

Agenda
Council Chambers
Tonawanda, New York
February 6, 2018

A Regular Meeting of the Common Council

Present: Council President Koch

Present Councilmembers: Gilbert, Kammerdeiner, Young, Mileham

Pledge of Allegiance led by Council President Koch

Prayer led by Fire Chaplin Dave Nedell

COMMUNICATIONS FROM THE MAYOR

Letter from Paul K. D'Orlando of Erie County Department of Environment and Planning advising that City's submission for Sewer Lining Funding was not recommended for funding to Community Development Block Grant Consortium for 2018

Communication from Assemblyman Robin Schimminger regarding the City's request for Capital Funding for a Digital Outdoor Display at City Hall, Construction of Marine and Dive Operations Center for Police and acquisition of solar powered accessory charging benches with Preliminary Application to Joseph Hogenkamp

Copy of letter to Assemblyman Robin Schimminger from NYS Assembly Speaker Carl E. Heastie regarding the City of Tonawanda application for the \$125,000 from the State and Municipal Facilities Program.

Letter to Andrew J Grimaldi appointing him as Chairperson of the City's Plumbing Board effective January 1, 2018 through December 31, 2018

Letter to Mark Fremont Appointing him the City's Plumbing Board effective January 1, 2018 through December 31, 2020.

Letter to City Attorney S. Michael Rua appointing him to the Community Development Agency as the Attorney Liaison effective January 1, 2018.

Letter to Charles M. Gilbert appointing him to the Community Development Agency effective January 1, 2018 and expiring December 31, 2021

Communication from the Mayor regarding negotiations with Spectrum Communications

COMMUNICATIONS FROM CITY OFFICIALS AND CORRESPONDENCE

Minutes of the Tonawanda Plumbing Board for January 2017 through December 2017.

Minutes of the Planning and Zoning Board for January 2017 through December 2017

January Minutes of the Tonawanda Traffic and Safety Advisory Board.

January 2018 monthly report of the City Clerk

2017 Activity Report of the Tonawanda Fire Department

Letter to Council President Jenna Koch from Dennis Angelo, President Tonawanda UFA Local 859 requesting a meeting with the Common Council

Memorandum from City Engineer Jason LaMonaco, P.E to Asbestos Abatement Contractors regarding Asbestos Abatement Cost Proposals

Communication from Gale R. Burstein, M.D, Erie County Commission of Health regarding ECDOH Policy Change

Letter from Cindi Barraclough objecting to change to Multiple Dog Permit Rules

Letter from Elaine Garrity objecting to change to Multiple Dog Permit Rules.

Communication to Leonard F. Kowalski, P.E., Director of Engineering, ECWA on behalf of the Common Council regarding the relocation of damaged Fire Hydrant at Two Mile Creek and Niagara Street to 20 Two Mile Creek and additional installation of Fire Hydrant at 799 Niagara Street.

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 the Common Council minutes from January 16, 2018 be accepted as filed.

Gilbert, Kammerdeiner, Young, Mileham, Koch
Ayes:
Nays:

2. By Councilmember seconded by Councilmember

Resolved, that the reading of the resolutions be waived.

Gilbert, Kammerdeiner, Young, Mileham, Koch
Ayes:
Nays:

3. By Councilmember Kammerdeiner seconded by Councilmember Mileham

Resolved, that James P. Kossow is hereby appointed City Clerk, effective March 9, 2018, at an annual salary of \$60,000 per the 2018 Adopted Budget. Said appointment shall run for a term to expire on December 31, 2019, or until such time thereafter as another appointment is made per the City Charter.

Gilbert, Kammerdeiner, Young, Mileham, Koch
Ayes:
Nays:

4. By Councilmember Koch seconded by Councilmember

Resolved that the Erie County Water Authority be authorized to relocate a damaged Fire Hydrant from the corner of Two Mile Creek and Niagara Street to the area of 811 Niagara Street and to install an additional hydrant at 20 Two Mile Creek Road per the recommendation of the Erie County Water Authority and Chief Chuck Stuart.

Per the ECWA tariff, this installation will be a no cost to the City.

Budget Impact - \$229.30 annual charge for additional Hydrant.

Gilbert, Kammerdeiner, Young, Mileham, Koch
Ayes:
Nays:

5. By Councilmember seconded by Councilmember

Resolved that the Erie County Water Authority is planning the replacement of the water line on Main Street from Kohler Street to Seymour Street and has recommended the installation of an additional fire hydrant to maintain adequate spacing between hydrants (600 feet) and

Whereas Fire Chief Chuck Stuart has reviewed their recommendation and is in support of same

Now, therefore be it resolved that the Erie County Water Authority be authorized to install an additional Fire Hydrant on the southeast corner of Main Street and Minerva Street adjacent to the property at 284 Main Street per the recommendation of the ECWA and Chief Chuck Stuart. Per the ECWA Tariff, this installation will be a no cost to the City.

Budget Impact - \$229.30 annual charge for additional Hydrant

Gilbert, Kammerdeiner, Young, Mileham, Koch

Ayes:

Nays:

6. By Councilmember seconded by Councilmember

Be it resolved that the salaries for the following be established:

Monica Ljiljanich, Executive Secretary for the Tonawanda Civil Service Commission
Effective January 1, 2018 \$24,552
Effective July 1, 2018 \$24,982

Jace Kowsky ó Dog Control Officer ó
Effective January 1, 2018 - \$19.00 per hour

Jeff Leidolph ó Electrical Inspector
Effective January 1, 2018 ó per hour \$22.64

Gilbert, Kammerdeiner, Young, Mileham, Koch

Ayes:

Nays:

7. By Councilmember seconded by Councilmember

Whereas, a \$25.00 Special Events application fee and application were received by the City Clerk for Green Beer Sunday, 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, all details for the above named event must be coordinated with Captain Fred Foels and the Tonawanda Police Department and the event chairperson, now, therefore be it

Resolved, that permission is granted to Gateway Harbor to conduct its Green Beer Sunday Parade on March 4, 2018 at from 12:00 P.M. till 2:00 P.M.

Resolved, that a Certificate of Insurance is on file naming the City of Tonawanda as additional insured.

Gilbert, Kammerdeiner, Young, Mileham, Koch

Ayes:

Nays:

8. By Councilmember seconded by Councilmember

Whereas, a \$25.00 Special Events application fee and application were received by the City Clerk for the American Legion Classics on the Niagara 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, 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 American Legion Post 264 to hold the Classics on the Niagara in Niawanda Park from Wheeler Street Parking Area to City Hall on September 2, 2018 from 6 A.M until 9:00 P.M. and be it further

Resolved, that a Certificate of Insurance naming the City of Tonawanda as additional insured be filed with the City Clerk no later than August 1, 2018

Gilbert, Kammerdeiner, Young, Mileham, Koch

Ayes:

Nays:

9. By Councilmember seconded by Councilmember

Whereas, a \$25.00 Special Events application was received by the City Clerk from the American Legion Post 264 and the Viet Nam Veterans Chapter 77 for the Fill the Helmet Fundraiser,

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

Whereas, all details and locations for the above named event must be coordinated with Tonawanda Police Captain Fred Foels,

Therefore, be it resolved that permission is granted to the American Legion Post 264 to hold their Fill the Helmet Fundraiser on May 19, 2018 from 9:00 A.M. ó 2:00 P.M.

Resolved, that a Certificate of Insurance naming the City of Tonawanda as additional insured be filed with the City Clerk no later than April 15, 2018.

