel, Marranca, Lavey (3)**

**Nays: None (0)**

**CARRIED.**

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**APPROVAL OF THE MINUTES OF THE REGULAR SESSION DECEMBER 2, 2025**

**MOVED by Alderman Schmigel                      SECONDED by Alderman Marranca  
That the minutes of the regular session held December 2, 2025 be approved as circulated  
and filed in the Office of the City Clerk.**

**Ayes: Alderman Schmigel, Marranca, Lavey (3)**

**Nays: None (0)**

**CARRIED.**

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## 12-16-2025

## II.2 Attorney

December 11, 2025

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

**Re: Ordinance Revisions: (1) §98-2(S) – Conditions of Service, (2) §98-2(T) – Conditions of Service, (3) §98-2(J) – Conditions of Service, (4) §98-14 Penalties for Offenses**

Dear Honorable Body,

Below for your consideration, are four (4) proposed ordinance revisions (in bold print) under North Tonawanda City Code Chapter 98 – Water

### **§98-2(J) Conditions of Service:**

A. The Water Department Inspector, meter reader or other properly authorized representative shall have access, at all reasonable hours, to the premises supplied for the setting, reading, repairing or removing meters or for making necessary repairs. Replacement of meters shall be at the discretion of the Water Department. If access to the premises is not made available, a non-refundable fee of \$50 per month will be charged until access is granted. **When such access is refused for six (6) months, water may be turned off with no further notice to the property owner. The Water Department reserves the right to shut off water at their curb box with no liability assigned to the department. Option 1: Homeowners will be required to allow access, obtain a plumbing permit, hire a licensed plumber to resume service, and comply with all other regulations in §98 of the North Tonawanda City Code before water may be turned on. This provision is retroactive to the date of first notice sent to the homeowner.**

Or

**Option 2: Water may be turned on after access to the premises is acquired by the North Tonawanda Water Department, and after it is established that turning the water on does not further damage property. This provision is retroactive to the date of first notice sent to the homeowner**

### **NEW:**

### **§98-2(S)(T) Conditions of Service**

S. **After a homeowner or resident's non-compliance with any provision of Section 98 of the North Tonawanda water code, and after reasonable notice and inquiry, any water department employee who may be designated, upon exhibition of proper credentials or badges of the department, at reasonable hours shall have access to such premises. When such access is refused, the water may be turned off at the option of the Superintendent and not turned on again until after access is allowed, and the current fee, as set by the Water Department Fee schedule, has been paid to the Water business office. This procedure shall not be considered exclusive but is in addition to any other remedy available by law.**

T. **All pipes, curb stops and curb stop boxes are considered the property of the property owner, who shall be responsible for any leakage which may occur between the water main in the street and the building supplied. It shall be the responsibility of the property owner to maintain the curb box in a manner that is easily accessible and in good working order. The North Tonawanda Water Department reserves the right to shut off or turn on the water at their curb box, and will be held harmless of liability I regards to same.**

### **§98-14 Penalties for Offenses:**

12-16-2025



### III.2 Clerk-Treasurer

**December 10, 2025**

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

**Re: Account Clerk/ Senior Account Clerk**

**Dear Honorable Body,**

**I humbly request that the Common Council upgrade the two (2) Account Clerk positions to Senior Account Clerk positions. My request to you comes as we look to the future of both the Treasurer's office and the Clerk's office. We will have retirements in both offices within the next two years.**

**I have already reached out to Civil Service; the present Account Clerk's qualified to be a Senior Account Clerk. Moving forward with this action, once approved I will work with both Civil Service and CSEA Union to move forward with this plan.**

**The budgetary cost is minimal.**

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

**MOVED by Alderman Lavey                      SECONDED by Alderman Marranca**  
**That the Common Council hereby tables the aforementioned request.**

**Ayes: Alderman Schmigel, Marranca, Lavey (3)**  
**Nays: None (0)**  
**CARRIED.**

## VII. Accountant

**December 11, 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 December 16<sup>th</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 Schmigel**  
**That the Common Council hereby authorizes for payment the current Abstract of Claims**  
**for Common Council Audit dated December 16<sup>th</sup>, 2025, and further authorizes the Mayor**  
**and City Clerk-Treasurer to respectively sign and countersign said Warrant:**

01	General Fund	\$333,543.61
02	Water Fund	\$23,104.41
04	Sewer Fund	\$130,165.66
06	Capital Project Fund	\$253,294.16
07	Trust & Agency Fund	<u>\$30,637.38</u>
00	Final Total	<u>\$770,745.22</u>

Ayes: Alderman Schmigel, Marranca, Lavey (3)  
Nays: None (0)  
CARRIED.

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XXV. Monthly Reports

.1 Clerk-Treasurer      .2 Senior Citizen Center

MOVED by Alderman Lavey                      SECONDED by Alderman Schmigel  
That the Common Council hereby receives and files the aforementioned Monthly Reports.  
Ayes: Alderman Schmigel, Marranca, Lavey (3)  
Nays: None (0)  
CARRIED.

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LATE COMMUNICATION

MOVED by Alderman Marranca                      SECONDED by Alderman Schmigel  
To bring the following communication to the floor.  
Ayes: Alderman Schmigel, Marranca, Lavey (3)  
Nays: None (0)  
CARRIED.

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#1.  
Attorney

December 16, 2025

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

Re: Extension of MOU’s During Collective Bargaining Agreement Negotiations

Dear Honorable Body:

It has come to our attention that two current MOU’s between the City of North Tonawanda and the AFSCME union below are due to expire on December 31, 2025. They are:

- 1) Section 5.49(B) regarding the use of seasonal help in sanitation and recycling positions as needed, and
- 2) Section 7.22, Job Group H-6 – regarding pay rate extension for Heavy Equipment Mechanics and the Heavy Equipment Mechanic Supervisor

As contact negotiations are currently ongoing, and these issues are being addressed in the negotiations, we request your consideration in extending the terms of these MOUs until such time as we are able to deal with them in near future negotiation sessions.

Thank you for your consideration and, should you have any questions, do not hesitate to contact me.

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

**MOVED** by Alderman Lavey                      **SECONDED** by Alderman Marranca  
That the Common Council hereby approves the extension of the two MOUs between the City of North Tonawanda and AFSCME union:

- 1) Section 5.49(B) regarding the use of seasonal help in sanitation and recycling positions as needed, and
- 2) Section 7.22, Job Group H-6 – regarding pay rate extension for Heavy Equipment Mechanics and the Heavy Equipment Mechanic Supervisor

Until negotiations are finalized.

Ayes: Alderman Schmigel, Marranca, Lavey (3)  
Nays: None (0)  
**CARRIED.**

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**AUDIENCE PARTICIPATION** - None

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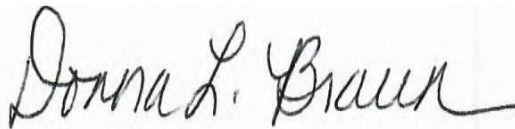
**ADJOURNMENT**

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

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**Time of Adjournment: 7:02 P.M.**

Respectfully submitted,



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