

PLEDGE OF ALLEGIANCE

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

Kevin O'Connor-1064 Remington- He also would agree with the prior speaker, that the 65 reading should be lower. He stated that municipalities around our area is lower. He would like the council to consider looking at this once again.

Ayes: Alderman Schulmeister, Roe, Murphy, Lavey, Richards (5)
Nays: None (0)
CARRIED.

Ayes: Alderman Schulmeister, Roe, Murphy, Lavey, Richards (5)
Nays: None (0)
CARRIED.

01-20-2026

CARRIED.

01-20-2026

I.2 Mayor

January 15, 2026

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

Re: Updated Noise Control Ordinance – Submission for Council Review and Adoption

Dear Honorable Body,

Enclosed is the updated *Noise Control Ordinance of the City of North Tonawanda*, prepared through several months of work by our multi-member Steering Committee with support from the Noise Pollution Clearinghouse, council Members and input from residents, businesses, and city departments.

This revised ordinance represents a significant step forward in modernizing our community’s approach to sound management. It incorporates measurable sound limits using both *dBA* and *dBC* standards, updates enforcement and penalty provisions, clarifies definitions, and establishes clear operating hours for residential and commercial properties. Importantly, it balances quality of life for residents with the practical needs of businesses and public events.

I want to extend my sincere thanks to the committee members, department staff, council members, and community participants whose input shaped this final draft. Their dedication and professionalism have resulted in a comprehensive, enforceable, and modern ordinance that reflects both technical best practices and local realities.

I respectfully submit this updated ordinance to the Common Council for formal review and adoption consideration. Its passage will mark a meaningful milestone in our ongoing efforts to address noise-related concerns responsible and proactively.

Thank you for your attention and partnership as we continue improving the standards and livability of North Tonawanda for all.

**Respectfully,
Austin Tylec
Mayor**

**MOVED by Alderman Richards SECONDED by Alderman Schulmeister
That the Common Council hereby tables the aforementioned request for further review.
Ayes: Alderman Schulmeister, Roe, Murphy, Lavey, Richards (5)
Nays: None (0)
CARRIED.**

II.1 Attorney

September 9, 2025

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

Re: Code Revisions §51 D (3) – Registration of Rental Units

Dear Honorable Body,

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. 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.**

NEW:

§98-2 (S) 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.**

Chapter 98-11 Installation of Meters

C. Domestic Meters

- (1) The City of North Tonawanda will provide, and the Water Department will furnish 1 domestic meter up to and including a size of 5/8 by 3/4 inch or 1 inch meter based on service line size to a property at no cost to the homeowner/property owner. If additional 5/8 by 3/4 inch or 1 inch 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 and 1 inch domestic meters once installed.**

NEW:

§98-2 (T) Conditions of Service:

- 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 with and will be held harmless of liability in regards to same.**

§98-14 Penalties for Offenses:

- A. Any person, firm or corporation violating any provisions of this chapter, to include tampering with the meter, shall be fined \$500.00 for each offense. Further, if any monetary credit exists at the time a meter is found to have been tampered with, that existing credit shall be null and void. If it is found that a meter has been bypassed, or the meter does not exist, the Water Department reserves the right to shut off water at the curb box with no liability assigned to the department. The building inspector and Code Enforcement Officer shall be responsible for enforcing compliance with this chapter.**

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,
Mario J. Gregori, Esq.
 Assistant City Attorney

MOVED by Alderman Schulmeister SECONDED by Alderman Roe
That the Common Council at a regular meeting, held at City Hall, 216 Payne Avenue, North Tonawanda, New York at 6:30 pm on January 20, 2026, approves the Amendment to the North Tonawanda City Code Chapter 98 Water and it reads as follows:

§ 98-2 (J) Conditions of Service:

- J. 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. 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.**

NEW:

§98-2 (S) Conditions of Service:

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Ayes: Alderman Schulmeister, Roe, Murphy, Lavey, Richards (5)
Nays: None (0)
CARRIED.

VII.1 Accountant

January 15, 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 January 20th, 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 Lavey SECONDED by Alderman Roe
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated January 20th, 2026, and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$1,085,523.32
02	Water Fund	\$36,713.33
04	Sewer Fund	\$185,486.93
06	Capital Project Fund	\$176,871.06
07	Trust & Agency Fund	<u>\$37,680.57</u>
00	Final Total	<u>\$1,522,275.21</u>

Ayes: Alderman Schulmeister, Roe, Murphy, Lavey, Richards (5)
Nays: None (0)
CARRIED.

VII.2 Accountant

January 6, 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 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 2026 appropriations, based on the request of the Department Head, copy attached.

<u>Amount</u>	<u>Increase Account</u>	<u>Decrease Account</u>
\$40,000	001.1430.0100 Human Resource -Personal Services	001.1420.0100 Law-Personal Services
<u>Amount</u>	<u>Increase Account</u>	<u>Decrease Account</u>
\$10,000	001.1430.0410 Human Resource Administration	001.1420.0100 Law-Personal Services

Warm Regards,
Jeffrey Zellner
City Accountant

MOVED by Alderman Schulmeister SECONDED by Alderman Roe
That the Common Council hereby authorizes the City Accountant to make the following
Budgetary Transfer of fiscal year 2026 appropriations, based on the request of the
Department Head:

<u>Amount</u>	<u>Increase Account</u>	<u>Decrease Account</u>
\$40,000	001.1430.0100 Human Resource -Personal Services	001.1420.0100 Law-Personal Services
<u>Amount</u>	<u>Increase Account</u>	<u>Decrease Account</u>
\$10,000	001.1430.0410 Human Resource Administration	001.1420.0100 Law-Personal Services

Ayes: Alderman Schulmeister, Roe, Richards (3)
Nays: Alderman Murphy, Lavey (2)
CARRIED.

VII.3 Accountant

January 15, 2026

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

Dear Honorable Body:

Please review and approve the 1.1.2026– 12.31.2026 part-time wage schedule as presented.

Nays: None
CARRIED.

$$(0)$$

XXVII. Annual Reports

.1 Clerk-Treasurer

MOVED by Alderman Roe SECONDED by Alderman Schulmeister

That the Common Council hereby receives and files the aforementioned Annual Report.

Ayes: Alderman Schulmeister, Roe, Murphy, Lavey, Richards (5)

Nays: None (0)

CARRIED.

(5)

$$(0)$$

COMMUNICATIONS FROM OTHERS

A.

Marine Corps League

January 9, 2026

**Hon. Mayor Austin Tylec
And Common Council
216 Payne Avenue
North Tonawanda, NY 14120**

Re: Pavilion Request

Honorable Body:

The Conrad F. Kania Detachment of the Marine Corps League hereby requests a waiver of the fee normally charged to use the large pavilion behind our Monument located in the Raymond Klimek Veteran's Park on August 8, 2026, from 9:00am to 2:00pm for our summer picnic. We are expecting many Marines to attend this year's picnic from the Western New York area.

Thank you for your consideration.

**Sincerely,
Paul T. Schultz Jr.
Past Commandant**

MOVED by Alderman Schulmeister SECONDED by Alderman Roe
The Common Council hereby approves of waiving the large pavilion fee at Raymond Klimek Veteran’s Park to The Conrad F. Kania Detachment of the Marine Corps League, on August 8, 2026, from 9am to 2pm for their summer picnic.
Ayes: Alderman Schulmeister, Roe, Murphy, Lavey, Richards **(5)**
Nays: None **(0)**
CARRIED.

(5)

$$(0)$$

B.

Katherine Alexander

January 8, 2026

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

I Katherine Alexander, 1575 Master Street, North Tonawanda, NY as requesting to be reappointed as a Commissioner of Deeds for the City of North Tonawanda.

Thank you.

Sincerely,
Katherine Alexander

MOVED by Alderman Roe **SECONDED** by Alderman Lavey
That the Common Council hereby grants permission for Katherine Alexander, 1157 Master St., North Tonawanda, NY to be reappointed as a Commissioner of Deeds for the City of North Tonawanda effective March 6, 2026, and expiring March 5, 2028.
Ayes: Alderman Schulmeister, Roe, Murphy, Lavey, Richards (5)
Nays: None (0)
CARRIED.

AUDIENCE PARTICIPATION - None

ADJOURNMENT

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

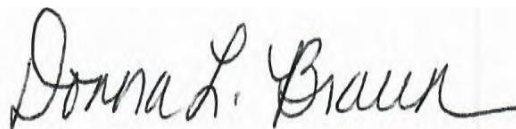
Time of Adjournment: 7:15 P.M.

MOVED by Alderman Roe **SECONDED** by Alderman Lavey
For the Common Council to go into an Executive Session.
CARRIED.

MOVED by Alderman Richards **SECONDED** by Alderman Murphy
For the Common Council to go out of the Executive Session.
CARRIED.

Time of adjournment: 7:52 PM

Respectfully submitted,



Donna L. Braun
City Clerk-Treasurer