

PLEDGE OF ALLEGIANCE

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

CARRIED.

CARRIED.

COMMUNICATIONS FROM CITY OFFICIALS

I. Mayor

August 13, 2026

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

Re: Rescission of the April 15, 2025 municipal authorization for Flock Camera

Honorable Body,

I respectfully request that the Common Council rescind a April 15th 2025 council resolution by adopting the attached resolution rescinding the permission granted on April 15, 2025, to the Niagara County Sheriff's Office for Flock Safety license plate reader equipment within North Tonawanda. The resolution would prevent further installations under the prior authorization, request deactivation and removal of the existing equipment within 30 days, and require any future proposal to return to the Council with clear, enforceable safeguards.

The Council's April 15, 2025 action did not create a City of North Tonawanda Flock camera program or a City contract with Flock Safety. It granted municipal permission, subject to New York State Department of Transportation approval, for the Niagara County Sheriff's Office to install County controlled license plate reader equipment in State rights of way within the City. The County was responsible for the project, equipment, maintenance, and expenses.

That authorization was presented as part of a Countywide project involving 67 cameras. More than a year later, only one camera associated with the initiative is presently located along the North Tonawanda border near Niagara Falls Boulevard. In May 2026, the Niagara County Legislature terminated its 57-camera contract, authorized a new 25-camera contract, and continued a separate 10-camera contract (CSS-071-26). The project now differs materially from the one described to the Council in April 2025.

I support modern law enforcement tools when their public safety value is matched by clear rules, meaningful oversight, and direct accountability. The concern here is not simply the technology; it is that the City authorized equipment on public property without retaining control over the system or adopting City enforceable standards for its use.

- The City does not own or administer the County's Flock network and cannot independently set or enforce its access, retention, sharing, auditing, or deletion rules.**
- The April 2025 resolution did not incorporate binding local standards addressing who may search the system, what justification must be documented, which outside agencies may receive data, how misuse is investigated, or how residents may raise a complaint.**
- Material changes to the County's camera contracts and proposed deployment occurred after the City granted permission, without a new North Tonawanda review or approval.**
- Residents should not have to rely solely on vendor policies or another government's practices to understand how information collected inside their City is used.**

Under the current County Flock arrangement, many of the decisions regarding access, data retention, information sharing, auditing, and overall system administration are made outside of City government. While the equipment operates within North Tonawanda, the City has limited ability to establish its own requirements, independently review compliance, or directly address resident concerns. That lack of local oversight is one of the reasons I believe the prior authorization deserves further review.

Proposed action

- **Rescind the April 15, 2025 resolution and immediately withdraw the City's permission for the County project.**
- **Provide formal notice to the Niagara County Sheriff's Office and NYSDOT and request deactivation and removal of the existing equipment within 30 calendar days, at County expense.**
- **Direct City officials to pursue removal only through lawful administrative or judicial channels; City employees would not remove County equipment from a State right of way without authorization.**
- **Require a new Council resolution before any future City property, right of way, permit, approval, funding, or resources are used for Flock equipment.**
- **Require any future proposals to disclose the purpose, data practices, access and sharing rules, audit requirements, security protections, public reporting, complaint process, and termination rights before approval.**

This proposal does not reject cooperation with the Sheriff's Office or the use of responsible technology to solve crimes. It recognizes that routine collection of vehicle information within North Tonawanda should occur only under an arrangement the City can fully explain, oversee, and hold accountable. Until that standard is met, the existing authorization should be withdrawn.

**Respectfully submitted,
Austin Tylec
Mayor**

MOVED by Alderman Roe

SECONDED by Alderman Schulmeister

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 August 18th, 2026, approved the Rescission of the April 15, 2025 Municipal Authorization of Flock Cameras and it reads as follows:

Submitted by: Mayor Austin Tylec

WHEREAS, on April 15, 2025, the Common Council adopted a resolution granting permission, upon approval by the New York State Department of Transportation (NYSDOT), to the Niagara County Sheriff's Office to install license plate reader equipment for law-enforcement purposes within State rights of way and within the geographical jurisdiction of the City of North Tonawanda; and

WHEREAS, the project presented to the Common Council, county resolution CSS-024-23, was described as a Countywide deployment of 67 Flock cameras at predetermined locations throughout Niagara County; and

WHEREAS, the Niagara County Legislature thereafter adopted Resolution CSS-071-26 on May 19, 2026, terminating the County's 57-camera Flock Safety contract, authorizing a new 25-camera contract, and continuing a separate 10-camera contract, thereby materially changing the scope and structure of the project for which municipal permission had been requested; and

WHEREAS, one camera associated with the Niagara County initiative is presently located along the North Tonawanda border near Niagara Falls Boulevard, and the City has not authorized a separate or expanded City Flock camera program; and

WHEREAS, automated license plate reader systems can support legitimate law-enforcement investigations, including efforts to locate stolen vehicles, or wanted and missing persons, their use also raises substantial questions concerning privacy, data collection, retention, access, sharing, auditing, security, and accountability; and

WHEREAS, the April 15, 2025, resolution did not establish or incorporate City enforceable standards governing search justification, user access, data retention and deletion, interagency or

third-party sharing, audit review, cybersecurity, misuse investigations, public reporting, resident complaints, or notice of material policy changes; and

WHEREAS, because the City does not own or administer the Niagara County Flock network, the City cannot independently control or enforce these essential safeguards for information collected within North Tonawanda; and

WHEREAS, the City's locally controlled camera program demonstrates that public-safety technology can be operated under the direct supervision of the North Tonawanda Police Department and remain accountable to the City's residents and elected officials; and

WHEREAS, the Common Council finds that public-safety technology deployed within the City should be transparent, proportionate, subject to meaningful local oversight, and governed by enforceable safeguards that residents can understand; and

WHEREAS, the Common Council therefore determines that continuation of the April 15, 2025 permission is not in the best interests of the City unless and until an accountable framework is publicly presented and separately approved; now, therefore, be it

RESOLVED, that the Common Council hereby rescinds in its entirety the resolution adopted April 15, 2025 granting municipal permission to the Niagara County Sheriff's Office for the installation of license plate reader equipment within State rights of way and within the geographical jurisdiction of the City of North Tonawanda; and be it further

RESOLVED, that, to the fullest extent permitted by law and any applicable NYSDOT approval, permit, license, application, or agreement, the City withdraws its permission, concurrence, and municipal cooperation for the continued installation, maintenance, or operation of equipment under the project authorized by the April 15, 2025 resolution; and be it further

RESOLVED, that no additional license plate reader equipment may be installed on City property pursuant to the rescinded authorization, and no City department, officer, or employee shall issue a new City permit, provide City property or resources, execute project documentation, or otherwise facilitate a new Flock Safety installation without further approval of the Common Council; and be it further

RESOLVED, that the City Clerk-Treasurer is directed, within three business days after adoption, to transmit a certified copy of this resolution to the Niagara County Sheriff, the Chair of the Niagara County Legislature, the Niagara County Attorney, and the appropriate NYSDOT regional office; and be it further

RESOLVED, that the Niagara County Sheriff's Office is requested to deactivate and remove, or cause to be deactivated and removed, all equipment installed within the City pursuant to the April 15, 2025 authorization, including the existing camera located along the North Tonawanda border near Niagara Falls Boulevard, within 30 calendar days after receipt of this resolution, at no expense to the City and in coordination with NYSDOT or any other entity having jurisdiction over the site; and be it further

RESOLVED, that the Mayor, City Attorney, City Engineer, Chief of Police, and other appropriate City officials are authorized and directed to take all lawful administrative or judicial steps necessary to implement this resolution, including requesting that NYSDOT revoke, amend, or close any related Law Enforcement Equipment approval or agreement and seeking lawful removal if the County does not act within the requested period; provided, however, that nothing in this resolution authorizes a City employee to enter a State right of way or seize, disconnect, or remove County-owned equipment without lawful authority; and be it further

RESOLVED, that any future proposal for automated license plate reader equipment on City property, within a City right of way, or requiring City permission, funding, infrastructure, or cooperation shall be submitted to the Common Council as a new proposal and shall include, at minimum, written and publicly available provisions governing:

- the specific public-safety purpose and permissible uses of the system;
- the information collected and any analytic or identifying capabilities used;
- data retention, deletion, preservation, and legal-process requirements;
- authorized users, documented search justification, supervisory review, and audit logs;
- sharing with outside agencies, federal entities, private parties, and third-party systems;

- cybersecurity standards, vendor access, breach response, and public notification;
- regular public reporting, misuse investigations, discipline, and a resident complaint process; and
- City inspection, suspension, termination, data-return, and verified-deletion rights;

AND BE IT FURTHER RESOLVED, that nothing in this resolution prevents the North Tonawanda Police Department from receiving or acting upon lawfully obtained, case-specific information supplied by another law-enforcement agency, or from proposing locally controlled technology under a future transparent and accountable framework; and be it further

RESOLVED, that this resolution shall take effect immediately upon adoption

Ayes: Alderman Schulmeister, Roe, Lavey, Richards (4)
Nays: None (0)
CARRIED.

II. Attorney

August 12, 2026

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

Re: Proposed Hold Harmless Agreement for Sweeney Street Project – Bush Meadows

Dear Honorable Body:

Attached, for your review, is a proposed Hold Harmless Agreement to facilitate the issuing of building permits to allow construction to begin on the Bush Meadows subdivision. Said agreement holds the City harmless for any and all claims, expenses, liabilities which could arise resulting from construction activities at the site.

If your Honorable Body concurs, please pass a resolution to allow the Mayor to execute the Agreement, subject to any further review by the City Attorney.

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

MOVED by Alderman Richards **SECONDED** by Alderman Roe
That the Common Council hereby approves the attached proposed Hold Harmless Agreement for Sweeney Street Project – Bush Meadows.
Ayes: Alderman Schulmeister, Roe, Lavey, Richards (4)
Nays: None (0)
CARRIED.

VII. Accountant

August 13, 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.

MOVED by Alderman Roe SECONDED by Alderman Schulmeister
That the Common Council hereby authorizes for payment the current Abstract of Claims
for Common Council Audit dated August 18th, 2026, and further authorizes the Mayor and
City Clerk-Treasurer to respectively sign and countersign said Warrant:

Ayes: Alderman Schulmeister, Roe, Lavey, Richards (4)
Nays: None (0)
CARRIED.

**Honorable Mayor Tylec
And Common Council Members
216 Payne Avenue
North Tonawanda, NY 14120**

Honorable Body:

Bid Totals:

1. Municipal Resources, Inc.	\$62,500 plus travel and expenses
2. Dark Horse Emergency	\$100,000
3. Jensen Hughes, Inc.	\$115,000

I respectfully request that the Common Council award the North Tonawanda Fire Department Strategic Plan Project to Municipal Resources, Inc. 66 Main Street, Suite B, Plymouth, NH 03264 at the bid amount of \$62,000 plus travel expenses.

MOVED by Alderman Lavey SECONDED by Alderman Roe
That the Common Council hereby awards the contract for the North Tonawanda Fire Department Strategic Plan Project to Municipal Resources, Inc. 66 Main Street, Suite B, Plymouth, NH 03264 at their bid amount of \$62,000 plus travel expenses.

Ayes: Alderman Schulmeister, Roe, Lavey, Richards (4)
Nays: None (0)
CARRIED.

XVII. Traffic Safety**July 20th, 2026**

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

Traffic Safety Minutes:

The June 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, J. Sikora, M. Lemke, N. Ferguson, M. Nalbone, Richard Hall and R. Orlowski. The minutes from the previous meeting were read and accepted, the following new concerns/requests were discussed, and recommendations made.

- 1. Warner Ave speeding is being monitored**
- 2. Orchard Place speeding is being monitored**
- 3. 1001 E. Robinson No Parking issues since the pastor wife passing.**
- 4. Market is freshly painted and all surrounding crosswalks**
- 5. Traffic signal at Felton and River Rd has been adjusted by the DOT**

The next Traffic Safety Meeting will be held on August 17th, 2026.

**Travel safely!
Matthew R. Meisenburg**

MOVED by Alderman Lavey SECONDED by Alderman Roe
That the Common Council hereby receives and files the Traffic Safety minutes from their
June meeting.
Ayes: Alderman Schulmeister, Roe, Lavey, Richards (4)
Nays: None (0)
CARRIED.

XXV. Monthly Reports

.1 Clerk-Treasurer .2 Police Department

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, Richards (4)
Nays: None (0)
CARRIED.

XXVI. Semi Annual Vacation/Sick Leave Reports

.1 Police Department

MOVED by Alderman Lavey SECONDED by Alderman Roe
That the Common Council hereby receives and files the aforementioned Semi Annual
Vacation/Sick Leave Report.
Ayes: Alderman Schulmeister, Roe, Lavey, Richards (4)
Nays: None (0)
CARRIED.

XXXII. Dir. Community Development

August 13, 2026

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

Re: Community Development Block Grant (CDBG) – Request for Required Public Hearing

Dear Honorable Body,

In consideration of a possible application to the New York State Office of Homes & Community Renewal Community Development Block Grant (CDBG) program, per CDBG regulation, the City of North Tonawanda is required to hold a public meeting to discuss CDBG activities and a potential application submission to the CDBG Single Family Homeowner Repair Program. The hearing must be held at a meeting with a quorum of the Common Council.

I would like to formally request authorization to hold a required public meeting for the Community Development Block Grant program to be held Tuesday, September 8th at 6:00 PM in the Common Council chambers immediately preceding the regularly scheduled Common Council work session.

Thank you for your time and consideration.

Sincerely,
Laura K. Wilson
Dir. Community Development

MOVED by Alderman Roe SECONDED by Alderman Schulmeister
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 August 18th, 2026, approved a Resolution setting a date for a Public Hearing for Community Development Block Grant Application and it reads as follows:

WHEREAS, the City of North Tonawanda City Council wishes to assess the advisability of submitting a Community Development Block Grant (“CDBG”) application to the New York State Office of Community Renewal (the “OCR”) for a grant to apply and implement the CDBG Owner-Occupied, Single Family Rehabilitation program, and;

WHEREAS, the North Tonawanda City Council is required to hold a public hearing to provide information to the public and to consider citizen comments regarding community needs and the proposed economic development project prior to submitting an application for CDBG funding, new, therefore, be it

RESOLVED, that a public hearing be held on Tuesday September 8th at 6:00 p.m. at North Tonawanda City Hall, 216 Payne Avenue, North Tonawanda, New York, before the North Tonawanda City Council, whereat all interested parties shall be heard regarding the CDBG program, the City's community development and economic development programs, and the proposed funding application, and be it further

RESOLVED, that published notice of such hearing in the City's official paper and posted notice on the City website shall be given at least eight (8) days before the public hearing.

Ayes: Alderman Schulmeister, Roe, Lavey, Richards (4)
Nays: None (0)
CARRIED.

COMMUNICATIONS FROM OTHERS

A.
Norman Balling

August 18, 2026

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

Dear Honorable Body:

I would like to close Ganson Street on Saturday, October 10th, 2026, from 8am to 9pm for a Fall Fest Party.

Norman Balling

MOVED by Alderman Lavey SECONDED by Alderman Roe
That the Common Council hereby grants permission to close Ganson Street, Saturday, October 10th from 8am to 9pm for a Fall Fest Party and directs the DPW to provide barricades for said event.
Ayes: Alderman Schulmeister, Roe, Lavey, Murphy, Richards (4)
Nays: None (0)
CARRIED.

B.
Law Office of Michael Putzak

August 13, 2026

**City of North Tonawanda
Common Council Members
216 Payne Avenue
North Tonawanda, NY 14120**

Re: 250 Mead Street, SBL 182.14-1-36, Rezoning request

Honorable Body:

My clients, the D'Angelo's, currently own the above captioned parcel. It is currently zoned C-1, and I would respectfully request on their behalf to have this parcel rezoned to C-2. It is my understanding that the surrounding parcels are all zoned C-2, and this parcel should be zoned C-2 as well.

There is a map attached to this letter with the parcel in question highlighted. Thank you in advance for your consideration in this matter, and please let my office know the decision of the Council.

Please direct any questions to me at (716) 201-0211 or MichaelGPutzakEsq@gmail.com.

**Very truly yours,
Michael G. Putzak, Esq.**

MOVED by Alderman Roe SECONDED by Alderman Lavey
That the Common Council hereby approves the rezoning of 250 Mead Street, SBL 182.14-1-36 from a C-1 to C-2.
Ayes: Alderman Schulmeister, Roe, Lavey, Richards (4)
Nays: None (0)
CARRIED.

Mark Kanouff 1233 Sweeney Street-Who is responsible for overseeing the Bike Path project, when it comes to filling in the Topsoil and Snow plowing? And when is Sweeney Street going to be paved.

ADJOURNMENT

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

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

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

Respectfully submitted

Donna L. Braun

08-18-2026