

PLEDGE OF ALLEGIANCE

Also Present: Mayor Austin J. Tylec
Asst. City Attorney Mario Gregori

CARRIED.

CARRIED.

COMMUNICATIONS FROM CITY OFFICIALS

#1. Code Maintenance Committee

October 15, 2026

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

**Re: Amendment to North Tonawanda City Code Chapter 101
Wireless Telecommunications Facilities**

The proposed changes have been reviewed by the Code Maintenance Committee and discussed by the Common Council. The attached Final Version reflects the revisions resulting from that review process and is being submitted for legislative consideration, and it reads as follows:

**MOVED by Alderman Schulmeister 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 October 20th, 2026, approves the amendment to Chapter 101 Wireless Telecommunications Facilities and it reads as follows:**

Chapter 101 Wireless Telecommunications Facilities

§101-4 Definitions and word usage.

SMALL CELL FACILITY or SMALL CELL/MICRO ANTENNA

A wireless telecommunications facility consisting of one or more antennas and associated equipment designed to provide wireless service over a relatively small geographic area, which is mounted on an existing structure, including but not limited to a utility pole, streetlight, traffic signal pole, building, or similar existing structure, and which does not involve the construction of a new telecommunications tower. A small cell facility may incorporate multiple radio frequency functions or antenna elements within a single compact antenna unit.

§ 101-8.1. Small cell/micro antenna facilities.

A. Small cell/micro antenna facilities shall be subject to the requirements of this section and shall not be subject to the special use permit application requirements applicable to new telecommunications towers, provided that the proposed facility meets all requirements of this section.

B. Application requirements. An applicant proposing the installation of a small cell/micro antenna facility shall submit an application containing, at a minimum:

- (1) The name and contact information of the applicant and wireless service provider;
- (2) The name and contact information of the property owner or owner of the structure upon which the facility is proposed to be located, together with documentation demonstrating the applicant's authorization to use the property or structure;
- (3) The location and address of the proposed facility;
- (4) A description of the proposed equipment, including the manufacturer, model, dimensions and specifications of the antenna and associated equipment;
- (5) A site plan or other drawing identifying the existing structure and the proposed location of the small cell/micro antenna and associated equipment;
- (6) Photographs or other visual documentation showing the existing conditions at the proposed location;

- (7) Documentation demonstrating that the proposed installation complies with all applicable federal, state and local requirements concerning structural safety, electrical safety and radio frequency emissions; and
- (8) Such other information as may reasonably be required by the City to determine compliance with this section.

C. Eligibility for streamlined review. A small cell/micro antenna facility shall qualify for review under this section only where:

- (1) The facility is mounted on an existing structure;
- (2) No new telecommunications tower is constructed as part of the installation;
- (3) The installation does not increase the height of the existing supporting structure by more than four feet;
- (4) The installation does not require a new equipment compound, tower foundation or similar substantial ground-based facility;
- (5) The installation complies with all applicable federal, state and local structural, electrical, safety and radio frequency requirements; and
- (6) The installation does not create a substantial adverse impact on public safety or the surrounding property.

D. Existing public infrastructure. Where a small cell/micro antenna facility is proposed to be installed on an existing utility pole, streetlight, traffic signal pole or other public infrastructure, the applicant shall obtain all necessary authorization from the owner of such structure and shall comply with any applicable requirements governing the use of such structure.

E. Consultant escrow. The escrow requirements of § 101-16 shall not apply to an application qualifying for review under this section unless the City determines that specialized professional review is reasonably necessary due to the complexity or unusual circumstances of the proposed installation.

F. Public hearing. A small cell/micro antenna facility qualifying for review under this section shall not require a public hearing pursuant to § 101-17.

§ 101-20.2 Small cell/micro antenna application and permit fee.

- A. An applicant for installation of a small cell/micro antenna facility qualifying for review pursuant to § 101-8.1 shall pay a non-refundable application and permit fee of \$500 per antenna installation.
- B. No separate plan review fee shall be assessed unless additional review is required due to the complexity of the proposed installation.

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

III. Clerk-Treasurer

October 13, 2026

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

Re: Purchase of City Property

Dear Honorable Body:

In 2024 Eric Gampp purchased 105 Jefferson Avenue during the City's foreclosure auction, he is now asking to purchase 101 Jefferson Avenue, City Property SBL#182.75-2-14 to extend his property for a purchase price of \$750.00. The Engineer's Office has verified that there are no City utilities on this paper street at the end of Jefferson, and it is not a buildable lot. The only value would be to the adjacent owner for additional yard.

I respectfully request that your Honorable Body accept Mr. Eric Gampp's offer of \$750.00 for the purchase of 101 Jefferson Ave, City Property SBL#182.75-2-14 to extend his lot at 105 Jefferson Ave.

