

Agenda
Council Chambers
Tonawanda, New York
January 16, 2018

A Regular Meeting of the Common Council

Council President Koch
Gilbert, Smilinich, Rautenstrauch, Toth

Pledge of Allegiance led by Council President Koch
Prayer led by Chief Chaplain

Mayor's Presentation to City Attorney Ronald C. Trabucco for his retirement.
Presentation to Ronald C. Trabucco from Legislator Kevin Hardwick.
Presentation to Ronald C. Trabucco from Senator Chris Jacobs by Sean O'Neil

COMMUNICATIONS FROM THE MAYOR

Letter to Jason LaMonaco reappointing him as City Engineer
Letter to Charles Rech appointing him to the Waterfront Revitalization Board with a term to expire December 31, 2021
Letter to Gayle Syposs appointing her to the Waterfront Revitalization Board with a term to expire December 31, 2021
Letter to Mayor Rick Davis from Magavern & Loretto, PC regarding Proposed Opioid Litigation
Letter to Mayor Rick Davis and the Common Council requesting approval for Green Beer Sunday from the Gateway Harbor of the Tonawanda

COMMUNICATIONS FROM CITY OFFICIALS AND CORRESPONDENCE

Letter from City Attorney Ronald C. Trabucco announcing his retirement as City Attorney effective February 1, 2018
Communication from Councilmember Gilbert to Senator Chris Jacobs asking for his assistance in obtaining installation of FIOS by Verizon for the City
Notice from National Grid advising of a field audit of National Grid's company owned street lightening.

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 be accepted as filed.

Gilbert, Kammerdeiner, Young, Mileham, Koch

Ayes:

Nays:

2. By Councilmember _____ seconded by Councilmember _____
Resolved, that the bills be allowed as audited and that the City Clerk draw warrants on the Treasurer for the various amounts.

Gilbert, Kammerdeiner, Young, Mileham, Koch

Ayes:

Nays:

3. By Councilmember _____ seconded by Councilmember _____
Resolved, that the reading of the resolutions be waived

Gilbert, Kammerdeiner, Young, Mileham, Koch

Ayes:

Nays:

4. By Councilmember _____ seconded by Councilmember _____

Whereas City Attorney Ronald C. Trabucco has announced his retirement as City Attorney effective February 1, 2018 and where as the City Charter states the following:

“Vacancies occurring in any elective office shall be filled by the common council at its next regular meeting, where practicable, after creation of the *vacancy*. The person appointed to fill the *vacancy* shall hold office pursuant to New York State law. In the case of a tie vote to fill a common council *vacancy*, the mayor shall cast the deciding vote and

Whereas, the Common Council recognizes the need for the position of City Attorney being filed in a timely manner and

Whereas, the current Deputy City Attorney, S. Michael Rua has served for numerous terms and has the required experience

Now therefore, be it resolved that Deputy City Attorney S. Michael Rua be appointed City Attorney for the City of Tonawanda effective February 1, 2018 until December 31, 2018 following an election for the unexpired term of Ronald C. Trabucco.

Gilbert, Kammerdeiner, Young, Mileham, Koch

Ayes:

Nays:

5. By Councilmember Kammerdeinder seconded by Councilmember

WHEREAS, the title of this Resolution/Ordinance has been published at least once in a newspaper of general circulation, more specifically, The Buffalo News, on January 3, 2018, in accordance with Section 2.047 of the City Charter.

Now therefore, be it resolved that Chapter 62 entitled TRAFFIC AND VEHICLES, Article 5, TRAFFIC SCHEDULES, DIVISION 2, **Section 62-193, Schedule XV No Standing**, of the Tonawanda City Code shall now include:

<i>Name of Street</i>	<i>Side</i>	<i>Location</i>
Tussing Lane	North	From Delaware Street to Clarence Harder Drive
Tussing Lane	South	From Delaware Street to a point 250 feet west thereof (Townhouses Driveway Access)

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:

6. By Councilmember seconded by Councilmember

Whereas, in accordance with Sections 2.025 and 3.051 of the Charter for the City of Tonawanda, New York, the Mayor shall appoint officers as the Mayor deems necessary or as provided by law or ordinance subject to confirmation by the Common Council,

Therefore be it Resolved, that the Common Council hereby confirms the Mayor's appointment of Jason J. LaMonaco to the position of City Engineer, term to expire December 31, 2021 at a salary as per budget.

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

7. By Councilmember seconded by Councilmember

Resolved, at the recommendation of the City Engineer, Jason J. LaMonaco, P.E., that award of the Niagara River Bank Soft Armor Repair Project be made to The Environmental Service Group (NY), Inc. at a cost not to exceed \$29,450.00.

Date: January 16, 2017

Funding/Fiscal Impact: \$29,450.00 from the NYSDEC Shoreline Softening Demonstration Grant

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

8. By Councilmember seconded by Councilmember

Resolved, at the recommendation of City Engineer Jason J. LaMonaco, P.E., that award of the City of Tonawanda Local Waterfront Revitalization Plan Update Amendment 2 be made to Clark Patterson Lee, at a cost not to exceed \$10,000.00.

Funding/Fiscal Impact: \$10,000.00

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

9. By Councilmember seconded by Councilmember

Resolved, at the recommendation of the City Engineer, Jason J. LaMonaco, P.E., that award of the Phase 5 SSES Sanitary Sewer and Manhole Rehabilitation Change Order No. 1 be made to Milherst Construction, Inc., at a credit to the City of Tonawanda in the amount of \$80,878.94.

Funding/Fiscal Impact: (\$80,878.94) from the Capital Budget

Gilbert, Kammerdeiner, Young, Mileham, Koch

Ayes:

Nays:

10. 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

11. By Councilmember _____ seconded by Councilmember _____

Resolved, that this Common Council adjourn until February 6, 2018.

Gilbert, Kammerdeiner, Young, Mileham, Koch

Ayes:

Nays: