

THE HONORABLE BODY
Council Chambers
Municipal Building
North Tonawanda, New York 14120
Tuesday, September 15, 2026
6:30 P.M.

REGULAR SESSION CALLED TO ORDER BY PRESIDENT RICHARDS

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: President Richards
Alderman Schulmeister, Roe, Lavey, Murphy

Absent: None

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

AUDIENCE PARTICIPATION

Sonia Douza 123 Miller Street- Glad that we are applying for the Block Grant Program. We are lacking the homes in the Oliver Street area and it has been ignored for years. There has been a lack of Code Enforcement in this area. Thank you to the Police Chief for passing the new fines on the Truck Routes through out the city.

APPROVAL OF THE MINUTES OF THE REGULAR SESSION SEPTEMBER 1, 2026

MOVED by Alderman Lavey **SECONDED** by Alderman Roe
That the minutes of the regular session held September 1, 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.

PROOF OF PUBLICATION PUBLISHED 8/21/2026

- 1) Legal Notice – Public Hearing – To Discuss the Possible Submission of one or more Community Development Block Grant Applications for the 2026 Program Year – Dir Community Development

PROOF OF PUBLICATION PUBLISHED 8/25/2026

- 1) Legal Notice – Sealed Bids for the Oliver Street Improvements Project, Project No. 2242447.02 – City Engineer

MOVED by Alderman Richards **SECONDED** by Alderman Schulmeister
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.

COMMUNICATIONS FROM CITY OFFICIALS

III. Clerk-Treasurer

September 8, 2026

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

Re: East Hill Foundation Grants – 2027

Dear Honorable Body:

We have been advised that the grants for the 2027 year have been approved by the East Hill Foundation for area non-profit organizations, as required under their PILOT agreement with the City of North Tonawanda. As you know, the grants must total \$50,000, per the Agreement dated July 1, 2012, and these grants represent year 15 of the multi-year Agreement.

The 2027 grants and recipients are attached for your information.

Should you have any questions, please do not hesitate to contact me.

Sincerely,
Donna L. Braun
City Clerk-Treasurer

MOVED by Alderman Lavey SECONDED by Alderman Roe
That the Common Council hereby approves and receives and files the 2027 East Hill Foundation Grants.
Ayes: Alderman Schulmeister, Roe, Lavey, Murphy, Richards (5)
Nays: None (0)
CARRIED.

VII. Accountant

September 10, 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 September 15th, 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 September 15th, 2026, and further authorizes the Mayor and City Clerk-Treasurer to respectively sign and countersign said Warrant:

01	General Fund	\$268,357.20
02	Water Fund	\$60,154.17
04	Sewer Fund	\$105,605.11
06	Capital Project Fund	\$1,340,133.74
07	Trust & Agency Fund	\$ <u>19,960.00</u>
00	Final Total	<u><u>\$1,794,210.22</u></u>

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

IX. Supt. Public Works

September 2, 2026

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

Dear Honorable Body,

The Department of Public Works sent out for written quotations for Solid Waste Disposal Services pursuant to City purchasing guidelines. On Wednesday, September 2nd, 2026, proposals were received back from one company who put in an offer. We have reviewed the proposals and tabulated as follows:

<u>Contractor</u>	<u>Non-Collusion</u>	<u>Proposal</u>
Modern Corporation	Yes	2027 @ \$54.83 per ton
		2028 @ \$57.30 per ton
		2029 @ \$59.88 per ton
		2030 @ \$62.57 per ton
		2031 @ \$65.39 per ton
		2032 @ \$68.33 per ton

I recommend that the Common Council award the Solid Waste Disposal Service to Modern Corporation, who supplied the lowest cost and presented a qualified quotation. This is subject to the approval of the City Attorney.

John Urban
Supt. Public Works

MOVED by Alderman Roe SECONDED by Alderman Schulmeister
That the Common Council hereby awards the Solid Waste Disposal Service to Modern Corporation per the following bid amounts:

2027 @ \$54.83 per ton
2028 @ \$57.30 per ton
2029 @ \$59.88 per ton
2030 @ \$62.57 per ton
2031 @ \$65.39 per ton
2032 @ \$68.33 per ton

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

X. Police Chief

August 11, 2026

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

Dear Honorable Body,

I respectfully request that the Common Council consider amending Chapter 96 of the City Code to increase the penalties for violations involving designated truck routes and vehicle weight restrictions. The current penalty structure, which provides for a fine of not less than \$50 and not more than \$250, was last substantially updated many years ago. Since that time, truck traffic within the city has increased significantly, and violations involving trucks traveling off designated truck routes and exceeding weight restrictions on residential streets have become an ongoing concern.

