

Council Chambers  
Tonawanda, New York  
April 21, 2015

A Regular Meeting of the Common Council

Present: Acting Council President Gilbert  
Present Councilmembers: Smilinich, Hall, Koch  
Excused: Council President Zeisz

Pledge of Allegiance led by Acting Council President Gilbert

Prayer led by Chief Fire Chaplain Sam Ciffa

Mayor's Proclamation  
April 20, 2015 – Grace Saito Day

**COMMUNICATIONS FROM THE MAYOR**

A letter to Kelly Zimmermann, 135 Adam Street, dated April 16, 2015, naming her to the City of Tonawanda Youth Board, term to expire December 31, 2019.

A letter from Mark A. Doane, 151 Dexter Street, dated April 1, 2015, resigning from the Zoning Board of Appeals, effective immediately.

A letter to Mark A. Doane, 151 Dexter Street, dated April 16, 2015, thanking him for his years of service on the Zoning Board of Appeals.

A Certificate of Final Special Franchise Full Value from the State of New York Department of Taxation and Finance Office of Real Property Tax Services, dated April 6, 2015.

An e-mail from Karen Russell, a teaching assistant at the Tonawanda Middle School, dated April 15, 2015, resigning from the Youth Board, effective immediately.

A letter from the Environmental Facilities Corporation, dated April 9, 2015, regarding the CWSRF Project No. C9-6672-05-00.

Ordered filed

**COMMUNICATION FROM CITY OFFICIALS AND CORRESPONDENCE**

The following monthly reports were received by the City Clerk:

March monthly report of the Building Inspector

Informal Minutes of the City Clerk

March Activity Report of the Fire Department

April minutes of the SMSI Task Force

April minutes of the Youth Board meeting

Comprehensive Revenue & Expenditure Control Report for the City of  
Tonawanda as of April 21, 2015

Referred to the Committee of the Whole

Ordered filed

*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.*

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- *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.*
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- *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.*
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**COMMENTS BY THE PUBLIC ON RESOLUTIONS**

There were no comments by the public on the resolutions.

**MOTIONS AND RESOLUTIONS**

85. By the Council seconded by the Council  
 Resolved, that the Common Council minutes from April 7, 2015, be accepted as filed.

Ayes: Gilbert, Smilinich, Hall, Koch  
 Nays: None

Resolution declared adopted

86. By Councilmember Gilbert seconded by Councilmember Koch  
 Resolved, that the bills be allowed as audited and the City Clerk be directed to draw warrants on the Treasurer for the various amounts.

Ayes: Gilbert, Smilinich, Hall, Koch  
 Nays: None

Resolution declared adopted

87. By Councilmember Koch seconded by Councilmember Gilbert  
 Resolved, that the following resolution be tabled.

Ayes: Gilbert, Smilinich, Hall, Koch  
 Nays: None

Resolution declared adopted

88. By Councilmember seconded by Councilmember  
 Whereas, according to the City of Tonawanda Charter, adopted November 4, 1994, the Common Council must establish, by ordinance, no later than May 1, 2015, the compensation rates of the offices subject to the election being held on November 3, 2015, and

Whereas, such compensation rates must take effect on January 1, 2016, now, therefore be it

Resolved, that the position of Councilmember receive \$8,500 per year and the position of Council President receive \$10,000 per year and be it further

Resolved, the position of City Attorney receive \$44,000 per year and that the position of City Treasurer received \$75,000 per year.

Gilbert, Smilinich, Hall, Koch  
 Ayes:  
 Nays:

**RESOLUTION TABLED**

89. By Councilmember Koch seconded by Councilmember Smilinich  
Resolved, that Roger Puchalski, 478 Adam Street, and Heather L. Sternin, 742 Fletcher Street, be named Commissioner of Deeds for the City of Tonawanda, term to expire December 31, 2016.

Ayes: Gilbert, Smilinich, Hall, Koch  
Nays: None

Resolution declared adopted

90. By Councilmember Hall seconded by Councilmember Smilinich  
Resolved, that the Certificate of Insurance and bond for Michael R. O'Neil (Jameson Electric, Heating, and Plumbing) be filed and a license be issued for said plumber to do business in the City of Tonawanda for the year 2015.

Ayes: Gilbert, Smilinich, Hall, Koch  
Nays: None

Resolution declared adopted

91. By Councilmember Smilinich seconded by Councilmember Koch  
Whereas, a \$25.00 Special Events application fee and application were received by the City Clerk for the Memorial Day Parade 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 Police Captain Fred Foels and the event chairperson, now, therefore be it  
Resolved, that permission be granted to the Tonawanda United Veterans Council to hold the Memorial Day Parade on Sunday, May 24, 2015, 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 May 15, 2015.

Ayes: Gilbert, Smilinich, Hall, Koch  
Nays: None

Resolution declared adopted

92. By Councilmember Koch seconded by Councilmember Smilinich  
Resolved, that the reading of the next four resolutions be waived.

Ayes: Gilbert, Smilinich, Hall, Koch  
Nays: None

Resolution declared adopted

93. By Councilmember Koch seconded by Councilmember Hall  
Whereas, a \$25.00 Special Events application fee and application were received by the City Clerk for the Walk for Muscular Dystrophy 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 Parks and Recreation Director Amanda Lofft and the event chairperson, now, therefore be it  
Resolved, that permission be granted to the Muscular Dystrophy Association to hold a Walk for Muscular Dystrophy on August 12, 2015 from 12:00 P.M. to 8:00 P.M. and be it further  
Resolved, that any overtime that is incurred during this event will be paid for by the Muscular Dystrophy Association 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 3, 2015.

Ayes: Gilbert, Smilinich, Hall, Koch  
Nays: None

Resolution declared adopted

94. By Councilmember Koch seconded by Councilmember Smilinich  
 Whereas, a \$25.00 Special Events application fee and application were received by the City Clerk for Lindsay's Legacy 5K Run 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 Police Captain Fred Foels and the event chairperson, now, therefore be it  
 Resolved, that permission be granted to Lindsay's Legacy to a 5K Run on Saturday, November 14, 2015, at 11:00 A.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 October 30, 2015.

Councilmember Koch ó I believe this is the 11<sup>th</sup> annual Lindsay's Legacy and I just want to thank them for all that they do for the City of Tonawanda.

Acting Council President Gilbert ó I'd just like to add that last year I was there at the finish line and watching the cheerleaders cheer the runners on to the finish line and I know they had problems with water last year and the community really stood up and donated a lot and I just think this event is great for the community and I think it's a great thing.

Councilmember Koch - Will you be running it this year?

Acting Council President Gilbert - No, I gotta trick hip.

Councilmember Koch - You gonna walk it? I'd walk it with you.

Ayes: Gilbert, Smilinich, Hall, Koch

Nays: None

Resolution declared adopted

95. By Acting Council President Gilbert seconded by Councilmember Smilinich  
 Whereas, a \$25.00 Special Events application fee and application were received by the City Clerk for the Mueller Mile Road Race 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 Police Captain Fred Foels and the event chairperson, now, therefore be it  
 Resolved, that permission be granted to Mueller Services to hold the Mueller Mile Road Race on Thursday, August 13, 2015, at 6:30 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 July 31, 2015.

Ayes: Gilbert, Smilinich, Hall, Koch

Nays: None

Resolution declared adopted

96. By Councilmember Hall seconded by Councilmember Smilinich  
 Whereas, a \$25.00 Special Events application fee and application were received by the City Clerk for Great Strides annual walk for cystic fibrosis 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 Parks and Recreation Director Amanda Lofft and the event chairperson, now, therefore be it  
 Resolved, that permission be granted to the Cystic Fibrosis Foundation to hold their annual Great Strides Walk for Cystic Fibrosis on Saturday, May 16, 2015 at 9:00 A.M. and be it further  
 Resolved, that any overtime that is incurred during this event will be paid for by the Cystic Fibrosis Foundation 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 May 1, 2015.

Councilmember Smilinich ó This walk is lead by the Muscato family in the City of Tonawanda, whose daughter has cystic fibrosis and I am walking if anyone wants to sponsor me but I just ask that everyone come out and support it because it is for one of our own children.

Councilmember Koch ó I would be honored to sponsor you, Councilmember Smilinich. And I think Councilmember Hallí

Councilmember Hall - í I was gonna say, I also will.

Councilmember Koch - And that's on record.

Ayes: Gilbert, Smilinich, Hall, Koch

Nays: None

Resolution declared adopted

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#### **COMMENTS FROM THE PUBLIC AFTER RESOLUTIONS**

There were no comments from the public after the resolutions.

#### **COMMENTS FROM THE COUNCILMEMBERS AFTER RESOLUTIONS**

Councilmember Smilinich ó As most of you know, we did lose one of our trash trucks this past week and thankfully, nobody was injured. It was a very close call and just be thankful.

Councilmember Hall ó I have nothing this evening.

Councilmember Koch ó I know the Mayor issued a Proclamation to Grace Saito to celebrate her 100<sup>th</sup> birthday and I just want to wish her a very special birthday. I'd also like to wish a happy anniversary to our public library. They celebrated 50 years in the City of Tonawanda and I know it was well attended, a great event put on by the library, so thank you. And I just want to thank everybody for coming out.

Acting Council President Gilbert ó I am just gonna add, thank you to everybody for coming, get home safe, God Bless and have a good night.