10. By Councilmember seconded by Councilmember

Resolved, The City of Tonawanda Common Council has reviewed the proposed Inter-Municipal Shared Service Agreement between the City of Tonawanda and Niagara County for Stormwater Management Coordinator services, approves the terms and conditions in that Agreement, approves providing Stormwater Management Coordinator services to Niagara County for the sum contained in the Agreement and authorizes the Mayor to execute said Agreement.

Funding/Fiscal Impact: \$43,300 from Niagara County to the City of Tonawanda
Engineering Department for services rendered

Gilbert, Kammerdeiner, Young, Mileham, Koch

Ayes:

Nays:

11. By Councilmember seconded by Councilmember

WHEREAS, the title of this Resolution/Ordinance has been published at least once in a newspaper of general circulation, specifically on January 26, 2018, in accordance with Section 2.047 of the City Charter.

Now therefore, be it resolved that Chapter 50 entitled SOLID WASTE, Article 1, IN GENERAL, Section 50-1, DEFINITIONS, of the Tonawanda City Code shall now include:

Bulk Waste means any discarded materials, except garbage, that is not placed inside the garbage tote.

Be it further resolved that Chapter 50 entitled SOLID WASTE, Article 2 COLLECTION AND DISPOSAL, Division 1 GENERALLY, Section 50-43, COLLECTION GENERALLY; PLACEMENT OF WASTE MATERIAL AT CURB of the Tonawanda City Code shall now include:

- (i) (5) Bulk waste material pick up is limited to quantities of four (4) cubic yards (~~3~~~~3~~~~12~~) per property, with a maximum of two pick-ups per month. Bulk waste should be placed at the curb and must be in compliance with the requirements as stated in Chapter 50 of the Tonawanda City Code.

Be it further resolved, that all other Sections of said Ordinance shall remain unchanged and in full force and effect; and

Be it further resolved, that the above amendment shall take effect upon publication of its title in an official newspaper of the City of Tonawanda.

Gilbert, Kammerdeiner, Young, Mileham, Koch

Ayes:

Nays:

12. By Councilmember seconded by Councilmember

Whereas, a Special Events application was received by the City Clerk from Tonawanda Gateway Harbor, Inc for Food Truck Thursdays

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 Captain Fredric Foels and Parks and Recreation Director Amanda Lofft and the event chairperson, now, therefore be it

Resolved, that permission is granted to the Gateway Harbor Inc. to conduct Food Truck Thursdays from 5-8:00 P.M. on 6/7, 6/14, 6/21, 6/28, 7/5, 7/12, 7/26, 8/2, 8/09, 8/16, 8/23, and 8/30, 2018

Resolved, that a Certificate of Insurance naming the City of Tonawanda as additional insured be filed with the City Clerk no later than May 10, 2018.

Gilbert, Kammerdeiner, Young, Mileham, Koch

Ayes:

Nays:

13. By Councilmember seconded by Councilmember

Whereas, an application was received by the City Clerk from Tonawanda Gateway Harbor, Inc for and Old Fashioned Street Dance

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 Captain Fredric Foels and Amanda Lofft, Parks and Recreation Director and the event chairperson, now, therefore be it

Resolved, that permission is granted to the Gateway Harbor Inc. to an Old Fashioned Street Dance on June 09, 2018 from 6 P.M. till 10:00 P.M.

Resolved, that a Certificate of Insurance naming the City of Tonawanda as additional insured be filed with the City Clerk no later than May 10, 2018.

Gilbert, Kammerdeiner, Young, Mileham, Koch

Ayes:

Nays:

14. 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, Kammerdeiner, Young, Mileham, Koch

Ayes:

Nays:

COMMENTS BY THE PUBLIC AFTER RESOLUTIONS

COMMENTS BY THE COUNCILMEMBERS AFTER RESOLUTIONS

ADJOURNMENT

15. By Councilmember seconded by Councilmember

Resolved, that this Common Council adjourn until February 20, 2018

Gilbert, Kammerdeiner, Young, Mileham, Koch

Ayes:

Nays: