

Council Chambers
Tonawanda, New York
December 15, 2015

A Regular Meeting of the Common Council

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

Pledge of Allegiance and Silent Prayer led by Interim Council President Gilbert

Swearing-In

Fire/Police

Elizabeth Reif
Ronald Walker

Swearing-In

City Attorney Ronald C. Trabucco

Judge Joseph Cassata- Good evening everybody. These next two are special swearing in ceremonies. Just briefly, I'll tell you about our City Attorney. I've had the pleasure and privilege of practicing law with Ron Trabucco for about twenty- five years or more. He followed me into the City Attorney's Office and I've got to tell you something that I am very proud of what he has accomplished with the City. He is a good City Attorney, a caring City Attorney. And Ron I think as we get older we appreciate it a lot more and I want to tell you something my heartiest congratulations and I love you. Please come forward. This is Deputy City Attorney, Michael Rua, also part of the office for many years, my former Acting City Judge, former Deputy City Attorney, now serving as Deputy City Attorney.

Ronald Trabucco was sworn in as City Attorney by Judge Joseph Cassata.

City Attorney Ronald Trabucco ó Four years ago when I got sworn in I heard through the grapevine that I might have been a little wordy; one of those people is probably in this room right now. In any event, I just wanted everybody to know that I am honored as always to be the City Attorney. This is my sixth term. I've actually been here twenty years. And I've been practicing law in this community for almost forty, so it has been an honor to serve the residents of the City of Tonawanda in so many different aspects. And I am privileged to be the City Attorney and honored to continue to and I want to thank everybody for all their support through the years. I want to especially thank Gayle as always. Gayle has been my friend forever and ever. Endorsed by the Democrat Party of the City, which continually endorsed me, which I appreciate. The Conservative Party which always endorses me I appreciate it, the Working Family Party. I also want to thank not only for Gayle what she has done for me through the years but she has been my friend forever through thick and thin. Sometimes we don't agree on certain things but we always get through it together. She has been a help to me personally and professionally throughout my entire career. I also want to say just for the record to Judge Cassata, we've been together actually almost forty years in practice and now as City Attorney. Joe, Judge Cassata is more than just a business associate or just a judge and I was a city attorney. He's been like a real like a big brother to me and I feel that he was actually my brother. He has been my friend through thick and thin forever and ever. He is one person that I could always turn to. He's never ever, I've never ever had to worry about whether or not he was my friend. He was always there, has always helped me both personally and professionally and I love him for that. I want everybody to know that we are really honored and privileged to have this man as our City Court Judge and previous to that as our City Attorney. Just simply a person that live and loves this community. With that I say thank-you all and I'll see you for the next couple of years.

Interim Council President Gilbert- Mr. Trabucco congratulations but that rumor is not a rumor any longer.

Swearing-In
2nd Ward Councilmember Jackie Smilinich

2nd Ward Councilmember Smilinich was sworn in by Judge Joseph Cassata for a second term.

Councilmember Smilinich- I want to thank everybody who supported me in the campaign who helped me through it, the Democratic Party and my family. I chose to run again because I feel that we started some really great things in the City in the last few years. Thank you.

COMMUNICATIONS FROM THE MAYOR

A letter to Andy Feltham, 44 Erie Street, dated December 3, 2015, appointing him the City of Tonawanda Youth Board as a liaison to the Special Olympics, term to expire December 31, 2019.

Ordered filed

COMMUNICATION FROM CITY OFFICIALS AND CORRESPONDENCE

The following monthly reports were received by the City Clerk:

November minutes of the Board of Appeals
November Monthly Report of the City Clerk
November Monthly Report of the Building Inspector
November Activity Report of the Fire Department
City of Tonawanda Comprehensive Revenue & Expenditure Control
Report as of 12/15/15
Referred to the Committee of the Whole
Ordered filed

A petition from the residents on and near Dexter Street regarding parking on Dexter Street.

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

No comments by the Public on resolutions

MOTIONS AND RESOLUTIONS

268. By Council seconded by Council
Resolved, that the reading of the minutes be waived.
- Ayes: Smilinich, Koch, Gilbert
Nays: Hall
- Resolution declared adopted
269. By Council seconded by Council
Resolved, that the Common Council minutes from December 1, 2015, be accepted as filed.
- Ayes: Smilinich, Hall, Koch, Gilbert
Nays: None
- Resolution declared adopted
270. By Councilmember Hall seconded by Councilmember Koch
Resolved, that the bills be allowed as audited and that the City Clerk be directed to draw warrants on the Treasurer for the various amounts.
- Ayes: Smilinich, Hall, Koch, Gilbert
Nays: None
- Resolution declared adopted
271. By the Council seconded by the Council
WHEREAS, it is the sense of this Common Council to recognize and pay tribute to those singular individuals who devote their purposeful lives and careers to preserving the rights and protecting the welfare of the citizens of this community and the State of New York; and
- WHEREAS**, the quality and character of life in the Tonawanda community has been ably served and uniquely enriched through the selfless dedication and benevolent concern of Judge Joseph J. Cassata; and
- WHEREAS**, shortly after his admission to the Bar, Judge Joseph J. Cassata was elected City Attorney for the City of Tonawanda, a position he held for 23 years; and
- WHEREAS**, thereafter, during his 20 years of Judicial Service, Judge Joseph J. Cassata has transformed the City Court of Tonawanda from a small part time Court to a full service Court with tremendous resources; and
- WHEREAS**, Judge Joseph J. Cassata has served our community he grew up in for over 40 years; and
- WHEREAS**, during his illustrious tenure, Judge Joseph J. Cassata spearheaded the Adult Drug Treatment Court in the City Court of Tonawanda and was certified as a National Drug Treatment Court Judge after matriculating at Georgetown Law School; and
- WHEREAS**, recently Judge Joseph J. Cassata formulated and implemented the first young adult drug treatment court in New York State, a program which is already showing great promise and success; and

WHEREAS, a respected legal expert, Judge Joseph J. Cassata has served as president of the New York State Association of City Court Judges, and as Chairman of the Local Courts Advisory Committee of New York State; and

WHEREAS, Judge Joseph J. Cassata has lectured on a national, state and local basis and was invited to speak at the University of London, England, on drug treatment courts in the United States; and

WHEREAS, currently, Judge Joseph J. Cassata has served as President of the New York Association of Drug Treatment Court Professionals, Inc., and Presiding Member of the local Courts Advisory Committee; and

WHEREAS, in addition, Judge Joseph J. Cassata is also very active in the domestic violence field, co-chairing a domestic violence Committee which set up standards for the Eighth Judicial District; and

WHEREAS, Judge Joseph J. Cassata, and every capacity in which he served, has left his permanent mark on the criminal justice and drug treatment community; he will forever be remembered as a determined, innovative and genuinely concerned expert in his field; now, therefore,

BE IT RESOLVED, that this Common Council hereby commends the Honorable Joseph J. Cassata upon the occasion of his retirement after many years of distinguished service as Tonawanda City Court Judge and to extend its sincere gratitude for his contribution to the people of the City of Tonawanda and the State of New York; and

BE IT FURTHER RESOLVED, that in honor of Judge Joseph J. Cassata's passionate dedication and judicial service to our community, it is hereby declared that the Tonawanda City Courtroom shall be dedicated and named the "Honorable Joseph J. Cassata Courtroom".

Fire Chaplain Sam Ciffa- I asked if I could have the privilege to say a few words about Judge Cassata. I thought I'd say them before he got all these incredible accolades and achievements he so rightly deserves. My relationship with Judge Cassata goes back a lot longer than even forty years. It goes back to I remember in 1959, public school on the west side of Buffalo #1 School, because my cousin was graduating along with Judge Cassata. I remember looking at the program, every award that could possibly be given including the distinguished Jesse Ketchum award went to Judge Joseph Cassata. My relationship with him and his family has been incredible for over sixty years. From the time I was seven years old playing ball with Ricky going to Cooperstown, working as a union painter with your Dad. Judge Cassata's Dad was a carpenter and did ceiling work, one of the best ceiling men when we would put the grout ceilings in and I was the painter. He was the only carpenter that would say, "Sam come up and paint these three rooms I will be in there tomorrow so you won't have to cut the ceiling line." He would allow me to go in there and paint before he put the grid on. He was the only carpenter that did that. The other guys didn't care. That's how his father was and that's how Judge Cassata was. I did some digging and I found out that Judge Cassata was also the President, I didn't see it on your agenda here Judge, but he was president of his eight grade class also. And it was thanks to my cousin that I heard you were elected Joe because he threatened to beat up anybody who didn't vote for him or not talk to him. But besides that, Judge Cassata for you who don't know this he is a very prestigious singer. I did some digging and in his eighth grade performance wearing his cardigan sweater Judge Cassata did sing to this.

Judge Cassata- Thank-you!

Interim Council President Gilbert - One more item before we move forward, Mr. Pfaff has something he would like to say, before we go forward on the vote.

Mr. Pfaff - I'm not going to read Senator Panepinto's resolution that will be going before the Senate, but I do want to say that on June 9, the Senate floor honored Judge Cassata for your years of service. Your tremendous benefit to this community and Western New York. We will miss you but good luck in the years ahead.

Judge Cassata- Thank-you!

Ayes: Smilinich, Hall, Koch, Gilbert

Nays: None

Resolution declared adopted

Judge Joseph Cassata- Well, it's interesting because my notes for tonight I always put a heading on it. This says farewell! To my City, to my neighbors, good luck, to Ron, and my other colleagues I see here tonight it's like an alumni meeting, Lynette and others and let it be to my family tonight and I'll be eternally grateful to all you for doing that. It's very special forty-three years is a long time. The problem is I don't know where it went. That's the problem. It's like a blur. Another fact is that I served with six mayors, four council presidents, there would have been more but Carl was there for a long time, twenty seven council members. I've been twenty years as a judge, I can just tell you this, and twenty years ago we had a part-time sort of a rural kind of court. In those twenty years we transformed that court from a part-time court to a full service court. Now what that means as a full service court, we have the resources now for our community, we have the resources for the people that come before us. Resources like specialty courts such as drug court, alcohol treatment court, the mental health court, domestic violence court. I can only tell you this, that this is not just a one man show. There is a team behind every type of court in that we have in our system. And I have just been blessed by having a good team behind me too. Like I said before the more resources we can give to our community, the better the community wins out. I have very fond memories of these halls over forty-three years. Again, personal thank yous go out to everybody and not forget anybody I can only summarize by saying thank you to Ron Trabucco, my City Attorney. Michael Rua my acting judge and Deputy City Attorney, Joe Hogenkamp, our Treasurer for many years, one of the best. Another lady sitting up here and going with me is Jan Bodie. Jan Bodie. I can't tell you how I'm going to miss that early coffee in the morning and going into Jan's office to talk about Larry and Rick. The Police Department, I've been through about five police chiefs. The Chief I remembered some of those names today, I started with Jim Oldenburg. Jim Oldenburg what a great man. And the other chiefs, great men, my friend John who passed away. Then we have of course Police Officer Foels. Please stand up Freddie, Policeman Freddie Foels. Please stand up for just one second. The best of the best not just for the Police Department but for the court. He ran the court for nineteen years. Then we had of course Scottie today and Scarpy the son, wonderful. Dave Ray in the Youth Court, does a great job for Youth Court. Our Fire Department has a Chief today and has had four or five chiefs before him. We can be absolutely proud of both of these departments, Fire and Police. The day they come to your house when your son is about three years old and help save his life. You can even be more proud to be a Fire Chief in the City of Tonawanda. All the department heads and I mean all of them. They are all great people. I would be remiss if I did not thank John and Pete my two maintenance guys. For coming in when I'm working late and I'm bothering them with whatever they are doing. We have some good people working there too. I talk about the former people here today with Alice and Jack, you're all part of this. You should all be up here for what you accomplished and how you care for the City. I and a lot of people like you Jack Gallagher and everybody will never forget your names are still there. My Court Clerk Mary Strobel a Tonawanda lady who has been here an awful long time and all my Court Clerks. I want to congratulate Mark Saltarelli. Mark Saltarelli, newly elected City Judge who takes office on January 1st, he was my Acting Judge for six years. He is quite experienced and quite skilled and quite talented. Judge Saltarelli all I can really tell you is that as you know you were with me and our team is together and we changed lives in the City of Tonawanda and that's your challenge for the next ten years. And I will tell you something Judge Saltarelli, I know you will fulfill that challenge because I've known you for the past six years when you were with me on the bench and you were doing it then. So again, ladies and gentlemen, Judge Mark Saltarelli. I would be remiss if I didn't acknowledge the political system because we don't get here without the political system working. And I would like to say to Gayle Syposs, that I've known for a lot of years at Tonawanda High and she's been with the Democratic Party all those years and she has done a tremendous job. Chris Pillozzi is not here tonight but good words go out to Chris. I see my County Legislator here tonight, my pleasure working

with you too Kev. And all I can say is this, it's bittersweet, it's really bittersweet as much as we all work for retirement, when that day comes sometime you're just not ready for it. Jan and I had a discussion today on that point. It is bittersweet. It hurts to go but it's time. And all I can say is perhaps the Mayor maybe I can come around and help out on one of your boards and share some of my experiences. I would love to do that. To all of you, for the many, many years, thank-you for your support. I want to thank my beautiful sister for coming tonight, sister-in-law, my grandchildren, my wife Joyce and my son chasing my other grandson who doesn't behave. For all of you from my heart to your heart, thank you ever so much. Go Tonawanda!

272. By Councilmember Hall seconded by Councilmember Smilinich
 Resolved, at the recommendation of the City Engineer, Jason J. LaMonaco, P.E., that award of the Phase 4 SSES Sanitary Sewer and Manhole Rehabilitation Change Order No. 2 be made to Mark Cerrone, Inc., at a cost not to exceed \$3,026.36.

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

Resolution declared adopted

273. By Councilmember Smilinich seconded by Councilmember Hall
 Resolved, at the recommendation of the City Engineer, Jason J. LaMonaco, P.E., that award of Shoreline Stabilization & Ives Pond Park Improvements Survey and Design Phase Services be made to Greenman-Pedersen, Inc., at a cost not to exceed \$55,500.

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

Resolution declared adopted

274. By Councilmember Koch seconded by Councilmember Gilbert
 Whereas, a \$25.00 Special Events application fee and application were received by the City Clerk for the Gateway Ball Drop on New Year's Eve 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 'Weekends on Webster' to Hold the Gateway Ball Drop on Thursday, December 31, 2015, at 10:30 P.M. and be it further
 Resolved, that any overtime that is incurred during this event will be paid for by the 'Weekends on Webster' organization 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 21, 2015.

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

Resolution declared adopted

275. By Councilmember Koch seconded by Councilmember Smilinich
 Resolved, that the following rates for Policy Manual Group 8 Part Time and Seasonal Employees be established, effective December 31, 2015, the only changes implemented being seasonal hourly rates increased to the New York State minimum hourly wage as referenced below:

Group 8	Part Time		
	School Crossing Guards	1 st Year	\$9.00

SEASONAL EMPLOYEES NEW RATES EFFECTIVE 12/31/15

		Hourly Rate	
Group A	1 st Year	2 nd Year	3 rd Year

Recreation Attendant (Playground, Pool, Youth Ctr.)	\$9.00	\$9.00	\$9.00
Recreation Specialist (Craft Instructor, Sports Assistant)			
Laborer ó seasonal (DPW, Water, Signal, Fire, Recreation, City Hall)			

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

Resolution declared adopted

276. By the Council seconded by the Council

BE IT ENACTED by the Common Council for the City of Tonawanda, New York - Local Law No. 3 for the year 2015, entitled:

"Enactment of Residential Investment Exemption pursuant to Section 485 (subdivision to be assigned by the State) of the New York Real Property Tax Law", which provides that:

Residential real property constructed on or after the 1st day of January, 2016 in the city of Tonawanda may be exempt from City taxation as provided in this section.

Such real property shall be exempt for a period of one year to the extent of fifty per centum of the increase in assessed value thereof attributable to such construction and for an additional period of nine years and such exemption shall be computed with respect to the "exemption base". The exemption base shall be the increase in assessed value as determined in the initial year of such ten year period following the filing of an original application, except as provided in the following subparagraph.

In any year in which a change in level of assessment of fifteen percent or more is certified for a final assessment roll pursuant to the rules of the State Board, the exemption base shall be multiplied by a fraction, the numerator of which shall be the total assessed value of the parcel on such final assessment roll (after accounting for any physical after quantity changes to the parcel since the immediately preceding assessment roll), and the denominator of which shall be the total assessed value of the parcel on the immediately preceding final assessment roll. The result shall be the new exemption base. The exemption shall thereupon be recomputed to take into account the new exemption base, notwithstanding the fact that the Assessor receives the certification of the change in level of assessment after the completion, verification and filing of the final assessment roll. In the event the Assessor does not have custody of the roll when such certification is received, the Assessor shall certify the recomputed exemption to the local officers having custody and control of the roll, and such local officers are hereby directed and authorized to enter the recomputed exemption certified by the Assessor on the roll. The Assessor shall give written notice of such recomputed exemption to the property owner, who may, if he or she believes that the exemption was recomputed incorrectly, apply for a correction in the manner provided by Title Three of Article Five of the New York Real Property Tax Law for the correction of clerical errors. The following table shall illustrate the computation of the Tax Exemption:

<u>Year of Exemption</u>	<u>Percentage of Exemption</u>
1	50
2	45
3	40
4	35
5	30
6	25

7	20
8	15
9	10
10	5

No such exemption shall be granted unless:

1. Such construction was commenced on or after the 1st day of January, 2016; and
2. The cost of such construction exceeds the sum of Seventy Thousand Dollars (\$70,000); and
3. Such construction is completed as may be evidenced by a Certificate of Occupancy or other appropriate documentation as provided by the owner.

For purposes of this section the term construction shall not include ordinary maintenance and repairs.

Such exemption shall be granted only upon application by the owner of such real property on a form prescribed by the State Board. Such application shall be filed with the assessor on or before the appropriate taxable status date and within one year from the date of completion of such construction.

If the assessor is satisfied that the applicant is entitled to an exemption pursuant to this section, he or she approve the application and such real property shall there after be exempt from taxation and special ad valorem levies commencing with the assessment roll prepared after the taxable status date referred to above. The assessed value of any exemption granted pursuant to this section shall be entered by the assessor on the assessment roll with the taxable property, with the amount of the exemption shown in a separate column.

The provisions of this section shall apply to real property used as the primary residence of the owner.

In the event the real property granted an exemption pursuant to the section ceases to be used primarily for eligible purposes, the exemption granted pursuant to this section shall cease.

The City of Tonawanda shall cause information relating to the availability of such exemption, including requirements and application procedures, to be attached to all building permit applications and copies of such information shall be posted in a conspicuous location in any office or offices where such permits and applications for permits are issued and processed.

This Local Law shall be provided to the Honorable Marc C. Panepinto, State Senator and the Honorable Robin Schimminger, State Assemblyman, as sponsors, for their submission of the Local Law to the New York State Legislature for its approval.

This Local Law shall take effect immediately upon filing with the New York State Secretary of State.

Be and it is hereby introduced before the Common Council of the City of Tonawanda, New York; and

BE IT RESOLVED, that copies of the aforesaid Local Law No. 3 for the year 2015 be laid upon the desk of each member of the Common Council by the City Clerk in accordance with the NYS Municipal Home Rule Law.

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

Resolution declared adopted

277. By the Council seconded by the Council
WHEREAS, Local Law No. 3 for the year 2015 for the City of Tonawanda,
entitled:

A Local Law authorizing the “Enactment of Residential Investment Exemption pursuant to Section 485 (subdivision to be assigned by the State) of the New York Real Property Tax Law.

Was unanimously introduced by the Common Council on December 15, 2015, and laid upon each Council Member’s desk for seven days, excluding Sunday; and

WHEREAS, Local Law No. 3 for the year 2015 has been reviewed and deliberated upon by the Common Council;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council hereby approves and enacts Local Law No. 3 for the year 2015, attached hereto and made a part hereof.

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

RESOLUTION TABLED

278. By Councilmember Gilbert seconded by Councilmember Hall
Resolved, that the appointment of Sanford Belsky that was to expire December 31, 2015, be extended up to 90 days, at a salary of \$22.64 per hour, not to exceed 19 hours per week, and be it further
Resolved, that this individual is entitled to the provisions provided in the Personnel Policy Manual for Group 8 employees.

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

Resolution declared adopted

279. By Councilmember Hall seconded by Councilmember Koch
Resolved, that the 2015 General Fund Operating Budget be amended to account for various salary adjustments and increments due to retirements, contractual increments and non union salary adjustments granted subsequent to the adoption of the original operating budgets:

Account	Description		Adjustment
1.1010.100	Council Salaries	Subtract	(2,250)
1.1210.100	Mayor Salaries	Subtract	(20,000)
1.1210.461	Mayor Professional Services	Add	12,100
1.1325.100	Treasurer Salaries	Add	900
1.1355.100	Assessor Salaries	Subtract	(9,700)
1.1357.100	Assessment Review Board	Subtract	(250)
1.1410.100	City Clerk Salaries	Add	4,600
1.1432.100	Civil Service Salaries	Subtract	(300)
1.1440.100	Engineer Salaries	Subtract	(33,000)
1.1441.100	Ex Engineers Salaries	Subtract	(781)
1.1620.100	Municipal Bldg Salaries	Add	6,600
1.3120.100	Police Salaries	Add	15,000
1.3310.100	Elec/Signal Salaries	Add	3,000
1.3410.100	Fire Dept Salaries	Add	70,000

I'm used to speaking in hour increments. I will do my best. This has been a long time in coming.

Clerk Bodie- A very long time coming.

Erie County Legislator Hardwick- A really long time coming! It's the Christmas season and one of my favorite authors is Charles Dickens and I think this has a seasonal flavor to it. As you know this is a seasonal favorite - A Christmas Carol.

The key character was Ebenezer Scrooge. Now your thinking, Jan Bodie is nothing like Ebenezer Scrooge. Ebenezer Scrooge was frugal, was stingy he said "no" to everybody about everything and you're right, Jan is nothing like that. That's why it's so nice to have Joe Hogenkamp here tonight.

Mayor Davis- Thanks Joe!

Erie County Legislator Hardwick- If Joe has a part in the "Christmas Carol" I'm really not sure of your part. I see myself as all three ghosts. I certainly am the Ghost of Christmas Past. I was on the Council that hired you back in 1996 and I recall it was Gayle Syposs who floated the idea. I mean this is Gayle Syposs saying we really need someone who is not political. I swear to God. I was on that Council. You and I served on the Charter Revision Commission. I was on the last Council of the old charter and the first one on the new one. People don't know what Jan does. People just think Jan does a great job on the transcribing everything that goes on here. She did it for a long time too. For you who don't remember it was me who said the minutes shouldn't be a transcription and you're welcome. But she paid for that because she gives us all sort of great advice. Jan is the one that told me; remember what you told me, that if you disagree with Gayle Syposs let her know she appreciates that stuff. You're the one who told me after I had been here a few years I think you ought to move on, I think Chuck Swanick is vulnerable. And then a couple years later that after that didn't work out I ran into her again at Tops again, you know I think you should run again. Then I avoided Tops. Then after six years, six years later, after getting elected finally becoming legislator being Chuck's successor and Michelle Iannello I ran into you again at Tops and you said, "You know you ought to, you need a good aide, you ought to hire Sue Gregg she works hard. That one you got right! You are here. And then of course the Ghost of Christmas Present I am here tonight with this nice resolution. Then there is the Ghost of Christmas Future. The interesting thing is you will note the date on this resolution is two days from now, it hasn't happened. But I'm coming back from the future today. But it is a nice resolution. When I certainly hired you I didn't have read the resolution because that was the time that you read everything. This is what I am sure will be passed. I will work hard for the City of Tonawanda. I want you to know I will make sure this will pass; I will work until this passes on Thursday.

Whereas, Janice R. Bodie is a lifelong resident of the City of Tonawanda, youngest child of the late Charles and Ruth Rech, loving wife of Larry, mother of Karen and Kathleen and proud grandmother of Mat and Adam, whereas Janice R. Bodie, is a 1964 graduate from Tonawanda High School, whereas Janice R. Bodie began working at the City Hall in 1985, was appointed City Clerk where she has served since 1995, whereas, Janice R. Bodie has been praised publicly by The Tonawanda News, before she put it out of business, for her role as City Clerk as well as for her professionalism while bringing stability to the Clerk's Office, whereas Janice R. Bodie has used her immense institutional knowledge while serving as role model for others for other communities, whereas, Janice R. Bodie has fostered a very effective, yet enjoyable positive working atmosphere within the Clerk's Office, whereas, Janice R. Bodie has been the rock for many at City Hall including mayors, council members, department heads, and many employees, now therefore, be it resolved that the Erie County Legislature pauses in its deliberations to recognize and commend Janice R. Bodie for her retirement from the City of Tonawanda Clerk's Office and for her dedicated commitment to The City of Tonawanda and the County of Erie.

Interim Council President Gilbert- And he did it less time than ten minutes. Come on back Jan. You're night is not over yet. Senator Panepinto heard about you so Mr. Pfaff has something for you.

Senator Panepinto's Representative Mr. Pfaff is all nice Jan. I will be very clear; I will be Jackie Smilinich brief. Senator Panepinto did issue a proclamation honoring your years of service. He talked about being a team and when it comes to the Council, probably for city government, you have been the captain of that team. You've done a wonderful job and they are going to miss you. I would like to congratulate you on your time of service and a wonderful retirement and I think I've done my thirty seconds.

Interim Council President Gilbert- Jan don't go anywhere yet. Mayor Davis would like to come up.

Mayor Rick Davis- I wish I had some really nice, old stories to sit up here and tell about Jan like Kevin Hardwick did but I'm not old like he is. Anyway, earlier this year I presented Jan with a proclamation for thirty years being an employee here in the City. It's my understanding that Larry kind of thrown that proclamation in her face quite a few times. A few nice things I said about him in the proclamation. I could promise you there is nothing nice about him in this one. But when I started on the council many years ago I cannot tell you how much this woman immensely helped me understand the rules of city government and how to conduct myself as a councilman. I'm forever grateful to her for that wisdom and life lessons that she taught me so thank-you. Without further adieu, in celebration of Janice Bodie's achievements, whereas Janice has proudly lived in the City of Tonawanda for sixty-plus years and is married to Larry, with whom they both have two beautiful daughters Karen and Kathleen, and also two handsome grandsons, Mathew and Adam, and whereas Janice graduated from the City of Tonawanda High School in 1964, whereas the year 1985, Microsoft Corporation released the first ever version of Windows 1.0, they still haven't got it right. And Michael Jordan was named NBA's Rookie of the Year. The first ever .com domain name was registered along with movie tickets costing a mere \$2.75, and the average income per year \$22,100, the average home price being \$40,169. This was a momentous year that Janice Bodie first set foot in our City Hall as a career woman. She has made a lasting impression to this day and whereas, Janice has been praised publicly again as Kevin mentioned by The Tonawanda News for her role as City Clerk, for her professionalism she brought to the Clerk's Office, and whereas Jan's leadership and management skills served as role models for other communities, and whereas Janice not only encouraged an affective and enjoyable working atmosphere, I mean you guys loved her right? Absolutely! I don't need to sit up here and tell how phenomenal she is to work for and with. It's a tribute to Jan when you can come to work and it not feel like work because of the atmosphere created by Jan. Now, therefore be it resolved, that I Rick Davis, Mayor of The City of Tonawanda do hereby proclaim December 15, 2015 as Janice Bodie Day!

Interim Council President Gilbert- So the Council did not want to do a long lengthy, proclamation showing how old you were, and stating that you have been here forever and all these things pertain to perspective. So what we decided to do is contact our City Attorney and we came up with a special gift we thought really show from heart how much you mean to us and without further adieu, Mr. Trabucco.

City Attorney Trabucco- I was here too, twenty years ago when you first started.

Clerk Bodie- I know.

City Attorney Trabucco- We started together. So, for the twenty years serving the council we have a special gift.

Clerk Bodie- Oh wow, it's beautiful!

City Attorney Trabucco- This is a Trabucco original. My brother, Victor is a world renowned crystal artist. He designed it for Jan. This was signed by him, and on behalf of the council and myself happy retirement.

Clerk Bodie- I have something to say.

Gayle Syross- On behalf of the Council and the Democratic Committee, congratulations!

It was always a pleasure working with you.

Council- Speech!

Clerk Bodie- I have one.

Interim Council President Gilbert- Before you get to say anything. We had asked a couple people to come in. It's not too many times that people of your stature gets to see a lot of people. Anybody that's been a past council person that would like to come up and say a few words please take the time now. You can share stories about Jan.

Clerk Bodie- No need.

Jim Kossow, former Councilman- I was also on the council when Jan was City Clerk with Rick. It was always an honor working with Jan for ten years I was on the Council. She always supported and gave me some kind words to get through some of the difficult council meetings that we had whether it be the City re-val or anything. You have always been there and meant a lot to me personally. It's hard to see Joe retiring tonight and yourself, Kathy Greenawalt, and Holly in two months. When you come to City Hall it will definitely not be the same without yourself and Joe in City Hall. Again, congratulations to you and Larry, enjoy summers at the cottage. Thank-you!

City Clerk Jan Bodie - There are so many people I want to thank. First of all the Council that appointed me Clerk back in 1996 which consisted of Lynette Ryan, Kevin Hardwick, Ron Pillozzi, Jim Kossow, Ken Horn, Gayle Syposs and Carl Zeisz. That was a time of great turmoil here in the City and I think I was able to do what was intended which was to stay neutral and not get politically involved.

That said, I must say I have dealt with so many great people here at City Hall. Like the ones that beat me to retirement like Neal Myers, Kevin Rank and Linda Foels. I worked with five great Mayors, the most recent being Rick Davis, who has been a real pleasure. He makes me laugh at least once a day! Carl Zeisz, who, until a few months ago was the Council President, He is a man of great integrity and has always had the best interest of the City at heart. I was proud to be working next to him all of these years. Also, countless Council members, too many to mention for fear of leaving someone out. A special thanks to the Council sitting up here tonight. Then there is our City Attorney Ron Trabucco who I have worked with for the entire time I have been Clerk. He was elected after Joe Cassata left the position and became City Judge. We've made it through some crazy times together. I would be remiss if I didn't mention my brother Chuck. I know everyone else calls him Charlie but he will always be Chuck to me. The City is lucky to have him. My niece Caitlin, a real asset to the Mayor's Office and of course Kelly Zimmermann who I have known since she was a little kid.

Our great office staff, Colleen Overholt, always calm and level headed. The computer wiz of the office. Laurie Schultz, the public relations guru of the office. She can calm down a disgruntled resident in record time. Christine Hameister, always willing to lend a hand to anyone who needs it. Kathy Greenawalt, a dear friend of mine for over 27 years. We have been through the best of times together and the worst of times together. I could always count on Kathy to be there for me. Next is Holly Batt, my partner-in-crime. We have had such great times together. Many, many laughs and we don't intend to let end. And, my buddy Pat Bacon. She has been there for me since the day I was hired. In fact, she is the one that convinced me to take the City Clerk's position many years ago! And last but certainly not least Joe Hogenkamp! One of the most ethical human beings I know. A great City Treasurer. Actually, he is the only person on this earth that I truly believe is more frugal (which is a kind way of saying cheap) than my husband Larry. The City would be in a real pickle without him, that is for sure, and he is definitely underpaid. Oh ya, Joe, you're wonderful!!!

Also, in closing I would be remiss if I didn't say that I hope the future Councils of our City realize what a great group of Department Heads they are dealing with and I hope they are smart enough, on a regular basis, to ask the advice of the Department Heads and follow it!

I see my sister Jane back there; she just flew in from California today! And my precious nephew JJ there in the front row! Anyone who knows me knows the most important part of my life is my family. It definitely is time for me to move on and start to

enjoy and spend more time at the cottage that my husband Larry spent years building and perfecting. He's a gem. I am looking forward to spending more time with my incredible, loving daughters Karen and Kathleen, the joys of my life my gorgeous grandsons Mathew and Adam, my fantastic son-in-law Rich and Kathy's fiancé Sam. I am truly blessed!

So, adios, see ya later! .bye bye! ..

Councilmember Smilinich- Wow, how do you follow that? Judge Cassata, Jan thank you both of you for everything. I want to thank our Chief and Fire Police, congratulations and best of luck to you. I want to thank Kim from The Sun. She has covered our meetings for us especially well since The Tonawanda News left us. She is now leaving us for North Tonawanda. She'll be here but she won't be here. Welcome to Sean and Tim. It's been three hours and we haven't had an argument. I wish everybody a Merry Christmas because that's what I celebrate and whatever you celebrate best wishes for you all in the new year.

Councilmember Hall- I have a few things to say this being my last meeting. First, I would like to congratulate the new Fire/ Police, I'm sure they will do a wonderful job. The Honorable Judge Cassata who I have had the pleasure of knowing for a countless years too I coached his son, truly an amazing person and an asset to the City of Tonawanda and I wish you all the best. For the Police Department, okay, for capturing two bank robbers in The Town. They handled things well shutting off the school once they found out they were driving down Fletcher Street not allowing anybody in or out chasing them into Buffalo and making the arrest. So congratulations to them in helping the Town of Tonawanda on that. Thank you to everybody that supported me in my election. All the people who have helped me through the way. The support of not only the people up front but unions themselves and I would like to thank them. All the department heads in the back and up here whenever I ever needed anything they were always there. You did a wonderful job and I know you will continue to do a wonderful job for the City. People like you handling our departments; I know the City will be in good hands. What else? Ms. Bodie, again, friends for a long time, not just here. We actually used to coach softball together many, many, years ago, Bodie Construction. They used to sponsor. You have been such an amazing help to me through these two years and you will really be missed. I don't think people will realize how much you will be missed. When they come in there the first time and you're not there they will find out real quick just how much you actually did for the City. So again, I congratulate you and wish you all the best even though it's means spending more time with Larry. That's okay! What else can I say? Good luck council up here has helped me tremendously. Even if we haven't always gotten along we came always came out friends in the end and that is what counted. To the two new members I wish you all the best and I know you will continue to move our City forward. The one thing that I am going to say before I leave, is that I wish it would have got developed more up at Little League and Spalding and I hope that is one thing you guys look into and finish in the next two years because I think that it is very important to the City moving forward. And again, once things calm down in my personal commitments I'm not ruling out the possibility of coming up and running again. Thank you very much and everybody have a happy holiday!

Councilmember Koch- Well so much for the busy night tonight. I just want to give a special congratulations and best wishes to everyone sworn in tonight. I know you will take your job seriously and I look forward to working with all of you. I want to thank the departments for such a wonderful year. It's really been a learning experience for many of us up here. It's been great to reach out to you, you've been up front and honest, you've been quick with your responses, so thank you. You guys are on the frontlines with your work. You work very hard. I want to thank Judge Cassata and Jan I'm not ready to say good bye yet for your service and dedication to the City of Tonawanda. I appreciate both your friendships and your support and I wish you all the best. And I'm also pleased to pass the torch off to Tim Toth. I know he will represent the Fourth Ward very well. I look forward to working with Sean, Chuck, Jackie and Tim over the next years. On a sad note, Mr. Newman passed away on Friday and I just want to offer my condolences to his family. Mr. Newman was a City of Tonawanda resident. He started Noco. He really gave a lot back to the Boys and Girls Club. In fact there is a room in his honor there. So if you could please keep the family in your thoughts and prayers. That's all I have.

Merry Christmas and a Happy New Year!

Mayor Rick Davis- Thank you Mr. President. I would also like to thank the Police Department in their role in capturing the bank robbers, especially Officer Frank Washburn and Robert Clontz. I sat absolutely glued to the scanner hearing Officer Washburn every five seconds not only the streets he was on in Buffalo chasing these two individuals but also the directions. I can't tell you half the time what direction I'm going in the City. But he's driving through, and I don't know how fast he is was going, but the work of those two officers was tremendous, so thanks Chief. Today we rolled out, the police station rolled out body cameras. This is going to be a plus for them and for the public. This will help our officers protect everybody involved. I would like to thank the Chief and Lieutenant Scott Sheehan for setting that up and the officers agreeing to wear them. Councilman Hall talked about Spalding. We had a company called Henrietta Building Supplies that was looking to moving into Spalding. But unfortunately, because of zoning restrictions on that property they couldn't move in there. But we found a location for them here in the City of Tonawanda and on top of it their not getting any tax breaks for relocating so in my mind that's a plus here for the City to continue to ask for businesses moving into Spalding that fit our master plan. Getting back to Councilman Hall. Him and I go back to Little League. I was pitching and batting and he was umpiring. I'm sure I through a few bats, baseballs at his direction when I didn't agree with some of the calls he made. But, it's been thoroughly enjoyable working with him on this council and hope he enjoys college recruiting life at Hilbert. I know he will do well on it. Thank-you for your two years of service. Judge Cassata, known you for a while, graduated with your son, Joe Jr. Can't thank you enough for your years of service and dedication to the City of Tonawanda. I really hope you enjoy retirement, really enjoy retirement. Again, thank you for everything you've done. I'm not going to say anything about Sean or Tim because I'll be emceeding the swearing in ceremony on January 1. So if you are not doing anything, stop by, come down. Legislator Hardwick kind of roasts the people tonight and you haven't seen anything yet. I think we are swearing in six people that night, Legislator Hardwick will be one of them so get the video cameras rolling and ready to buckle your seatbelt and enjoy the ride. Merry Christmas Everyone! Happy safe and prosperous New Year! Thank you.

Interim Council President Gilbert- I just have a few things to say. I'm going to start with Jay. I've known Jay for thirty years. He was my Little League coach, umpire, basketball coach at St. Francis, friends after, now council members. He's been a great help on the council. A great friend for many years. I for one am going to miss you. I appreciate everything you've done in for the community and what you will continue to do, so thank you Jay. To Judge Cassata, forty three years, I was two. Just to give you a little perspective. I remember being in your backyard playing basketball with you and your son many times and having to wash the cars. I was very honored to have this resolution come up and be the one who got to read it and be a part of this group that bring it forth was an honor and I appreciate everything you've done and do and I hope you have a very good retirement. To Jan, six years, and every year has been better. Carl taught me a lot but that is a mere comparison to what you've taught me. What you've let me do, come in and vent, talk, complain, everything. And I know you've done that with many council people. many mayors, many department heads, that would come in and complain and you had to deal with a lot. Words can't say enough of how I'm going to miss you. You are greatly appreciated by this whole council. Thanks to the police department for everything you did with capturing the bank robbers. That was incredible to put their lives on the line, bring the cars out like that I appreciate it. Parks and Rec and DPW thank you for the lighting in Clinton Park. The whole night was great and I appreciate what you guys do. Chief Stuart, great job, as usual your staff is awesome. Thanks Joe! You're wonderful Joe. To all the other people in the back, Jason, continuing to keep doing what you're doing you're awesome. You do a lot your table is full. I can't imagine how you get through a day with all you have to do. Eric, you're doing a wonderful job. Reviews are in you're doing a great job first time. Ron, you and I have become friends over the last years. I can't wait to see the next couple of years. Everything's been's great. That's it! Everyone get home safe and thanks for coming.