If your Honorable Body should concur, I ask that you vote to proceed with the sale of this property subject to the final review and approval of the City Attorney.

Sincerely,
Donna L. Braun
City Clerk-Treasurer

MOVED by Alderman Lavey SECONDED by Alderman Roe
That the Common Council hereby approves the sale of city owned property 101 Jefferson Ave, SBL#182.75-2-14 for the purchase price of \$750, to Eric Gampp.
Ayes: Alderman Schulmeister, Roe, Lavey, Murphy, Richards (5)
Nays: None (0)
CARRIED.

IV.1 Engineer

October 15, 2026

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

**Re: Bush Meadows Subdivision Phase II – Cardinal Way Extension
Dedication of Public Improvements**

Honorable Body:

Your acceptance of Bush Meadows Subdivision, Phase II is hereby requested.

The developer/contractor Milherst Construction Co., Inc., has provided the city with the necessary maintenance bonds for the storm sewers, sanitary sewers, water main and asphalt pavement with concrete curbing in accordance with the provisions set forth under Chapter 72 of the city's Public Improvement Permit Ordinance. In addition, the developer's engineer, GPI Engineering, Landscape Architecture & Surveying, LLP, has provided the city with the required as-built maps and construction certification.

Therefore, I respectfully request that the Common Council approve Bush Meadows Subdivision, Phase II, accepting dedication of the roadway pavement and curbs, storm sewer system, sanitary sewer system, and water main with appurtenances. Also, your acceptance of the public utility easements is also requested.

Please do not hesitate to call me at 695-8565 if you have any questions.

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

MOVED by Alderman Roe

SECONDED by Alderman Schulmeister

That the Common Council hereby approves the Bush Meadows Subdivision, Phase II, accepting dedication of the roadway pavement and curbs, storm sewer system, sanitary sewer system, and water main with appurtenances and the public utility easements.

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

(5)

Nays: None

$$(0)$$

CARRIED.

IV.2 Engineer

October 15, 2026

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

Re: City-Wide Fire Station Condition Assessment and Analysis

Honorable Body:

The City bonded monies to complete a conditions assessment and analysis of all City-owned fire stations in the City.

To complete this work, the City intends to procure the services of a professional engineering firm. This firm's responsibilities will include a structural capacity analysis of the existing slab at Fire Headquarters, building envelope assessments of all stations, and budgetary cost estimates for any design services and repairs that are recommended.

A request for proposals was issued in August 2026 and the City received fifteen (15) proposals from professional firms. A review committee was convened with representation from City Engineering and the Fire Department to review the proposals and provide a recommendation to the Council.

Upon review, the committee is recommending the City select LaBella to perform the design services. LaBella is a local firm with experience in these kinds of assessments. The review committee felt the team assembled by LaBella demonstrated the experience, expertise, and capacity to complete this project for the City.

I am hereby requesting this honorable body consider selecting LaBella to complete the City-Wide Fire Station Condition Assessment and Analysis and authorize the Mayor to sign a contract with LaBella, pending review and approval by the City Attorney, for the proposed design fee of \$57,975.

Please let me know if you have any further questions or concerns. Thank you for your consideration.

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

MOVED by Alderman Richards

SECONDED by Alderman Roe

That the Common Council hereby approves of Engineering Firm LaBella to complete the City-Wide Fire Station Condition Assessment and Analysis and authorizes the Mayor to sign said contract with LaBella, for the proposed design fee of \$57,975.

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

(5)

Nays: None

(0)

CARRIED.

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

01	General Fund	\$204,089.41
02	Water Fund	\$65,111.18
04	Sewer Fund	\$52,223.23
06	Capital Project Fund	\$1,314,190.66
07	Trust & Agency Fund	\$ <u>6,003.82</u>
00	Final Total	<u>\$1,641,618.30</u>

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

VII.2 Accountant

October 15, 2026

**A LOCAL LAW TO ALLOW THE CITY OF NORTH TONAWANDA, NEW YORK TO
OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL
LAW SECTION 3-C**

WHEREAS, on October 13th, 2026, a public hearing was held at 6:15pm in the council chambers, 216 Payne Avenue, North Tonawanda, New York.

WHEREAS, General Municipal Law section 3-c requires Common Council to obtain sixty percent approval to adopt Local law #4 of 2026.

