

Council Chambers
Tonawanda, New York
July 11, 2017

A Regular Meeting of the Common Council

Present: Council President Koch

Present Councilmembers: Gilbert, Smilinich, Rautenstrauch, Toth

Pledge of Allegiance and Silent Prayer led by Council President Koch

COMMUNICATIONS FROM THE MAYOR

Communication from the Mayor Announcing plans for the Downtown Day- 2017 for the Opening of the City of Tonawanda Blue & Greenways Intermodal Hub with Agenda for the Event

COMMUNICATIONS FROM CITY OFFICIALS AND CORRESPONDENCE

Letter from Michael Rogers in regards to moving a fire hydrant at 87 Niagara Shore Drive

June Monthly Report for Traffic and Safety Advisory Board

May Monthly Report for the Office of the Building Inspector

July Cash Report of the City Clerks Office

June Meeting Minutes of the Board of Appeals

Referred to the Committee of the Whole

Ordered filed

Council President Koch- We have tabled Resolution #8 and we will not be going into Executive Session.

COMMENTS BY THE PUBLIC ON RESOLUTIONS

No comments by the Public

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

165. By the Council seconded by the Council
- Resolved, that the Common Council minutes from June 20, 2017 be accepted as filed.
- Ayes: Gilbert, Smilinich, Rautenstrauch, Toth, Koch
Nays: None
- Resolution declared adopted
166. By Councilmember Gilbert seconded by Councilmember Smilinich
- Resolved, that the readings of the resolutions be waived.
- Ayes: Gilbert, Smilinich, Rautenstrauch, Toth, Koch
Nays: None
- Resolution declared adopted
167. By Councilmember Gilbert seconded by Councilmember Rautenstrauch
- Resolved, that the residents of Iliion Street between Maldiner Street and Amsterdam Street be permitted to conduct a Block Party on Saturday, September 9, 2017 from 1:00 P.M. to 11:00 P.M.
- Ayes: Gilbert, Smilinich, Rautenstrauch, Toth, Koch
Nays: None
- Resolution declared adopted
168. By Councilmember Smilinich seconded by Council President Koch
- Whereas, a Special Events application was received by the City Clerk from Dennis Smilinich on behalf of the American Legion to conduct the Badge of Honor Ride
- Whereas, the application was reviewed and commented on by all appropriate departments heads to insure the safety and well being of our residents,
- Whereas, all details for the above named event must be coordinated with Captain Fredric Foels and Superintendent Joseph Warthling of the Department of Public Works, and the event chairperson, now
- Therefore, be it resolved that permission is granted to the American Legion to hold their Badge of Honor Ride on Sunday, July 30, 2017 at 12:00 P.M.
- Councilmember Smilinich- I am told that a portion of the funds will be given to Trooper Davis.
- Ayes: Gilbert, Smilinich, Rautenstrauch, Toth, Koch
Nays: None
- Resolution declared adopted
169. By Councilmember Gilbert seconded by Councilmember Toth
- Whereas, a Special Events application was received by the City Clerk from Jessica Haskill on behalf of the Tonawanda Cheerleaders to conduct a Car Wash
- Whereas, the application was reviewed and commented on by all appropriate departments heads to insure the safety and well being of our residents,
- Therefore, be it resolved that permission is granted to the Tonawanda Cheerleaders to hold their Car Wash on Saturday, July 29, 2017 and that a Certificate of Insurance naming the City of Tonawanda as additional issued be filed with the City Clerk no later than July 22, 2017.
- Ayes: Gilbert, Smilinich, Rautenstrauch, Toth, Koch
Nays: None
- Resolution declared adopted

170. By the Council

seconded by the Council

Whereas a Contract for Dog Shelter/Impound services was signed on August 1, 2015 with All Dawgs Academy, LLC and

Whereas, the Contract provided for automatic and continuous renewal for each succeeding year until the City or All Dawgs Academy, LLC provided 30 day written notice to the other, prior to commencement of the succeeding year, that they wish to terminate the Agreement; and

Whereas All Dawgs Academy has served a 30 day notice to the City of an Amendment in the Agreement regarding Paragraph 7 (a) entitled Fees, for an increase from \$25 to \$30 per dog, per day, for the first five days of Shelter and/or Pound Services; and

Whereas, Dog Warden, Jace Kowsky, has reviewed said Agreement and is in support of the continuation of the Contract.

Now, therefore be it resolved that Mayor Rick Davis is authorized and directed to sign the amended Contract for continuation of services from All Dawgs Academy, LLC, 363 Delaware Street, Tonawanda, NY commencing August 1, 2017. A copy of said Contract is on file in the Office of the City Clerk.

Ayes: Gilbert, Smilinich, Rautenstrauch, Toth, Koch

Nays: None

Resolution declared adopted

171. By the Council

seconded by the Council

Resolved, that Rick Davis, as Mayor of the City of Tonawanda, is hereby authorized and directed to file an electronic Consolidated Funding Application for funds in accordance with the endorsement standards set forth by the New York State Regional Economic Development Councils, in an amount no less than 50% of the approved funding and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the City of Tonawanda for the proposed Feasibility Study for the Reconfiguration of Tonawanda's Niagara Street Corridor through the Empire State Development Program.

Ayes: Gilbert, Smilinich, Rautenstrauch, Toth, Koch

Nays: None

Resolution declared adopted

172. By Councilmember

seconded by Councilmember

WHEREAS, Corey McGowan Productions, Inc. desires to enter into a Rental Agreement with the City for use of the band shell located at Niawanda Park for concert events.

Now, Therefore be it resolved that Mayor Rick Davis is hereby authorized and directed to execute a proposed Rental Agreement between the City and Corey McGowan Productions, Inc. regarding rental of the band shell. A copy of said Agreement is on file with the City Clerk.

Council President Koch- A motion to table the resolution was made by Councilmember Smilinich, seconded by Councilmember Gilbert

Ayes: Gilbert, Smilinich, Rautenstrauch, Toth, Koch

Nays: None

Resolution declared tabled

173. By Councilmember Toth

seconded by Council President Koch

Whereas, a Special Events application was received by the City Clerk from Amanda Lofft for the Glory Be to Kids Softball Tourneys and

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

Therefore, be it resolved that permission is granted to Glory Be To Kids to hold their Softball Tourneys on July 15th and 16th and August 12th with rain dates of July 22nd and 23rd and,

Resolved, that a Certificate of Insurance naming the City of Tonawanda is on file in the City Clerk's office.

Ayes: Gilbert, Smilinich, Rautenstrauch, Toth, Koch

Nays: None

Resolution declared adopted

COMMENTS BY THE PUBLIC AFTER RESOLUTIONS

Peter Deeb, 47 James Street, City of Tonawanda-I'm here along with a few others. We're negotiating a contract with Yerkes Dupont. It's becoming very serious situation. They've brought in some workers who will replace us possibly. One of our big concerns is the safety of our community. This is a high hazard operation. We are kind of experts in our field. We have a lot of training that consists of computer training, hands on training, haz wop training, how to handle chemicals. I know that the City of Tonawanda has been part of disaster drills at the plant. If there were a disaster at the plant I'm sure that Tonawanda would be called to help. This is a no small event if it were to happen. We could just look back to 2010 we had a fatality unfortunately, tragically. I would hate to relinquish our control to people we don't believe have the training and the expertise to work in this type of environment. One of the other things I would like to definitely bring up is that I've lived here all my life. I spend all my money here basically. I try to make my home nice. I try to bring our property values up. Part of the things they want to do is go to the two-chair wage system which would virtually cut our wages in half. At that type of rate I'm not going to be able to do the things that I do. There is a way to raise taxes in the City and then there's a way to raise taxes which would be all ships raised by a tide, by a high tide. So to keep these high paying jobs benefits not only, of course it is in the Town of Tonawanda, all our communities around the area from Grand Island, Town of Tonawanda, Cheektowaga, wherever we are from folks are coming into the plant, 350 union folks coming into this plant from all over. We believe that we are helping our communities and helping the economy. I think what we would like to ask the Council and the Mayor to do if there is any way to contact our plant with concerns that you might have. I know this is a very brief explanation and I hope I kind of nailed it as far as how important it really is. A few of us live here right in the City of Tonawanda, quite a few really. A lot of people drive right through the City and will stop at Tim Horton's; they'll stop at McDonald's, maybe at Shanghai or Mooney's and grab some lunch. So, it benefits everybody in our community. They might even see a home they like and buy it. Again, if they determine they can give us this low wage we are not going to be quite as effective in helping our community get where it needs to be. Also, the cheap power kind of thing might be an issue too now. They've been able to get low cost power based on jobs. If they're getting low cost power here for jobs here and they bring the jobs here I think they're double dipping. I find that kind of, I won't say it, but that's how I find it. It's not where we really need to be. So I have some contact information that I will drop off to the clerk after. Thank-you very much.

Brian McMaster, 1718 Broadway, Grand Island- Another thing about these replacement workers they are being brought in from out of town. The money that they are being paid right now isn't even going to stay in the community. I think that is a big deal and it bothers me. That's all I have to say.

COMMENTS BY THE COUNCILMEMBERS AFTER RESOLUTIONS

Councilmember Rautenstrauch- I have a reminder about the Erie County Recycling Event this weekend at the school bringing any kind of extra electronics that you have. It's been advertised for awhile on Facebook. If anybody has any electronic equipment they're looking to dispose of there will be an event this weekend from 9:00 A.M. to 1:00 P.M. at the High School. I plan on being there in the morning until noon to help.

