

PLEDGE OF ALLEGIANCE

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

Joe Mitiga – 316 Bryant St. – Asked about the Engineers Items on the Agenda and why more money is needed for some projects – the City Engineer explained all of the items.

MOVED by Alderman Roe **SECONDED by Alderman Lavey**
That the minutes of the regular session held July 7, 2026, be approved as circulated and
filed in the Office of the City Clerk.
Ayes: Alderman Schulmeister, Roe, Lavey, Murphy, Richards **(5)**
Nays: None **(0)**
CARRIED.

1) Legal Notice – Sealed Proposals for the Sweeney Street Mill and Overlay – City Engineer

1) Legal Notice – Completion of the 2026 Final Assessment Roll – City Assessor

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

07-21-2026

IV.1 Engineer

July 15, 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 Amendment
Agreement No. 1 – Additional Construction Administrative Services**

Dear Honorable Body:

It was determined that additional Construction Administration (CA) was necessary for the Payne Park Aquatic Facility. Nussbaumer & Clarke will utilize the Autodesk Forma Build software to coordinate between engineers, contractors, and the client on drawings, submittals, RFIs, and daily logs. Enclosed is a proposal from Nussbaumer for these additional services.

Accordingly, I respectfully request that the Common Council approve these additional CA services with Nussbaumer & Clarke, 3556 Lake Shore Road, Suite 500, Buffalo, NY 14219; in an amount of \$52,500; and authorize the Mayor to sign said agreement 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,
Chealsea L. Spahr, P.E.
City Engineer**

**MOVED by Alderman Schulmeister SECONDED by Alderman Roe
That the Common Council hereby approves the additional Construction Administration (CA) services with Nussbaumer & Clarke, 3556 Lake Shore Road, Suite 500, Buffalo, NY 14219; in an amount of \$52,500; and authorizes the Mayor to sign said agreement.
Ayes: Alderman Schulmeister, Roe, Lavey, Murphy, Richards (5)
Nays: None (0)
CARRIED.**

IV.2 Engineer

July 15, 2026

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

**Re: Meadow/Payne Intersection Improvements WSP Agreement Amendment No. 2
Additional Engineering Services**

Honorable Body:

The Meadow/Payne Intersection Improvements Project was developed to 90% in 2018. Due to ROW and funding considerations the project was placed on hold at that time. There was additional design services needed to bring the plans to 100%, additional survey needed, and utility coordination by WSP.

I therefore recommend that the Common Council authorize the Mayor to sign the enclosed Agreement Amendment No. 2 for the additional engineering services with WSP, 40 La

Riviere Drive, Suite 320, Buffalo, NY 14202; in an amount of \$58,750.00; 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 hereby authorizes the Mayor to sign the enclosed Agreement Amendment No. 2 for the additional engineering services for the Meadow/Payne Intersection Improvements with WSP, 40 La Riviere Drive, Suite 320, Buffalo, NY 14202; in an amount of \$58,750.00.

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

(5)

Nays: None

(0)

CARRIED.

IV.3 Engineer

July 15, 2026

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

**Re: WIHA Grant Application – Lead Service Line Inventory (LSLI)
SEQR Type II Action**

Honorable Body:

In accordance with the New York State Environmental Quality Review Act (SEQRA), the City in its capacity as lead agency, has determined that the Lead Service Line Inventory would be classified as a Type II Action under SEQRA regulations Section 617.5(c)(24). This sections state that actions involving *“information collection including basic data collection and research, water quality and pollution studies, traffic counts, engineering studies, surveys, subsurface investigations and soils studies that do not commit the agency to undertake, fund or approve any Type I or Unlisted action”* would render the project to be a Type II action. The proposed work to inventory lead service lines, would fall under this classification.

I respectfully request that the attached resolution be adopted by the Common Council.

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

MOVED by Alderman Schulmeister

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 July 21st, 2026, approved a Resolution for the WIHA Grant Application – Lead Service Line Inventory (LSLI) SEQR Type II Action and it reads as follows:

WHEREAS, the Common Council of the City of North Tonawanda, located in County of Niagara, State of New York (the “City”), desires to inventory the lead service lines within their water distribution system to improve water system reliability and safety (the “Project”); and

WHEREAS, said Project is subject to classification under the State Environmental Quality Review Act (“SEQRA”); and

WHEREAS, the Common Council of the City, as the only involved agency, has examined all information related to the Project and has determined that the Project is classified as a Type II Action pursuant to 6 NYCRR Part 617.5(c)(24) of the SEORA Regulations;

WHEREAS, the SEQRA Regulations declare Type II Actions to be actions that require no further review under SEORA; and

NOW, THEREFORE, BE IT RESOLVED that the Common Council hereby declares itself lead agency in connection with the requirements of SEQRA; and

BE IT FURTHER RESOLVED that the Common Council hereby declares that the Project is a Type II Action, which requires no further review under SEQRA.

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

Nays: None (0)

CARRIED.

IV.4 Engineer

July 16, 2026

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

**Re: Project 2024-01: Smart Growth 2.0 CFP Improvements Project
Approval of Change Order No. 6**

Dear Honorable Body:

Approval of Change Order No. 6 for the Smart Growth 2.0 CFP Improvements Project is hereby requested. The change order is to deduct the EV charger incentive that was awarded to the City from the contract. Attached is a change order listing the deductions from this contract and their associated costs.

Accordingly, I respectfully request that the Common Council approve deduct Change Order No. 6 for the Smart Growth 2.0 CFP Improvements Project in the amount of \$21,454.32 with Miller Construction Services, 3305 Haseley Drive, Niagara Falls, NY 14304; decreasing the contract amount from \$1,077,373.63; to the contract amount of \$1,055,919.31; authorizing the Mayor to sign said change order.

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

MOVED by Alderman Roe

SECONDED by Alderman Lavey

That the Common Council hereby approves deduct Change Order No. 6 for the Smart Growth 2.0 CFP Improvements Project in the amount of \$21,454.32 with Miller Construction Services, 3305 Haseley Drive, Niagara Falls, NY 14304; decreasing the contract amount from \$1,077,373.63; to the contract amount of \$1,055,919.31; and authorizes the Mayor to sign said change order.

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

Nays: None (0)

CARRIED.

V. Supt. Water/Wastewater

July 15, 2026

Honorable Mayor Austin Tylec

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

**Re: Resolution Authorizing Application of WIIA Grant for Lead Service
Line Inventory Project**

Honorable Body:

In the Spring of 2026, the City of North Tonawanda worked with the federally funded GLO (Get the lead out) Initiative, to begin identifying the unknown water service materials in our water distribution system. As of May of 2026, there are 9,229 unknown services in our water system. To continue this work identifying our system material, and becoming eligible for lead service replacement funds, we are required to identify all lead and unknown service line materials in our water system.

Attached is a resolution, authorizing an application for a New York State Water Infrastructure Improvement Grant. With your approval, the City will apply for an approximate \$2,000,000 fully funded grant for the Lead Service Inventory Project.

I respectfully request that the attached resolution is adopted by the Common Council.

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

**MOVED by Alderman Lavey SECONDED by Alderman Roe
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 July 21st, 2026, approved a Resolution Authorizing an Application for a New York State Water Infrastructure Improvement Grant and it reads as follows:**

WHEREAS, the City of North Tonawanda has identified the need to undertake the Lead Service Line Inventory Project to identify unknown water services lines in our system, as required by LCRI federal regulation.

WHEREAS, the estimated total cost of the Project is approximately \$2,000,000; and

WHEREAS, the New York State Environmental Facilities Corporation (“EFC”) administers the New York State Water Infrastructure Improvement (“WIIA”) grant program, which provides financial assistance to eligible municipalities for drinking water and wastewater infrastructure projects; and

WHEREAS, the North Tonawanda Common Council has demined that submission of an application for WIIA grant funding is in the public interest and will assist the City of North Tonawanda in undertaking the Project while reducing the financial impact on local ratepayers and taxpayers.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of North Tonawanda, duly convened, hereby authorizes the submission of an application to the New York State Environmental Facilities Corporation for a Water Infrastructure Improvement grant for the Lead Service Line Inventory Project; and

BE IT FURTHER RESOLVED, that the Mayor of North Tonawanda, or their duly authorized designee, is hereby authorized and directed, on behalf of the City of North Tonawanda, to:

1. Prepare, execute, certify and submit the WIIA grant application and all related application materials;
2. Provide any additional information or documentation requested by EFC or other New York State agencies;
3. Execute any grant agreement, financing agreement, certifications, contracts or other documents necessary to accept and administer the WIIA grant, subject to review and

- approval by the City Attorney; and
4. Take all other actions necessary to advance the application and complete the Project.

BE IT FURTHER RESOLVED, that the City of North Tonawanda commits to providing the required local share of the Project cost and any Project costs that are not eligible for, or are not covered by, the WIIA grant or other funding sources, subject to all applicable legal requirements and future appropriation of funds; and

BE IT FURTHER RESOLVED, that the City of North Tonawanda acknowledges that receipt of a WIIA grant may require compliance with applicable EFC requirements, state and federal laws, environmental review requirements, procurement requirements, minority-and woman-owned business enterprise requirements, service-disabled veteran-owned business requirements, and other conditions contained in the grant agreement.

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

VII. Accountant

July 16, 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 July 21st, 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 Schulmeister **SECONDED** by Alderman Roe
That the Common Council hereby authorizes for payment the current Abstract of Claims for Common Council Audit dated July 21st, 2026, and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$529,654.35
02	Water Fund	\$130,406.56
04	Sewer Fund	\$121,480.24
06	Capital Project Fund	\$910,478.82
07	Trust & Agency Fund	<u>\$ 3,822.15</u>
00	Final Total	\$1,695,842.12

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

IX. Supt. Public Works

Re: Award of Contract Project 2026-05: Sweeney Street Mill and Overlay

On July 14th, 2026, eight (8) bids were received and opened by the City Clerk for the Sweeney Street Mill and Overlay Project. The results are as follows:

1. J&D's seal Tech Corp.	\$500,198.40
2. Milherst Construction, Inc.	\$565,580.00
3. Nova Site Company LLC	\$567,224.35
4. Amherst Paving Inc.	\$576,710.00
5. American Paving & Excavating Inc.	\$581,933.00
6. Miller Construction Services	\$598,478.00
7. D&H Paving LLC	\$624,920.00
8. L.E. Walbridge Inc.	\$821,193.00

1.	J&D's Seal Tech Corp	\$4,000.00
2.	D&H Paving LLC	\$5,800.00
3.	Miller Construction Services	\$11,500.00
4.	L.E. Walbridge Inc.	\$19,800.00
5.	Amherst Paving Inc.	\$22,236.00
6.	American Paving & Excavating Inc.	\$25,600.00
7.	Milherst Construction, Inc.	\$25,691.00
8.	Nova Site Company LLC	\$27,242.00

1. J&D Seal Tech Corp.	\$504,198.40
2. Milherst Construction, Inc.	\$591,271.00
3. Nova Site Company LLC	\$594,466.35
4. Amherst Paving Inc.	\$598,946.00
5. American Paving & Excavating Inc.	\$607,533.00
6. Miller Construction Services	\$609,978.00
7. D&H Paving LLC	\$630,720.00
8. L.E. Walbridge Inc.	\$840,993.00

**Very truly yours,
John Urban
Supt. Public Works**

07-21-2026

X.1 Police Chief

July 8, 2026

**Mayor Austin Tylec and
Common Council Members
216 Payne Avenue
North Tonawanda, NY 14120**

Dear Honorable Body,

I am respectfully submitting for your consideration a proposed update to our local ordinance §96-56.1 – Parking in Robinson Street Parking Lot. Issues have been arising with vehicles parking in the city market parking lot overnight, which interferes with vendor locations on market days. In a couple instances, the vehicle in question belonged to a nearby Air B and B guest, which took up the time of both market staff and the police department in trying to locate the owner to move the vehicle. This simple ordinance update gives the police department a tool to enforce the ordinance and remove the vehicle if necessary, should any violations occur. The language has also been updated to include the city market in the description of the lot (Robinson Street/City Market parking lot.) and it reads as follows:

§96-51.1 Parking in Robinson Street / City Market Parking Lot

- A. Legislative authority. This section is adopted pursuant to §1640 of the Vehicle and Traffic Law of the State of New York
- B. Regulations. The following traffic and parking regulations shall be in effect from the effective date of this section at the Robinson Street / City Market parking lot.
 - 1. Parking, standing or stopping of trucks, commercial vehicles, tractors, trailers, tractor-trailer combinations and dump trucks, as well as motor homes and campers, shall be excluded from the Robinson Street / City Market parking lot, excepting the above-named vehicles which are authorized to use the Robinson Street/ City Market parking lot pursuant to its designation as the City Market, or making local deliveries too and pickups from the surrounding and adjoining businesses, or pursuant to other authorization of the Common Council.
 - 2. Parking is prohibited between 12:00 a.m. and 3:00 p.m. on market days, as defined in Chapter 71 of the North Tonawanda City Code, excepting the above-named vehicles which are authorized to use the Robinson Street / City Market parking lot pursuant to its designation as the City Market, or making local deliveries to and pickups from the surrounding and adjoining businesses, or pursuant to other authorization of the Mayor or the Mayor's designee.
- C. Penalties for offenses. This section may be enforced by the police or special patrolmen in the same manner as provided for the enforcement of traffic or parking ordinances, including the use of a notice of violation (summons), tags, towing and any other procedure authorized by law.

**Respectfully submitted,
Keith Glass
Chief of Police**

**MOVED by Alderman Lavey SECONDED by Alderman Roe
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 July 21st, 2026, approved to Amend Chapter 96 Vehicle and Traffic §96-51.1 Parking in Robinson Street Parking Lot and it reads as follows:**

§96-51.1 Parking in Robinson Street / City Market Parking Lot

- A. Legislative authority. This section is adopted pursuant to §1640 of the Vehicle and Traffic Law of the State of New York
- B. Regulations. The following traffic and parking regulations shall be in effect from the effective date of this section at the Robinson Street / City Market parking lot.
 - 1. Parking, standing or stopping of trucks, commercial vehicles, tractors, trailers, tractor-trailer combinations and dump trucks, as well as motor homes and campers, shall be excluded from the Robinson Street / City Market parking lot, excepting the above-named vehicles which are authorized to use the Robinson Street/ City Market parking lot pursuant to its designation as the City Market, or making local deliveries too and pickups from the surrounding and adjoining businesses, or pursuant to other authorization of the Common Council.
 - 2. Parking is prohibited between 12:00 a.m. and 3:00 p.m. on market days, as defined in Chapter 71 of the North Tonawanda City Code, excepting the above-named vehicles which are authorized to use the Robinson Street / City Market parking lot pursuant to its designation as the City Market, or making local deliveries to and pickups from the surrounding and adjoining businesses, or pursuant to other authorization of the Mayor or the Mayor’s designee.
- C. Penalties for offenses. This section may be enforced by the police or special patrolmen in the same manner as provided for the enforcement of traffic or parking ordinances, including the use of a notice of violation (summons), tags, towing and any other procedure authorized by law.

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

X.2 Police Chief

July 15, 2026

**Mayor Austin Tylec and
Common Council Members
216 Payne Avenue
North Tonawanda, NY 14120**

Dear Honorable Body,

Please reappoint Ryan T. Follendorf as Commissioner of Deeds for the City of North Tonawanda, effective August 5, 2026, and ending on August 4, 2028.

**Respectfully,
Keith T. Glass
Chief of Police**

MOVED by Alderman Lavey SECONDED by Alderman Schulmeister
That the Common Council hereby reappoints Ryan T Follendorf as Commissioner of
Deeds for the City of North Tonawanda, effective August 5, 2026, and ending on August 4,
2028.
Ayes: Alderman Schulmeister, Roe, Lavey, Murphy, 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 Reports.
Ayes: Alderman Schulmeister, Roe, Lavey, Murphy, Richards (5)
Nays: None (0)
CARRIED.

COMMUNICATIONS FROM OTHERS

A.
Deborah Lawrence

July 15, 2026

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

Dear Common Council,

I would like to have by commissioner of deeds renewed for the City of North Tonawanda, NY. It expires 8/20/2026. I work at DeGraff Skilled Nursing Facility and handle Medicaid applications for the facility.

Thank you,
Deborah Lawrence

MOVED by Alderman Roe SECONDED by Alderman Schulmeister
That the Common Council hereby reappoints Deborah Lawrence as Commissioner of Deeds for the City of North Tonawanda, effective August 21, 2026, and ending on August 20, 2028.
Ayes: Alderman Schulmeister, Roe, Lavey, Murphy, Richards (5)
Nays: None (0)
CARRIED.

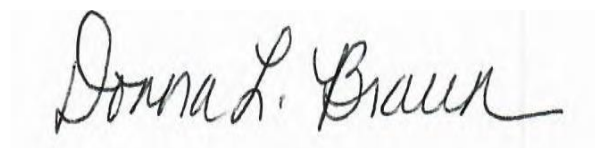
AUDIENCE PARTICIPATION - None

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: 6:55 P.M.

Respectfully submitted



Donna L. Braun
City Clerk-Treasurer