WHEREAS, that a Local Law to override the Tax Levy Limit for the City of North Tonawanda to be voted on, as follows:

MOVED by Alderman Richards 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 p.m. on October 20th, 2026, approved the Resolution for
Local Law No.4 of 2026 -A Local Law of the City of North Tonawanda, New York to
Override the Tax Levy Limit Established in General Municipal Law Section 3-C and it
reads as follows:

LOCAL LAW #4 OF 2026
A LOCAL LAW OF THE CITY OF NORTH TONAWANDA, NEW YORK TO
OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW
SECTION 3-C

Be it enacted by the City Council of the City of North Tonawanda in the county of Niagara, as follows:

Section 1. Legislative intent

It is the intent of the Local Law to override the limit on the amount of real property taxes that may be levied by the City of North Tonawanda, County of Niagara, State of New York pursuant to General Municipal Law 3-c, and to allow City of North Tonawanda to adopt a budget for (a) City purposes and (b) any other special or improvement district governed by the Common Council for the Fiscal Year 2027 that requires a real property tax levy in excess of the “tax levy limit” as defined by the General Municipal Law 3-c.

Section 2. Authority

This local law is adopted pursuant to subdivision 5 of General Municipal Law 3-c, which expressly authorizes the Common Council to override the tax levy limit by the adoption of a local law approved by vote of sixty percent (60%) of the Common Council.

Section 3. Tax Levy Limit Override

The Common Council of the City of North Tonawanda is hereby authorized to adopt a budget for the fiscal year 2027 that requires a real property tax levy in excess of the limit specified in General Municipal Law 3-c.

Section 4. Severability

If any clause, sentence, paragraph, subdivision or part of the Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgement shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of the Local Law or in its application to the person, individual, firm, or corporation or circumstance, directly involved in the controversy in which such judgement or order shall be rendered.

Section 5. Effective date.

This local law shall take effect immediately upon filing with Secretary of State.

PLEASE TAKE NOTICE THE EXTENT THAT THIS LOCAL LAW MAY CONFLICT WITH APPLICABLE PORTIONS OF THE GENERAL CITY LAW OF THE STATE OF NEW YORK, IT IS STATED INTENTION OF THE CITY TO EXERCISE ITS AUTHORITY TO SUPERSEDE AND AMEND, AS GRANTED UNDER THE MUNICIPAL HOME RULE LAW OF THE STATE OF NEW YORK, SECTION 10. THE CITY HEREBY PROVIDES NOTICE THAT IT IS EXERCISING ITS AUTHORITY TO SUPERSEDE AND AMEND PURSANT TO MUNICIPAL HOME RULE LAW OF THE STATE OF NEW YORK SECTION 22.5

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.1 Dir. Community Development

October 15, 2026

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

Re: Community Development Block Grant Program – Request for Required Second Public Hearings

Dear Honorable Body,

As per Community Development Block Group (CDBG) regulations, the City of North Tonawanda is required to hold a second public meeting to discuss CDBG activities and program accomplishments. The hearing must be held at a meeting with a quorum of the Common Council.

I would like to formally request authorization to hold two required public meetings for the following projects:

- **822ME454-24-City of North Tonawanda Microenterprise program – to be held on November 10th, 2026, at 5:30 PM in the Common Council chambers immediately preceding the regularly scheduled Common Council workshop.**

Thank you for your time and consideration.

**Kindest regards,
Laura Wilson
Dir. Community Development**

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 p.m. on October 20th, 2026, approves the Resolution setting a date for a second public hearing for Community Development Block Grant Funding 822ME454-24-City of North Tonawanda Microenterprise program and it reads as follows:

WHEREAS, the City of North Tonawanda received Community Development Block (CDBG) funding from the New York State Office of Community Renewal (**Project No. 822ME545-24**) **to implement the City of North Tonawanda Microenterprise Grant Program** (the “Project”), and

WHEREAS, the North Tonawanda Common Council is required to hold a public hearing to discuss the implementation of the Project and to receive comments related to the effectiveness of administration of the CDBG Project.

NOW, THEREFORE, BE IT RESOLVED, that the public hearing be held on **November 10th at 5:30 PM** in the Common Council Chambers, City Hall, 216 Payne Avenue, North Tonawanda, New York 14120, before the North Tonawanda Common Council, whereat all interested parties shall be heard regarding the implementation of the CDBG Project, and be it further.

RESOLVED, that the City Clerk is directed to prepare a notice of said hearing, to cause the publication of the notice of such hearing in the newspaper which has been officially designated by the Common Council to publish “notices”, and to affix a copy of said notice on the bulletin board in City Hall at 216 Payne Avenue, North Tonawanda, New York; both publication and posting to be made at least eight (8) days before the public hear.

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

XXXII.2 Dir. Community Development

October 15, 2026

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

Re: Community Development Block Grant Program – Request for Required Second Public Hearings

Dear Honorable Body,

As per Community Development Block Group (CDBG) regulations, the City of North Tonawanda is required to hold a second public meeting to discuss CDBG activities and program accomplishments. The hearing must be held at a meeting with a quorum of the Common Council.

I would like to formally request authorization to hold two required public meetings for the following projects:

- **822B598-25-CDBG assistance to Niagara Climbing Center – to be held on November 10th, 2026, at 5:45 PM in the Common Council chambers immediately preceding the regularly scheduled Common Council workshop.**

Thank you for your time and consideration.

**Kindest regards,
 Laura Wilson
 Dir. Community Development**

MOVED by Alderman Lavey 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 p.m. on October 20th, 2026, approves the Resolution setting a date for a second public hearing for Community Development Block Grant Funding 822B598-25-CDBG assistance to Niagara Climbing Center and it reads as follows:

WHEREAS, the City of North Tonawanda received Community Development Block (CDBG) funding from the New York State Office of Community Renewal (**Project No. 822SB598-25**) to implement the CDBG Small Business Program to Niagara Climbing Center (the “Project”), and

WHEREAS, the North Tonawanda Common Council is required to hold a public hearing to discuss the implementation of the Project and to receive comments related to the effectiveness of administration of the CDBG Project.

NOW, THEREFORE, BE IT RESOLVED, that the public hearing be held on **November 10th at 5:45 PM** in the Common Council Chambers, City Hall, 216 Payne Avenue, North Tonawanda, New York 14120, before the North Tonawanda Common Council, whereat all

interested parties shall be heard regarding the implementation of the CDBG Project, and be it further.

RESOLVED, that the City Clerk is directed to prepare a notice of said hearing, to cause the publication of the notice of such hearing in the newspaper which has been officially designated by the Common Council to publish “notices”, and to affix a copy of said notice on the bulletin board in City Hall at 216 Payne Avenue, North Tonawanda, New York; both publication and posting to be made at least eight (8) days before the public hear.

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

COMMUNICATIONS FROM OTHERS

A.
Tonawanda’s United Veteran’s Council

October 16, 2026

North Tonawanda Council
216 Payne Avenue
North Tonawanda, NY 14120

On November 11, 2026, Tonawanda’s United Veteran’s Council will hold our Veterans Day ceremony at 11am on the Renaissance Bridge. We are asking that the bridge be closed to traffic on the North Tonawanda side at 10:30am and reopen to traffic at 11:30am. The same request was sent to the Tonawanda Council. All city officials are invited to our service. Coffee and doughnuts will be served after the service at the VVA Chapter 77 museum on Main St. Thank you.

In service to Veterans,
Paul Pietrowski
President

MOVED by Alderman Roe **SECONDED by Alderman Lavey**
That the Common Council hereby approves the closing of the Renaissance Bridge from 10:30 AM to 11:30 AM on Wednesday, November 11, 2026, for the annual Veterans Day Observance, and directs the Police Department to help with traffic control and DPW to provide barricades and for said event.
Ayes: Alderman Schulmeister, Roe, Lavey, Murphy, Richards (5)
Nays: None (0)
CARRIED.

AUDIENCE PARTICIPATION

Jack Kanack 84 South Meadow-Question about any information on the Washington Mills Situation. The city should have a dedicated computer for presentations.

Mary Jo Tambulin 226 Falconer Street-The city needs to tighten up their belts, when it comes to the budget. Is the city cutting spending anywhere in the budget? Our taxes are going up once again.

Debbie Cudzillo-625 Woodbury Drive- How many public workshops were held on the budget? Would like to see an overview of the budget. Commented on the Mayor comparing us to other cities’ increases, she stated she doesn’t care about other cities. We need to be more creative with costs

Mary Kanouff 1233 Sweney Street-Stated that NT Residents are on a tight budget also, we have to cut back-Our taxes are going up, we are going to be re-assessed and now we are being asked to approve a referendum on the ballot this year for a Community Center. How will that Community Center cost (\$18 million) be paid off? And we are also seeing a rise in Water & Sewer taxes. Would like to know how to read the budget.

Mark Karnouff 1233 Sweeney Street-Is there a limit on how fast an E-Bike can go? There are bikes going faster than vehicles down Sweeney Street.

Eric Gampp 1373 Cambridge Avenue-Wanted to thank the City for approving his purchase of 101 Jefferson Ave.

Nick Csizmar 771 Remington Avenue-Questioned how much School Resource Officers are paid? Are they paid through the city or the school district?

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: 7:28 P.M.

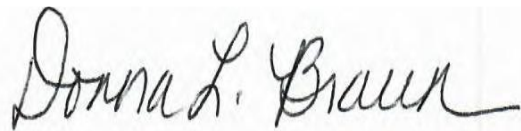
Motion to go into Executive Session: 7:35 P.M.

MOVED by Alderman Lavey **SECONDED by Alderman Richards**
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.

Time of adjournment: 8:25 P.M.

Respectfully submitted



Donna L. Braun
City Clerk-Treasurer