Councilmember Toth- I just want to thank our speakers tonight from Dupont. I know what kind of operation they have over there. My brother-in-law recently retired from there. Unfortunately, he was one of the first people that was on that scene that day with the fatal accident over there. I know that there is a big tie in with the City and the Town and Emergencies over there so you have my support and I will take some of that contact

information before I leave tonight and thank you for speaking on behalf and wanted to say, same as Sean about the recycling event on Saturday, I will be there as well all day with my two girls helping out so we have lots of extra hands and legs to help with the equipment.

Councilmember Gilbert ó Well I'm glad to hear we're going to have a lot of help at the recycling event. The recycling event benefits two organizations in the area, the Lions Club and the City of Tonawanda Youth Board and with the Youth Board, that money goes directly to our youth, it does not stay anywhere, it doesn't go into government, that money goes right back to the kids in the form of book awards and or other things, events that the kids get out of it so all the money, it's usually around a thousand dollars that is raised through doing that unless more electronics are brought in then we can get some more which benefits the kids in the area so bring your tv's, bring your computers and we'll all load them for you. All you have to do is drive up so it'll be a great event.

Then, I just want to take a second and congratulate a couple kids that I know since they were knee high to a grasshopper. A lot of the kids today going to college or they're going to work but these two kids have decided to give service to our Military. They are joining the US Coast Guard, they did it together, they are twins in the City and they are putting their lives on the line now for us and to protect us and just want to take a second and if everybody could give them a round of applause and thank them for their service. (Applause) Their names are Seth and Sidney Kowsky, they are very shy about being here so two really great kids and I do look forward to seeing them in the future.

Mayor Davis ó I'd just like to thank our City of Tonawanda Police and the Town of Tonawanda Police, everybody on Facebook for getting the word out about the missing young man who was found safe and sound and his Mother couldn't be more ecstatic so I'd like to thank everybody for sharing the post, for their well wishes, their prayers and the work of the two police departments in finding this young man.

BPO, the place was mobbed, love to see that many people down at the River, I'd like to thank Assemblyman Schimminger for putting that together and bringing them to the City for a third year in a row.

Kohler Pool today celebrates 60 years of being open. Just about everyone up here today can't remember 60 years ago except for Mrs. Smilinich and Mrs. Syposs but Kohler Pool for the last 60 years has been keeping the young and old cool in the summer and here's to another 60 years for Kohler Pool.

Canal Fest, love it or hate it, it is going to be here over the weekend and I look forward to winning the tug of and being carted over the Canal by Mayor Pappas.

Our Website is currently in the works of being reconstructed. For the next two weeks if there is anything you would like to see on our website that maybe other communities have done, please contact my office and we're going to take all the suggestions, put them together as we revamp that.

Myself and Council President Koch took a tour of Highland School and we were very impressed with how that project turned out. Could have been an eyesore in that area much like the old Junior High was for many years and they have sunk a lot of money into that project and the apartments are quite nice.

To comment on Mr. Deeb, bringing in of, I'd call them scabs because I am a Union President so bringing in of scabs to do somebody else's job, A. I don't agree with but B, from an environmental standpoint, I fought about twelve, eighteen months ago ó Dupont wanted to lessen the regulations as far as emissions into the atmosphere of certain toxins and I worked with the Clean Air Coalition to get the EPA to extend their permit banning most if not all of the toxins that they wanted to emit into the atmosphere, but my concern is here we're putting unqualified people in charge of jobs here that could put our residents at risk if they're not doing their job right so hats off to you guys for everything you are doing to try to raise concerns in the community to what's happening there and I will definitely be sending a letter out and I appreciate you guys coming in tonight and explaining everything.

Lastly, I would like to ask everyone to keep the Galas Family in your thoughts and prayers. Mandy Galas Lofft lost her Mother so please think about their family tonight.

Council President Koch ó I want to thank the Police Department for doing such a great job with traffic control the night of the BPO. The BPO said they had about four thousand people in attendance so certainly my hats off to everybody who helped make that such a great concert for us.

I wanted to wish Jeff Schultz a congratulations on his recent retirement from the City and thank him for all that he's done for us.

Due to the Canal Fest, the Council will meet again on July 25th and surprised the Mayor didn't mention this as his house is on the Garden Walk but the Garden Walk will be held this Friday and Saturday so please take time to stop by and see the beautiful gardens that are on display.

Tonight, Kohler pool is having their 60th Birthday Party, we proposed the idea after a Warriors Walk and Skip Johnson had mentioned that this year would be their 60th birthday and low and behold a year later we are celebrating with cupcakes and free swim till 7:50 so please feel free, you still have time to put your bathing suit on and jump in.

As a reminder, you cannot put tv's out to the curb so now is a great time to clean out your basement, grab your electronics and drop it off to an event that benefits some wonderful organizations in our community.

ADJOURNMENT

174. By Council President Koch seconded by the Councilmember Toth
Resolved, that this Common Council adjourn until July 25, 2017.

Ayes: Gilbert, Smilinich, Rautenstrauch, Toth, Koch

Nays: None

Resolution declared adopted

City Clerk

Mayor

Date Filed