The North Tonawanda Police Department and the Mayor's Office routinely receive complaints from residents regarding commercial trucks operating on streets where they are prohibited. These complaints consistently describe homes shaking as heavy trucks pass, excessive noise, and concerns for the safety of pedestrians, bicyclists, and motorists. Residents have also expressed frustration over the deterioration of neighborhood streets caused by overweight vehicles using roads that were never designed to accommodate heavy truck traffic.

In addition to the quality-of-life concerns, these violations have a direct financial impact on the City. Heavy commercial vehicles traveling on residential streets accelerate pavement deterioration, contribute to premature roadway failure, and increase long-term maintenance and reconstruction costs. These expenses are ultimately borne by the taxpayers of North Tonawanda.

The existing maximum penalty has not proven to be a sufficient deterrent for repeat violators. For many commercial operators, the current fine may simply be viewed as a cost of doing business rather than an incentive to comply with the City's designated truck route system.

To encourage compliance and provide a stronger deterrent against repeat violations, I recommend adopting a progressive penalty schedule as follows:

- **First Offense: Fine not less than \$250, not to exceed \$500**
- **Second Offense: Fine not less than \$500, not to exceed \$750**
- **Third and subsequent offenses: Fine not less than \$750, not to exceed \$1,500**

A progressive penalty structure recognizes that occasional mistakes may occur while holding repeat offenders increasingly accountable. It also demonstrates the City's commitment to protecting residential neighborhoods, preserving public infrastructure, and improving roadway safety for all residents.

The City's truck route system exists for a reason – to safely move commercial traffic while minimizing the impact on residential neighborhoods and protecting local infrastructure. Increasing the penalties for violations will reinforce the importance of compliance, discourage habitual offenders, and help address one of the most common traffic-related complaints received by City officials.

I respectfully request the Common Council's consideration of this proposed amendment to Chapter 96.

**Keith Glass
Chief of Police**

09-15-2026

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 September 15th, 2026, approved the Amendment to City Code Chapter 96 Vehicle and Traffic §96-22 Penalties for Offenses and it reads as follows:

§96-22 Penalties for offenses.

Any person who violates any provision of this Part, including but not limited to operating a truck on a street not designated as a truck route or operating a vehicle in excess of the weight restrictions established herein, shall, upon conviction, be subject to the following penalties.

- A. First offense: A fine less than **two hundred fifty dollars (\$250)**, not to exceed five hundred dollars (\$500)
- B. Second offense: A fine not less than **five hundred dollars (\$500)**, not to exceed seven hundred fifty dollars (\$750)
- C. Third offense: A fine not less than **seven hundred fifty dollars (\$750)**, not to exceed fifteen hundred dollars (\$1,500)

For purposes of this section, each unlawful operation of a vehicle in violation of this Part shall constitute a separate offense. Each day on which a violation occurs shall constitute a separate and distinct offense. Nothing contained herein shall prohibit the issuance of multiple citations for separate violations occurring on the same day when supported by the facts and authorized by law. The penalties provided herein are cumulative and are intended to encourage compliance with the City's designated truck routes and weight restrictions in order to protect public safety, preserve public infrastructure, and minimize adverse impacts on residential neighborhoods.

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.

XXXII. Dir. Community Development

September 1, 2026

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

Re: Request for Authorization to Submit a Grant Application to the New York State Office of Homes and Community Renewal for Community Development Block Grant Funding

Dear Honorable Body:

The City of North Tonawanda Community Development Department seeks authorization to submit a grant application to the New York State Office of Homes and Community Renewal (HCR) for up to \$500,000 in Community Development Block Grant (CDBG) funding to support a housing rehabilitation program.

If awarded, these funds would enable the City to assist approximately 6 to 10 low-to-moderate income homeowners with rehabilitation of owner-occupied housing units. Eligible activities may include health and safety improvements, correction of code violations, weatherization, roof replacement, window replacement, HVAC improvements, and lead, asbestos, and radon testing, remediation, and abatement.

To prepare for a competitive application, the Community Development Department has been conducting outreach to potential program participants and held a public outreach event at the North Tonawanda Public Library on August 31, 2026. In addition, the Department currently maintains a waiting list of 45 eligible applicants from throughout the City.

As part of this application, the Community Department is also requesting a \$25,000 commitment from the City to serve as local leverage. This local investment will strengthen the competitiveness of the application and demonstrate the City's commitment to preserving affordable housing and improving the quality of the City's housing stock.

The attached resolution would authorize the City to submit a grant application for an amount not to exceed \$500,000; authorize the Mayor, subject to review and approval by the City Attorney, to execute all necessary documents with the New York State Office of Homes and Community Renewal; authorize the City to enter into a subrecipient agreement with the Lumber City Development Corporation for program administration; designate the Mayor as the Certifying Office responsible for the federal environmental review process associated with the project; and authorize the City's \$25,000 local contribution in support of the application.

I respectfully request that this Honorable Body approve the attached resolution.

Kindest regards,
 Laura 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 September 15th, 2026, approved the Resolution to Submit a Grant Application to the New York State Office of Homes and Community Renewal for Community Development Block Grant Funding and it reads as follows:

WHEREAS, the City of North Tonawanda is an eligible applicant for New York State Community Development Block Grant (CDBG) funding for housing activities; and

WHEREAS, the City of North Tonawanda is seeking funding to provide housing rehabilitation activities for low-to-moderate-income homeowners throughout the City; and

WHEREAS, the Lumber City Development Corporation will assist in the administration of the program and will enter into a subrecipient agreement with the City of North Tonawanda; and

WHEREAS, the Project will result in substantial public benefit by assisting approximately six (6) to ten (10) low-to-moderate-income homeowners; and

WHEREAS, the City of North Tonawanda proposes to commit **Twenty-Five Thousand Dollars (\$25,000)** in local funds as leverage in support of the Community development Block Grant application, demonstrating the City's commitment to the Project and strengthening the competitiveness of the application; and

WHEREAS, the City has held a public hearing on **September 8, 2026, at 6:00 p.m.** to obtain citizens' views regarding the CDBG program as administered by the New York State Office of Homes and Community Renewal (HCR) and proposed Project; now, therefore, be it

RESOLVED, that the City is hereby authorized to submit a grant application in an amount not to exceed **\$500,000** to the New York State Office of Homes and Community Renewal (HCR) to support the Project; and be it further

RESOLVED, that the Mayor is hereby authorized to execute all documents between the City and HCR and all related documents associated with the HCR grant application, subject to review and approval by the City Attorney; and be it further

RESOLVED, that the Mayor is hereby designated as the Certifying Officer responsible for all activities associated with the federal environmental review process to be completed in conjunction with the Project.

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

A. Rescue Fire Company

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 his 50-year milestone.

50 Years
Kevin Phillips Joined 10/1/1976

**Respectfully,
Laura Ann Brick
Recording Secretary**

MOVED by Alderman Lavey **SECONDED by Alderman Roe**
That the Common Council hereby grants an Exemption Petition to Kevin Phillips for 50
Years of service as Volunteer Firefighter for the City of North Tonawanda.
Ayes: Alderman Schulmeister, Roe, Lavey, Murphy, Richards **(5)**
Nays: None **(0)**
CARRIED.

AUDIENCE PARTICIPATION

Jack Kanack 84 South Meadow-Looking for information on the Washington Mills situation. No update at this time. Also would like to know when is Sweeney Street being paved. Pushed back another week.

Kurt Klepp 1295 Erie Avenue-Voiced his concerns about the City Attorney being appointed verses being elected.

Jay Reist-resident of North Tonawanda and Business Owner-Questioning policy at Deerwood Golf Course. Why is it that my wife doesn't golf but would like to ride along as I golf-this is not allowed. We have a wonderful Golf Course. Maybe we can look into that policy.

Mark Lemke 320 Oakdale-Question on the Golf course, we have a great course, however the Golf Paths are not great. Is the city responsible for the bathrooms at the golf course or is it the people running the restaurant. The bathrooms are an embarrassment, when you bring someone from out of town, you want to be proud of your city's facilities. Also, what is happening with the Mid City Plaza.

Sonia Douza 123 Miller Street-The city of North Tonawanda is the only city in the whole state, that is listed in on the books in Albany that has a rap sheet. We are like the Hatfields and McCoys, when it comes to Republican/Democratic.

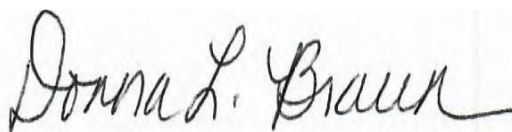
Art Vater 57 Ransom Street- Question on the city purchasing the Dentist office near the Market. Why did we purchase it? We as a city should not be in business to run businesses.

ADJOURNMENT

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

Time of Adjournment: 7:43 P.M.

Respectfully submitted



Donna L. Braun
City Clerk-Treasurer