

Publications.**Ayes: Alderman Schulmeister, Murphy, Lavey, Richards****(4)****Nays: None****(0)****CARRIED.****COMMUNICATIONS FROM CITY OFFICIALS****III. Clerk-Treasurer****May 12, 2026****Honorable Mayor and Common Council****216 Payne Avenue, City Hall****North Tonawanda, NY 14120****Dear Honorable Mayor and Common Council:****Please be advised that I have received payment in full for back City, School and County taxes, per their tax agreement with the City, for the following parcel:****182.61-3-39 20 First Avenue Gordon Bailey****Therefore, please pass the necessary resolution withdrawing this parcel from the appropriate In Rem foreclosure proceeding.****Very truly yours,
Denise Proefrock
Assistant City Treasurer****MOVED by Alderman Lavey****SECONDED by Alderman Murphy****That the Common Council hereby approves the removal of the following parcel from the appropriate In Rem foreclosure proceeding:****182.61-3-39 20 First Avenue Gordon Bailey****Ayes: Alderman Schulmeister, Murphy, Lavey, Richards****(4)****Nays: None****(0)****CARRIED.****IV.1 Engineer****May 12, 2026****Honorable Austin J. Tylec, Mayor****And Common Council Members****City Hall, 216 Payne Avenue****North Tonawanda, NY 14120****Re: Payne Park Aquatic Facility Construction Inspection Services****Dear Honorable Body:****The City through grant funding from both the State and Federal governments, will be constructing a new outdoor aquatic facility at Payne Park starting this year. The City intends to procure the services of a professional engineering firm to oversee the construction inspection of the project. The firm's responsibilities will include all tasks outlined in their attached proposal.**

A request for proposals was issued in April 2026 and the City received six (6) proposals from professional firms. A review committee was convened with representation from City Engineering, Community Development, and Parks and Recreation to review the proposals and provide a recommendation to the Council.

Upon review, the committee is recommending the City select Nussbaumer & Clarke, Inc. to perform the construction inspection of the Payne Park Aquatic Facility. Nussbaumer is a local firm who has expertise in municipal park project engineering and inspection. The review committee felt the team assembled by Nussbaumer demonstrated the experience, expertise, and capacity to complete the inspection for this transformative project for the City.

I am hereby requesting this honorable body consider selecting Nussbaumer to complete the Construction Inspection for the Payne Park Aquatic Facility and authorize the Mayor to sign a contract with Nussbaumer, pending review and approval by the City Attorney, for the proposed fee of \$416,020.00

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 Richards **SECONDED** by Alderman Schulmeister
That the Common Council hereby approves Nussbaumer and Clarke Inc. to complete the Construction Inspection for the Payne Park Aquatic Facility for the proposed fee of \$416,020.00 and authorizes the Mayor to sign said contract.

Ayes: Alderman Schulmeister, Murphy, Lavey, Richards (4)

Nays: None (0)

CARRIED.

IV.2 Engineer

May 13, 2026

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

**Re: Project 2024-04: Smart Growth 2.0 CFP Improvements Project
Approval of Change Order No. 5**

Dear Honorable Body:

Approval of Change order No. 5 for the Smart Growth 2.0 Improvements Project is hereby requested. The change order is for the additional cost of changes made to the project. These changes include additional concrete work at CFP and repairs to damaged concrete in front of 67 Webster Street. Attached is a change order listing the additions that are to be performed on this project and their associated costs.

Accordingly, I respectfully request that the Common Council approve add Change Order No. 5 for the Smart Growth 2.0 CFP Improvements Project in the amount of \$9,022.54 with Miller Construction Services, 3305 Haseley Drive, Niagara Falls, NY 14304; increasing the contract amount from \$1,068,351.09; to the contract amount of \$1,077,373.63; authorizing the Mayor to sign said change order.

Very truly yours,
Travis J. Sikora, E.I.T.
Assistant City Engineer

On May 13th, 2026, bids were received and opened for Ferric Chloride services at the Wastewater Treatment Plant.

Bason upon the bids that were received, I recommend that PVS Technologies Inc. 10900 Harper Ave. Detroit, MI be awarded the one (1) year contract at their bid price of \$1,248.00 / ton.

Please contact me if you have any questions or concerns regarding this Bid Award. Thank you for your time and consideration of my request.

Very truly yours,
Jason W. Koepsell
Supt. Water/Wastewater

MOVED by Alderman Lavey **SECONDED** by Alderman Schulmeister
That the Common Council hereby awards the bid for Ferric Chloride at the Wastewater Treatment Plant to PVS Technologies Inc. 10900 Harper Ave. Detroit, MI for a (1) year contract at their bid price of \$1,248.00 / ton.

Ayes: Alderman Schulmeister, Murphy, Lavey, Richards (4)

Nays: None (0)

CARRIED.

VII. Accountant

May 14, 2026

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 May 19th, 2026, 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 Richards **SECONDED** by Alderman Murphy
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated May 19th, 2026, and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$239,758.39
02	Water Fund	\$106,272.02
04	Sewer Fund	\$198,001.23
06	Capital Project Fund	\$293,087.08
07	Trust & Agency Fund	<u>\$7,672.70</u>
00	Final Total	<u>\$844,791.42</u>

Ayes: Alderman Schulmeister, Murphy, Lavey, Richards (4)

Nays: None (0)

CARRIED.

345 Delmar Rd. is presently Zoned M-2 General Industrial District. But is located in a predominantly residential area.

I ask that the M-2 General Industrial District Zoning be converted to R-2 General Residence District.

If permitted this zoning adjustment will allow the vacant parcel to be merged with the adjacent parcel at 344 Summit Blvd. North Tonawanda, NY 14120 SBL#75.20-3-11.

This action has several positives:

- The property owner will have greater flexibility over the use of their property.
- This will eliminate a non-conforming parcel on a street that no longer exists.
- Remove a significant zoning conflict.

Thank you for your consideration.

Respectfully,
Robert C. DePaolo
Building Inspector

MOVED by Alderman Richards **SECONDED** by Alderman Lavey
That the Common Council hereby approves the re-zoning of the vacant land-locked parcel known as 345 Delmar Rd. North Tonawanda, NY 14120 SBL#175.20-3-33, from a M-2 General industrial District to a R-2 General Residence District.

Ayes: Alderman Schulmeister, Murphy, Lavey, Richards (4)

Nays: None (0)

CARRIED.

XXV. Monthly Reports

- .1 Senior Citizen Center
- .2 Clerk-Treasurer

MOVED by Alderman Lavey **SECONDED** by Alderman Richards
That the Common Council hereby receives and files the aforementioned Monthly Reports.

Ayes: Alderman Schulmeister, Murphy, Lavey, Richards (4)

Nays: None (0)

CARRIED.

COMMUNICATIONS FROM OTHERS

A.
Rescue Fire Company

May 4, 2026

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

On behalf of Rescue Fire Company No.5 I am writing to request a service recognition certificate for a member who has reached their 35-year milestone. He was inadvertently left off our original request.

35 Years
Robert Burgess Joined 7/3/1987

