

Council Chambers  
Tonawanda, New York  
December 1, 2015

A Regular Meeting of the Common Council

Present: Interim Council President Gilbert  
Present Councilmembers: Smilinich, Hall, Koch

Pledge of Allegiance led by Interim Council President Gilbert

Prayer led by Associate Chief Fire Chaplain William Miles

A moment of silent prayer was offered in memory of Jackie Smilinich's father

*Glory Be To Kids, Inc.*  
*Award given by Parks and Recreation Director Amanda Lofft*

**COMMUNICATIONS FROM THE MAYOR**

There were no communications from the Mayor.

**COMMUNICATION FROM CITY OFFICIALS AND CORRESPONDENCE**

The following monthly reports were received by the City Clerk:  
November Minutes of the Traffic & Safety Advisory Board  
November Executive Minutes of the City Clerk  
Referred to the Committee of the Whole  
Ordered filed

A letter to Assemblyman Robin Schimminger from Interim Council President Gilbert, dated November 20, 2015, regarding availability of grant monies toward the purchase of a new fire truck in the City of Tonawanda.  
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.*

- *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.*

## COMMENTS BY THE PUBLIC ON RESOLUTIONS

There were no comments by the public on the resolutions.

### MOTIONS AND RESOLUTIONS

264. By Council seconded by Council  
Resolved, that the Common Council minutes from November 17, 2015, be accepted as filed.

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

Resolution declared adopted

265. By Councilmember Hall seconded by Councilmember Smilinich  
Whereas, a \$25.00 Special Events application fee and application were received by the City Clerk for the Gateway Cities Winter Walk, 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 the Parks & Recreation Department and the event chairperson, now, therefore be it

Resolved, that permission be granted to the Downtown Merchants Association to hold their annual Winter Walk on Saturday, December 5, 2015, from 10: A.M. to 4 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 December 4, 2015.

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

Resolution declared adopted

266. By Councilmember Koch seconded by Councilmember Smilinich  
Whereas, the Army Corp of Engineers released the updated Proposed Plan for the Tonawanda Landfill and

Whereas, the Army Corp gave four alternatives; no action, capping the FUSRAP area, shallow excavation of the FUSRAP area and full remediation of the FUSRAP area, now, therefore be it

Resolved, that the Common Council of the City of Tonawanda and Mayor Rick Davis does hereby desire full remediation of the FUSRAP area if adequate funding can be appropriated by Congress to complete this alternative sooner rather than later and be it further

Resolved, in the event that that may not be possible, then the shallow excavation alternative would be desired to finally bring closure not only to residents that live along Hackett Drive but all City of Tonawanda residents, and be it further

Resolved, that a certified copy of this resolution is submitted to the Army Corps for the Public Comment period and Senator Schumer and Senator Gillibrand.

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

Resolution declared adopted

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

Roger Pulchalski, 478 Adam Street ó On resolution #2, you eliminated a paragraph. Is that because there is going to be no overtime for the taxpayers?

City Clerk Janice Bodie - We don't charge City...

Interim Council President Gilbert - í it's a City funded, organized event, so we don't charge overtime for City organized events.

City Clerk Bodie - It shouldn't have been in there in the first place.

Roger Pulchalski - Thank-you.

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

Councilmember Hall - I just have a couple things. First, my condolences to Ms. Smilinich in the passing of her father. There's talk about the fire truck issue. Chief, you know how highly I respect Bill's opinion very much and for the next meeting I'll be here, so we'll try to do as much as we can for you. I'd like to thank again all the department heads, just in case I'm not here for the next meeting, all the department heads for working with them and everything they've done to help me out. I appreciate it. And that's all I have.

Councilmember Smilinich - First of all thank-you everyone for your condolences. I just want to say that our Fire Department and Police Department did an excellent job that I experienced first hand with (inaudible). We have a tough decision to make as a Council regarding raising of revenue and if we don't raise the revenue, we won't have a Fire Department, and a Police Department, and a Public Works as we know it. So I ask that, not only this Council President sitting here, but the new Council, come up with ways, if they are opposed to Little League, to raise revenue so that we can keep the services that we have.

Councilmember Koch ó My condolences, Jackie, to you and your family. I want to thank the Glory Be to Kids for all their support, what they do for the Twin Cities, it's a great softball tournament, and I think maybe we should enter the softball tournament sometime.

Interim Council President Gilbert- Do you see yourself playing softball?

Councilmember Koch- Fifteen years ago! I'd also like to thank our entire community for coming together and donating to both the VVA and the St. Francis Outreach. There was a list of over 180 families that were relying on these organizations for Thanksgiving and the community really pulled together and came through in supported both the VVA and the St. Francis Outreach. It was very heartwarming to see the distribution of the meals and the families who were truly gracious, very emotional, and their Thanksgiving dinner was (inaudible). They couldn't have thanked the community enough, so thank you very much for pulling together and stepping up. Many families, businesses organizations came through, so I just want to remind you that the VVA and the St. Francis Outreach

provide meals 365 days a year so please keep them in your thoughts when you are grocery shopping. Buy one get one free. Thank-you.

Mayor Davis ó Ms. Smilinich knows how I feel so I am not going to go over the point anymore. As Ms. Koch stated, the outreach from this community for both VVA and St. Francis was impressive and this is the way our community is. Our community really steps up and helps out those in need, so again many thanks go out to them. And I cut my grass on Sunday. I can't remember the last time the end of November I cut my grass. So when you walk outside tonight and you don't have to shovel and you don't have to scrape windows and you hear words about El Nino and global warming and stuff like that, make sure you thank your friendly neighborhood weatherman. Thank-you Mr. President.

Interim Council President Gilbert ó For the record, I bought a snow blower so that's why we are having the nice weather. I told Ms. Smilinich how, something about the whole situation, it's hard losing a parent or anybody in your family. My condolences to her. This week on the food pantry issue, that was a wonderful thing that was done. To see what the Veterans have done and St. Francis has done to feed those families was a great thing and I appreciate everything they do for that. Otherwise, get home safe and thanks for coming and see you next time.

**ADJOURNMENT**

267. By Councilmember \_\_\_\_\_ seconded by Councilmember \_\_\_\_\_  
Resolved, that this Common Council adjourn until December 15, 2015.

Ayes Smilinich, Hall, Koch, Gilbert

Nays: None

Resolution declared adopted

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date Filed