

The elimination of this position will result in the City having less input on traffic safety, as well as the City having no control over the revenue generated.

Therefore, attached is a request for your Honorable Body to reconsider your recent transfer of funds from the City Attorney's office in order to establish a new unrelated city department, and to restore City Attorney budget funding to keep our local prosecutions done in house by our Assistant City Attorney, Mr. Moshir.

Should your Honorable Body concur, please pass a resolution to rescind your prior transfer of funds in the amount of \$50,000 from City Attorney's annual budget, thereby enabling us to continue in-house prosecutions in our City Court of the City of North Tonawanda. In the alternative, I urge you to consider adding a stand-alone City Prosecutor position.

Sincerely,
Edward A. Zebulske III
City Attorney

MOVED by Alderman Lavey **SECONDED** by Alderman
That the Common Council hereby did not have a second vote, so the aforementioned request was not passed.

Ayes: Alderman Lavey (1)

Nays: None (0)

CARRIED.

III.1 Clerk-Treasurer

March 17, 2026

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

Re: Volunteer Fire Companies Fundraising 2026

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 basis.

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 the affirmative to grant Live Hose #4, Columbia Hook & Ladder #1, Gratwick Hose Co. #6, Rescue Fire Co. #5, Sweeney Hose Co. #7 and Active Hose Co. #2 permission to run their respective fundraisers for 2026

I thank you in advance for your anticipated cooperation.

Sincerely,
Donna L. Braun
City Clerk-Treasurer

MOVED by Alderman Schulmeister **SECONDED** by Alderman Roe
That the Common Council hereby grants permission for Live Hose #4, Columbia Hook & Ladder #1, Gratwick Hose Co. #6, Rescue Fire Co. #5, Sweeney Hose Co. #7 and Active Hose Co. #2 to run their respective fundraisers for 2026

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

Nays: None (0)

CARRIED.

III.2 Clerk-Treasurer

March 24, 2026

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

Re: Collection of 2026 City Taxes

Dear Common Council:

I am requesting that the Council approve the Collector's Warrant for the collection of the 2026 City Taxes. The collection period will begin on April 1, 2026, and conclude on May 8th, 2026. Taxes paid after May 8th will be subject to interest and fees.

Regards,
Donna L. Braun
City Clerk-Treasurer

MOVED by Alderman Schulmeister **SECONDED** by Alderman Richards
That the Common Council hereby approves the Collector's Warrant for the North Tonawanda City Taxes in the amount of \$23,160,833.21 due May 8th, 2026.

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

Nays: None (0)

CARRIED.

IV.1 Engineer

March 25, 2026

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

Re: NYSDOT Yearly Maintenance Permit – Undertaking Resolution

Honorable Body:

The City is in the process of obtaining an Annual Maintenance Permit with the New York State Department of Transportation (NYSDOT). This permit will allow the City to maintain and repair, including emergencies, our utilities that are within NYSDOT rights-of-way. A requirement for obtaining this permit is for the City to pass the attached Municipal Undertaking resolution.

I respectfully request that the attached undertaking resolution be adopted by the Common Council to allow us to obtain an Annual Maintenance Permit with the NYSDOT and authorize the Mayor to sign the undertaking subject to review by the City Attorney.

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

MOVED by Alderman Roe **SECONDED** by Alderman Lavey
That the Common Council at a regular session meeting, held at City Hall, 216 Payne Avenue, North Tonawanda, New York at 6:30 PM on April 7th, 2026, approved the attached Undertaking Resolution to allow the City to obtain an Annual Maintenance Permit with the NYSDOT and authorizes the Mayor to sign said Undertaking Resolution.

On March 10, 2026, four (4) bids were received and opened by the City Clerk for the Intersection Improvements at Payne Avenue/Meadow Drive Contract. The results are as follows:

Total Base Bid:

1. Milherst Construction	\$1,149,591.16
2. Nova Site	\$1,187,370.12
3. Millenium Construction	\$1,274,078.09
4. CATCO	\$1,670,069.70

There was also an alternate to the base bid that was received and opened by the City Clerk for the Intersection improvements at Payne Avenue/Meadow Drive contract. The results are as follows:

Add Alternate 1 – Sign Relocation:

1. Milherst Construction	\$15,000.00
2. Nova Site	\$33,431.00
3. Millenium Construction	\$25,000.00
4. CATA	\$32,000.00

The Engineering Department with our design consultant. WSP, have reviewed the bid results and are recommending award of the Contract. Accordingly, I respectfully request that the Common Council award the Intersection Improvements at Payne Avenue/Meadow Drive Contract to Milherst Construction, 10025 County Road, Clarence Center, NY 14032, at their low Base Bid Amount of \$1,149,591.19; authorizing the Mayor to sign said contract subject to review by the City Attorney.

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

MOVED by Alderman Roe

SECONDED by Alderman Murphy

That the Common Council hereby awards the Intersection Improvements at Payne Avenue/Meadow Drive Contract to Milherst Construction, 10025 County Road, Clarence Center, NY 14032, at their low Base Bid Amount of \$1,149,591.19; and authorizes the Mayor to sign said contract.

Ayes: Alderman Schulmeister, Roe, Murphy, Lavey, Richards

(5)

Nays: None

(0)

CARRIED.

VII. Accountant

April 2, 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 April 7th, 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 Lavey
 That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated April 7th, 2026, and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$530,138.53
02	Water Fund	\$39,255.65
04	Sewer Fund	\$281,062.94
06	Capital Project Fund	\$259,807.72
07	Trust & Agency Fund	<u>\$3,260.38</u>
00	Final Total	<u>\$1,113,525.22</u>

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

XVII. Traffic Safety

March 16, 2026

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

Traffic Safety Minutes:

The March meeting of the North Tonawanda Traffic Safety Committee was called to order at 1800 hours. Roll call showed the following members present: M. Meisenburg, R. Frank, N. Ferguson, M. Nalbene, Richard Hall and R. Brennan. The minutes from the previous meeting were read and accepted, the following new concerns/requests were discussed, and recommendations made.

1. Terrace parking permit at 654 Oliver St. requested 1 parking spot. The committee is in favor. There is plenty of room for a vehicle 11ft exactly.
2. Request from committee member Hall. He would like to see more handicap spaces in front of Figmor restaurant on Webster St. Currently there is only 1. Depending on the exact measurements we should be able to add 1 or 2 more. The committee is in favor.
3. Request from Neal Wagner that Oakwood Terrace needs more enforcement or signage. Reason being that locals have been using Oakwood as a cut through from high school/Sportsplex to get to Walck Road. As vehicles use Oakwood they speed during certain times of the day. High School drop off, let off and sporting events. Member Frank will continue this investigation to get us a complete summary of exact speeds and accidents for a good month. The committee will then conclude to decide what needs to be done.
4. Member Frank received a complaint regarding the railroad tracks were deteriorating at the intersection of Erie and Wurlitzer. Frank has contacted the railroad and hopefully repairs will be made.

The next Traffic Safety Meeting will be held on April 20th, 2026.

Travel safely!
 Matthew R. Meisenburg

MOVED by Alderman Richards SECONDED by Alderman Roe
That the Common Council hereby approves Traffic Safety recommendation #1 & #2 and
receives and files the Traffic Safety minutes for March.
Ayes: Alderman Schulmeister, Roe, Murphy, Lavey, Richards (5)
Nays: None (0)
CARRIED.

XXV. Monthly Reports

.1 Clerk-Treasurer

MOVED by Alderman Lavey SECONDED by Alderman Roe
That the Common Council hereby receives and files the aforementioned Monthly Report.
Ayes: Alderman Schulmeister, Roe, Murphy, Lavey, Richards (5)
Nays: None (0)
CARRIED.

COMMUNICATIONS FROM OTHERS

A.
Morgan Barone, Annetta Mesler,
David Mesler

March 4, 2026

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

I Morgan E. Barone, 608 Meadowbrook Dr. North Tonawanda, NY 14120, Annette M. Mesler, 44 W. Jesella Dr. North Tonawanda, NY 14120, David E. Mesler, 44 W. Jesella Dr. North Tonawanda, NY 14120, am requesting to be reappointed as a Commissioner of Deeds for the City of North Tonawanda.

Thank you.

Sincerely,
Morgan E. Barone, Annetta M. Mesler
David E. Mesler

MOVED by Alderman Schulmeister SECONDED by Alderman Roe
That the Common Council hereby grants permission for the following be appointed as
Commissioners of Deeds for the City of North Tonawanda:

- **Morgan E. Barone, 608 Meadowbrook Dr., North Tonawanda, NY 14120**
- **Annetta M. Mesler, 44 W. Jesella Dr., North Tonawanda, NY 14120**
- **David E. Mesler, 44 W. Jesella Dr., North Tonawanda, NY 14120**

Effective April 8, 2026, and expiring April 7, 2028.

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

Very truly yours,
David L. Evans
Recording Secretary

MOVED by Alderman Lavey **SECONDED** by Alderman Schulmeister
That the Common Council hereby grants Exemption Petitions to Craig T. Smith for 50 years of service and James W. Kupiec Jr. and Angel L. Lee for 25 years of service as a Volunteer Firefighter with the City of North Tonawanda.

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

Nays: None (0)

CARRIED.

D.
Herschell Carrousel Museum

March 17, 2026

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

Greetings Common Council Members,

The Herschell Carrousel Factory Museum is asking the council to approve the use of public facilities and the closing of a public street for the sixth annual Classics at the Carrousel fundraiser car show Saturday, July 11th from 11am-3pm. The museum is seeking the use of Heritage Park and Felton Field and closing Thompson Street from Lincoln Avenue to Vandervoort Street for the duration of the event.

This will be the sixth edition of the Classics at the Carrousel Car Show, and the third year asking for the closure of the street. The closing of the street offers the public a safer venue to view all of the vehicles located in Heritage Park and Felton Field. Last year we received 87 vehicles for the event and are expecting over 100 this year. By closing the street to only local traffic, we created a safer environment for the public visiting the event. We are seeking barriers from the Department of Public Works and Auxiliary Police to man these barriers during the event (11am-3pm). After approval, I will work with these groups for the event.

The Classics at the Carrousel is a large fundraising event for the museum, raising over \$6,000 last year. The event includes: a car show with prizes, music, a cash raffle, a basket raffle, and food. The event is free to the public to attend, and it is \$20 per vehicle to participate in the show. Last year's attendance was approximately 600 people. We expect similar crowds for this year's event. Neighbors have been informed of previous iterations and only have parking concerns. The museum will continue to place signs up at the parking spots on Heritage Park and Lincoln Avenue, stating it is not event parking. We already have an agreement with Monarch Kitchen Design to use their parking lot for visitor parking on the day of the event. With these plans in place, we are confident that the event will be a successful event for the public, the museum, and the city.

Sincerely,
Ian K. Seppala

MOVED by Alderman Roe **SECONDED** by Alderman Lavey
That the Common Council hereby grants permission for the Carrousel Museum to have use of Heritage Park and Felton Field with the closing of Thompson Street from Lincoln to Vandervoort, Saturday, July 11th, 2026, from 11am to 3pm, for their Classics at the Carrousel event. The Council also directs DPW and the Police Department to assist for said event.

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

Nays: None (0)

CARRIED.

E.
Sweeney Hose Co.

March 21, 2026

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

Dear Mrs. Braun and Honorable Council,

The following individuals are no longer members of the Sweeney Hose Company #7 as of the company meeting on March 2nd, 2026. Please update the official roster kept within the City of North Tonawanda Records.

- Jonathan Hacker

Sincerely,
Daniel D. Schmidt
Secretary

MOVED by Alderman Schulmeister SECONDED by Alderman Lavey
That the Common Council hereby approves the removal of Jonathan Hacker from the North Tonawanda Volunteer Fire Roll.

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

Nays: None (0)

CARRIED.

F.
Sweeney Hose Co.

March 21, 2026

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

Dear Mrs. Braun and Honorable Council,

Please see below or the list of active members of Sweeney Hose Volunteer Fire Company #7 that will be honored at the 2026 Annual Dinner on April 18th, 2026. As in the past the city has printed certificates for presentation at our annual dinner and instillation of officer's dinner for our active members.

- | | |
|--------------------------------------|-----------------------------|
| • Stephen Ribis – 5 Years | Edwin Ortiz – 30 Years |
| • Julie Kozlowski – 10 Years | Jason Borton – 35 Years |
| • Donald Mohr – 10 Years | Joseph Zupo – 40 Years |
| • Robert Ortt – 10 Years | Francis Dumansky – 40 Years |
| • Erik Zadzilka – 10 Years | Robert Narby – 50 Years |
| • Richard (Kenny) Conklin – 20 Years | Gerald Frys – 50 Years |
| • Timothy Berez – 25 Years | Ernest Forkey – 60 Years |
| • Edward Yaminski – 25 Years | |
| • Andrew Demmin – 25 Years | |

Regardless, the proposed need for an additional position stems from internal limitations within the City Attorney's Office, specifically the inability of current staff to perform prosecutorial functions due to conflicts. While those constraints may exist, they are a result of how the office is structured and operated. It is not appropriate for taxpayers to bear additional costs to accommodate those internal limitations.

To the extent that conflicts of interest limit the ability of existing staff within the City Attorney's Office to perform core prosecutorial functions, it is reasonable to expect that those conflicts be addressed through internal operational decisions, rather than shifting the resulting burden onto taxpayers through the creation of additional positions. The structure and outside professional activities of the office should not drive additional municipal expense.

Additionally, the City already provides substantial support to the broader judicial system. North Tonawanda City Court is a New York State entity, and the City supplies space within City Hall for courtroom and clerical operations. More recently, the District Attorney's Office has required additional office space, which the City has accommodated without additional compensation. Taken together, these contributions further highlight that the City is already supporting a system that is fundamentally State and County in nature.

Given this context, it is reasonable to expect that the District Attorney's Office, as the legally designated prosecuting authority with greater access to staffing and financial resources, should play a more direct role in providing these services. I would encourage your office to engage the District Attorney on this matter before asking for additional legal counsel.

In parallel, I will be engaging with the Niagara County District Attorney, the Court, and other municipal leaders throughout the County to better understand how these responsibilities are being handled elsewhere and to evaluate whether the current model is equitable and sustainable. Speaking with other Mayor's & Supervisors, there is increasing concern among municipalities that local governments are bearing a disproportionate share of costs associated with functions that are not strictly local in nature.

For now, I recognize the need to ensure continuity of court operations. If coverage is required for approximately a weekly court session (4hrs+/-), I am prepared to explore contracting with a private attorney or firm to provide these services at a substantially lower cost, consistent with prior practice, while broader discussions take place.

If the City Attorney's Office is unable to fulfill prosecutorial duties due to conflicts, and a resolution cannot be reached with the District Attorney's Office under the current structure, my office will take the necessary steps to ensure continuity of these services in a manner that is both fiscally responsible and fair to our taxpayers."

I'm requesting this correspondence be included in the Meeting Minutes.

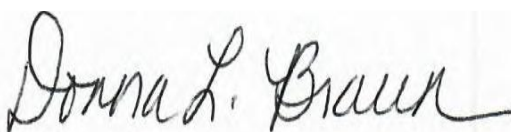
Respectfully,
Austin Tylec
Mayor

ADJOURNMENT

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

Time of Adjournment: 7:45 P.M.

Respectfully submitted,



Donna L. Braun
City Clerk-Treasurer