

Agenda
Council Chambers
Tonawanda, New York
March 21, 2017

A Regular Meeting of the Common Council

Present: Council President Koch

Present Councilmembers: Gilbert, Smilinich, Rautenstrauch, Toth

Pledge of Allegiance led by Council President Koch

Prayer led by Associate Chaplin Brenda Whelan

COMMUNICATIONS FROM THE MAYOR

COMMUNICATIONS FROM CITY OFFICIALS AND CORRESPONDENCE

The following monthly reports were received by the City Clerk:

Civil Service Monthly Minutes from January- December 2016 / January óMarch 2017

Communication from John W. Dorn, Town of Tonawanda regarding Moratorium on Communications Towers, Monopoles and Antennas

Communication from Frank Berrafato expressing interest in entering a partnership with the City for operating the Niawanda Pavilion

Communication from Assessor Judy Tafelski in regards to the Highland School Project being completed in May with a June 1 occupancy expected.

Request for Resolution from City Engineer Jason LaMonaco, P.E. re change order # 1 for Intermodal Hub

Request for Resolution from City Engineer Jason LaMonaco, P.E. re change order # 2 for Intermodal Hub

Memo from Fire Chief Stuart with changes to Fire Rolls in 2016

Referred to the Committee of the Whole

Ordered filed

COMMENTS BY THE PUBLIC ON RESOLUTIONS

The Tonawanda Common Council, in an effort to conduct business in a timely fashion and maintain an open line of communication with the public, welcomes comments on resolutions and other City business.

- Persons wishing to speak and be recognized by the President of the Common Council are to be courteous, respectful, non-repetitive and brief.
- All questions and/or comments should be addressed to the President of the Common Council.
- Please state your name and address clearly for inclusion in the Common Council minutes. In the event any person wishes a response outside the

confines of the Common Council meeting, please leave all necessary contact information with the City Clerk after the meeting.

- Persons may address the Common Council during (2) separate sessions of the meeting for a total of 30 minutes per session. Once prior to the resolutions and also after the resolutions prior to Common Council comments.
- Individuals may speak a total of (3) minutes per speaker per session. The President of the Common Council will adhere to this (3) minute guideline in an effort to allow everyone an opportunity to speak who wishes to do so.
- The President of the Common Council reserves the Council's right to limit or expand upon these limits as he/she may deem necessary and prudent.
- Usage of cell phones other than for emergency is prohibited during all Council Sessions.

MOTIONS AND RESOLUTIONS

1. By Councilmember _____ seconded by Councilmember _____

Resolved, that Resolution #50 from the Common Council Meeting on March 7, 2017, is amended to remove Tonawanda Gateway Harbor and read as the application was received by the City Clerk from Team Up to Clean Up.

Gilbert, Smilinich, Rautenstrauch, Toth, Koch

Ayes:

Nays:

2. By Councilmember _____ seconded by Councilmember _____

Resolved, that the Common Council minutes from March 7, 2017, be accepted as amended.

Gilbert, Smilinich, Rautenstrauch, Toth, Koch

Ayes:

Nays:

3. By Councilmember _____ seconded by Councilmember _____

Resolved, that the bills be allowed as audited and that the City Clerk be directed to draw warrants on the Treasurer for the various amounts.

Gilbert, Smilinich, Rautenstrauch, Toth, Koch

Ayes:

Nays:

4. By Councilmember _____ seconded by Councilmember _____

Whereas, a \$25.00 Special Events application fee and application were received by the City Clerk from the Erie Canal Fishing Derby for their Annual Erie Canal Fishing Derby and

Whereas, the application was reviewed and commented on by all appropriate department heads to insure the safety and well being of our residents, and

Whereas, permission is further granted to erect a banner across Main and Broad Streets to promote the event,

Resolved, that permission is granted to the Erie Canal Fishing Derby to hold their Annual Erie Canal Fishing Derby along the canal on Wednesday, July 5 through Sunday, July 16, 2017 and,

Resolved, that a Certificate of Insurance naming the City of Tonawanda as additional insured be filed with the City Clerk no later than June 28, 2017.

Gilbert, Smilinich, Rautenstrauch, Toth, Koch

Ayes:

Nays:

5. By Councilmember seconded by Councilmember

Whereas, a \$25.00 Special Events application fee and application were received by the City Clerk from Bonnie MacIver-Mariani for the Annual Lindsay's Legacy 5K Run

Whereas, the application was reviewed and commented on by all appropriate department heads to insure the safety and well being of our residents, and

Whereas, all details for the above named event must be coordinated with Tonawanda Police Captain Fred Foels and Amanda Lofft, Parks and Recreation Director and the event chairperson, now, therefore be it

Resolved, that permission is granted to Lindsay's Legacy to hold their annual Lindsay's Legacy 5K Run on Saturday, November 11, 2017 and,

Resolved, that a Certificate of Insurance naming the City of Tonawanda as additional insured be filed with the City Clerk no later than November 4, 2017.

Gilbert, Smilinich, Rautenstrauch, Toth, Koch

Ayes:

Nays:

6. By Councilmember seconded by Councilmember

Resolved, that Janine Drmacich is named a Commissioner of Deeds for the City of Tonawanda, term to expire December 31, 2018.

Gilbert, Smilinich, Rautenstrauch, Toth, Koch

Ayes:

Nays:

7. By Councilmember seconded by Councilmember

Resolved, that the Mayor be authorized and directed to sign the following agreement:

THIS AGREEMENT, made the 1st day of April, 2017, by and between the CITY OF TONAWANDA, a municipal corporation, situate with the County of Erie and State of New York hereinafter called the "CITY" and the DELAWARE HOSE COMPANY #2, a volunteer fire company organized and existing within the City of Tonawanda, hereinafter called "COMPANY".

WITNESSETH:

WHEREAS, the said Company furnished fire protection to said City and maintains facilities and personnel to answer calls and fire alarms for the protection and preservation from fire of life and property.

NOW, THEREFORE, in consideration of the covenants and agreements hereinafter set forth, the parties hereto agree as follows:

1. The Company agrees to maintain and furnish at all times, protection from fire of life and property in the City of Tonawanda and to maintain and furnish the services of the volunteer members of said companies in so protecting life and property.

2. The City agrees to make payments to said Company in the following manner:
The sum of \$6,500.00 payable on the first day of April, 2017.

Gilbert, Smilinich, Rautenstrauch, Toth, Koch

Ayes:

Nays:

8. By Councilmember seconded by Councilmember

Resolved, that the Mayor be authorized and directed to sign the following agreement:

THIS AGREEMENT, made the 1st day of April, 2017, by and between the CITY OF TONAWANDA, a municipal corporation, situate with the County of Erie and State of New York hereinafter called the "CITY" and the NATIONAL HOSE COMPANY #1, a volunteer fire company organized and existing within the City of Tonawanda, hereinafter called "COMPANY".

WITNESSETH:

WHEREAS, the said Company furnished fire protection to said City and maintains facilities and personnel to answer calls and fire alarms for the protection and preservation from fire of life and property.

NOW, THEREFORE, in consideration of the covenants and agreements hereinafter set forth, the parties hereto agree as follows:

1. The Company agrees to maintain and furnish at all times, protection from fire of life and property in the City of Tonawanda and to maintain and furnish the services of the volunteer members of said companies in so protecting life and property.

2. The City agrees to make payments to said Company in the following manner:
The sum of \$6,500.00 payable on the first day of April, 2017.

Gilbert, Smilinich, Rautenstrauch, Toth, Koch

Ayes:

Nays:

9. By Councilmember seconded by Councilmember

Resolved, that the Mayor be authorized and directed to sign the following agreement:

THIS AGREEMENT, made the 1st day of April, 2017, by and between the CITY OF TONAWANDA, a municipal corporation, situate with the County of Erie and State of New York hereinafter called the "CITY" and the NIAGARA HOSE COMPANY #3, a volunteer fire company organized and existing within the City of Tonawanda, hereinafter called "COMPANY".

WITNESSETH:

WHEREAS, the said Company furnished fire protection to said City and maintains facilities and personnel to answer calls and fire alarms for the protection and preservation from fire of life and property.

NOW, THEREFORE, in consideration of the covenants and agreements hereinafter set forth, the parties hereto agree as follows:

1. The Company agrees to maintain and furnish at all times, protection from fire of life and property in the City of Tonawanda and to maintain and furnish the services of the volunteer members of said companies in so protecting life and property.

2. The City agrees to make payments to said Company in the following manner:
The sum of \$6,500.00 payable on the first day of April, 2017.

Gilbert, Smilinich, Rautenstrauch, Toth, Koch

Ayes:

Nays:

10. By Councilmember seconded by Councilmember

Resolved, that the Mayor be authorized and directed to sign the following agreement:

THIS AGREEMENT, made the 1st day of April, 2017, by and between the CITY OF TONAWANDA, a municipal corporation, situate with the County of Erie and State of New York hereinafter called the "CITY" and the UNION HOOK & LADDER COMPANY #1, a volunteer fire company organized and existing within the City of Tonawanda, hereinafter called "COMPANY".

WITNESSETH:

WHEREAS, the said Company furnished fire protection to said City and maintains facilities and personnel to answer calls and fire alarms for the protection and preservation from fire of life and property.

NOW, THEREFORE, in consideration of the covenants and agreements hereinafter set forth, the parties hereto agree as follows:

1. The Company agrees to maintain and furnish at all times, protection from fire of life and property in the City of Tonawanda and to maintain and furnish the services of the volunteer members of said companies in so protecting life and property.

2. The City agrees to make payments to said Company in the following manner:
The sum of \$6,500.00 payable on the first day of April, 2017.

Gilbert, Smilinich, Rautenstrauch, Toth, Koch

Ayes:

Nays:

11. By Councilmember seconded by Councilmember

Resolved, at the recommendation of City Engineer Jason J. LaMonaco, P.E., that award of Change Order No. 1 to the Intermodal Hub construction contract be made to Milherst Construction, Inc., at a cost not to exceed \$18,386.25.

Funding/Fiscal Impact: \$18,365.25 from City Bond

Gilbert, Smilinich, Rautenstrauch, Toth, Koch

Ayes:

Nays:

12. By Councilmember seconded by Councilmember

Resolved, at the recommendation of City Engineer Jason J. LaMonaco, P.E., that award of Change Order No. 2 to the Intermodal Hub construction contract be made to Milherst Construction, Inc., at a cost not to exceed \$59,997.65.

Funding/Fiscal Impact: \$59,997.65 from ECWA

Gilbert, Smilinich, Rautenstrauch, Toth, Koch

Ayes:

Nays:

13. By Councilmember seconded by Councilmember

Resolved, that in recognition and compliance with the New York State Open Meetings law, this Common Council will meet in Executive Session in the Common Council Chambers for the purpose of pending exempt City business, and further be it

Resolved, that upon conclusion of the above stated business matters; the meeting shall again be open to the general public. The reason for the Executive Session is to discuss

Gilbert, Smilinich, Rautenstrauch, Toth, Koch

Ayes:

Nays:

COMMENTS BY THE PUBLIC AFTER RESOLUTIONS

COMMENTS BY THE COUNCILMEMBERS AFTER RESOLUTIONS

ADJOURNMENT

14. By Councilmember seconded by Councilmember
Resolved, that this Common Council adjourn until April 4, 2017.

Gilbert, Smilinich, Rautenstrauch, Toth, Koch

Ayes:

Nays: