

Re-organizational Meeting  
Council Chambers  
Tonawanda, New York  
January 5, 2016

The Common Council convenes pursuant to Division 3, Section 2.045 of the City Charter.

Council President Jenna N. Koch seats the new Council.

Roll Call:     Councilmember 1<sup>st</sup> Ward     Charles M. Gilbert  
                  Councilmember 2<sup>nd</sup> Ward     Jackie A. Smilinich (excused)  
                  Councilmember 3<sup>rd</sup> Ward     Sean Rautenstrauch  
                  Councilmember 4<sup>th</sup> Ward     Timothy Toth

The City Clerk reads the following acceptances and oaths of the officers elected at the last General Election held on November 3, 2015.

Councilmember 1<sup>st</sup> Ward     Charles M. Gilbert  
Councilmember 2<sup>nd</sup> Ward     Jackie A. Smilinich (excused)  
Councilmember 3<sup>rd</sup> Ward     Sean Rautenstrauch  
Councilmember 4<sup>th</sup> Ward     Timothy Toth  
                  Ordered filed

Pledge of Allegiance led by Council President Koch

Prayer led by Associate Fire Chaplain Rick Oates

Council President Koch - I also ask that you stand and keep the Eisenhower and Valliancourt families in your prayers. Kim was a Tonawanda High School graduate of 1997. On December 23, they adopted three children and two days later found two tumors on her brain. So if you can keep them in your thoughts and prayers and we hope for positive news for the family. Thank-you.

**Certificate of Recognition**  
**Amber Baldwin**

**COMMUNICATIONS FROM THE MAYOR**

There was none.

**COMMUNICATIONS FROM CITY OFFICIALS AND CORRESPONDENCE**

The following monthly reports were received by the City Clerk:

- Ethics Committee minutes from December 7, 2015
  - December 2015 Informal Minutes of the City Clerk
  - December minutes of the Traffic and Safety Advisory Board
  - December minutes of the Board of Appeals
  - December minutes of the Traffic and Safety Advisory Board
  - December Monthly Report of the City Clerk
  - Yearly Report of the City Clerk
  - December Monthly Report of the City Clerk
  - Yearly Report of the Building Inspector
  - Referred to the Committee of the Whole
- Ordered filed

A letter from City Attorney Ronald C. Trabucco to Deputy City Attorney S. Michael Rua, dated December 30, 2015, reappointing him to the position of Deputy City Attorney, term to expire December 31, 2016.

- Referred to the Committee of the Whole
- Ordered filed

## COMMENTS BY THE PUBLIC ON RESOLUTIONS

Roger Puchalski, 478 Adam Street ó On item #9, on page 10, this is in regards to the tax breaks for the property. It says in any year which there is a change in the 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 (the denominator which shall be the total assessed value of the parcel immediately preceding the final assessment roll), can you tell me what that means? If I had a \$100,000 home and I put, it was a ranch, and I raised the ranch. I put \$40,000 to raise the ranch and \$40,000 to put in a two car garage, so I put in \$80,000. Am I eligible then to be part of this program?

Councilmember Gilbert - Yes.

Roger Puchalski- And then these 50 % for all the way for the ten year tax exemption is the reduction in taxes. Is that then on the \$80,000 or now on the assessed value of the house that is \$100,000?

Mayor Rick Davis- The assessed value of the house. Am I correct Ms. Tafelski?

Council President Koch- If we could have our Assessor come up to the microphone.

City Assessor Judy Tafelski- This is all new to me. I have never come across this before. I would be happy to look into it. I can get back to you. But this is the very first time I am ever hearing any of this in five years.

Council President Koch- Other municipalities have passed similar ones.

Mayor Davis- Yes, they might not have in Grand Island. But it's Real Property Exemptions State Law that has been on the books for a number of years. You can either adopt it as is, and this is the State Law specifically states for this. This resolution was just cut and pasted from the State Law. But, the improvements you make to your house are always based on assessed value.

City Treasurer Joe Hogenkamp- The only thing I will say and Judy correct me if I'm wrong. If it's similar to the 485 for commercial, the exemption only applies to the improvement not to the total.

Mayor Davis- That's why it's just an improvement assessment not just the overall. And that is for a period of 10 years.

Roger Puchalski- So you're saying now someone with a \$100,000 home puts an \$80,000 improvement is going to get a tax break on that \$80,000? A guy who owns a \$70,000 home and wants to put up siding or a driveway, as soon as he puts that up and it's reassessed he's going to get the house taxed?

Mayor Davis- When somebody puts in a new driveway in it does not increase an assessment. Siding does not.

Assessor Tafelski- I promise you it does not.

Roger Puchalski- Someone puts in a concrete driveway over a stone driveway?

Mayor Davis- Stone is against code.

Roger Puchalski - I have talked to a lot of people who assume if they make improvements to their property that their value would go up and their assessment would go up and they would be taxed right away. So they didn't bother making improvements.

Mayor Davis - That's wrong, that's false.

Council President Koch- Thank you Mr. Puchalski. Any other comments?

Don Holler, 259 Utica Street ó I want to congratulate the new Council. Item #9 again, just for clarification, if someone has other exemptions on their property do they come in play first or last? In other words, if somebody has an exemption, say is 25%, now they're at 75% do they get 50% off of that number or how does that work?

Council President Koch - In fact, I just discussed that with the treasurer this evening. We talked about the exemptions for the veterans.

City Treasurer Hogenkamp- I don't know.

Council President Koch - Honestly, I don't know that answer either.

Assessor Tafelski - Could you restate your question sir?

Don Holler- If someone gets an exemption, military or for whatever reason, (inaudible) Does the lower number get reduced by 50% for the first year?

Councilmember Gilbert- I think the understanding is if you are planning on doing a new addition to your house and you're already at 25%, you still get that tax break on the new assessed value of that addition.

Assessor Tafelski- That's correct.

Councilmember Gilbert- That doesn't take away from your 25% with the exemption already. Does that make it more clear?

Don Holler- A little bit. Ya.

Council President Koch- Thank-you Mr. Holler, any more comments? Okay, let's move on to the resolutions.

### **MOTIONS AND RESOLUTIONS**

1. By the Council seconded by the Council  
Resolved, that the Common Council minutes from December 15, 2015, be accepted as filed.

Ayes: Gilbert, Rautenstrauch, Toth, Koch

Nays: None

Resolution declared adopted

2. By Councilmember Gilbert seconded by Councilmember Toth  
Resolved, that the reading of all of the following resolutions be waived.

Ayes: Gilbert, Rautenstrauch, Toth, Koch

Nays: None

Resolution declared adopted

3. By the Council seconded by the Council  
Resolved, that all departments and department functions in existence as of December 31, 2015, as long as they are not inconsistent with the current Charter, are hereby ratified as provided in Article 3, Division 1, Section 3.005 of the City Charter.

Ayes: Gilbert, Rautenstrauch, Toth, Koch

Nays: None

Resolution declared adopted

4. By the Council seconded by the Council

Resolved, that the Rules and Orders for the Government and Procedures of the Common Council of the City of Tonawanda for the years 2016-2017 are hereby adopted.

RULES AND ORDERS FOR THE GOVERNMENT AND PROCEDURES  
OF THE COMMON COUNCIL OF THE CITY OF TONAWANDA  
FOR THE YEARS 2016-2017

PREFACE

The Councilmembers of the City of Tonawanda and the President of the Common Council shall constitute the Common Council, and the President of the Common Council shall be the presiding officer thereof.

REGULAR MEETINGS

Regular meetings of the Common Council shall be held in the Council Chambers on the first and third Tuesdays in each calendar month; such regular meetings shall convene at 7 o'clock P.M. Regular meetings shall be open for the transaction of any business which may properly come before the Council. Dates and times of regular meetings may be adjusted by the majority vote of the Common Council.

ORDER OF BUSINESS

At the hour appointed for the meeting of the Council, the President shall call the meeting to order, and direct the Clerk to call the roll, the Clerk recording the names of all Councilmembers present and noting the absentees. If a quorum is not present, absent members shall be sent for in the manner prescribed by law.

1. Roll Call by the City Clerk
2. Pledge to the flag
3. Opening prayer
4. Results of bid openings
5. Communications from the Mayor
6. Communications from City Officials and Correspondence
7. Presentation of Petitions

8. Resolutions to be acted on by the Common Council at its Regular Meeting shall be submitted by the appropriate Department Head and/or Mayor's Office to the City Clerk's Office no later than 3:00 P.M. on the Thursday preceding the meeting. Said draft resolutions will be delivered to the members of the Common Council by e-mail, mail or personal delivery no later than the Saturday preceding the meeting. Any Councilmember having objection and or questions to said resolutions shall consult with the Department Head. Objections to the resolutions shall be conveyed to the Council President and City Clerk expeditiously. Resolutions submitted past the deadline will not be considered unless deemed by the majority to have such urgency.

9. 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.

10. Motions and Resolutions

11. Closing remarks by members of the Common Council.

12. Adjournment

Note: With respect to written questions or comments referred to in numbers 9 and 11 above, responses will also be in writing done in a timely manner.

#### DUTIES OF THE PRESIDING OFFICER

The President of the Common Council, as Presiding Officer, shall possess the powers and perform the duties as herein prescribed, viz:

1. The President of the Common Council shall preserve order and decorum.
2. The President of the Common Council shall decide all questions of order, subject to appeal to the Common Council. On every appeal she shall have the right in her place to assign her reason for her decision; but any member may state the grounds for their appeal.
3. The President of the Common Council shall, with the consent of the Council, have the right to invite to the floor, and to extend the privilege of addressing the Council, to such persons as shall request the privilege.
4. The President of the Common Council may vote on any question submitted to the Common Council.
5. The President of the Common Council may introduce or second any matter that can come before the Common Council.
6. The President of the Common Council shall be the ex-officio member of all committees.
7. The President of the Common Council shall appoint all committees, chairmen of said committees and determine the number of members of all committees.

#### STANDING COMMITTEES OF THE COMMON COUNCIL

The following liaison(s) will be appointed by the President of the Common Council at the first regularly scheduled meeting of the Common Council. The Council Representative will act as a liaison between Departments and the Council:

1. Police - Smilinich

2. Fire - Koch
3. Public Works - Gilbert
4. Parks & Recreation - Toth
5. Finance ó Rautenstrauch/Toth
6. Engineering - Rautenstrauch
7. Land Sales - Toth
8. School ó Smilinich/Gilbert
9. Building Inspector ó Rautenstrauch
10. Youth Board ó Gilbert
11. Traffic & Safety ó Smilinich
12. Civil Service - Koch

## RULES

1. Every member of the Common Council, when they speak, shall address the presiding officer as "Madam President", and shall not proceed until recognized.

2. The Presiding Officer shall call for a voice vote of the body, or the Clerk shall, upon order of instruction from the Presiding Officer, call the ayes and nays on all questions by law required, which shall be entered upon the minutes of the Council. If any member requires it, on any questions, a like call shall be made, and the result likewise entered. In calling ayes and nays on any question, the members shall be called in the following order: Gilbert, Smilinich, Rautenstrauch, Toth, Koch. The Council President shall vote last. Exception: A motion to "waive the reading" shall be voted on by a voice vote of the body, aye or nay.

3. Every member shall vote when a question is stated from the Chair, unless excused by the Chair after stating substantial reason and or conflict of interest.

4. When two or more members rise at the same time, the Presiding Officer shall name the one who is first to speak.

5. Any member may be called to order, in which case the member so called to order shall immediately sit down, the point of order shall be stated at the request of the Presiding Officer, by the member raising the question of order, and shall be decided without debate, before proceeding to other business.

6. If any question contains several distinct propositions, it shall be decided by the chair at the request of any member but a motion to strike out and/or insert shall be indivisible.

7. Any member may have any paper in possession of the Council read, unless the reading of the same shall be objected to by some other member, and then question shall be determined by a vote of the Council, without debate.

8. Every member, upon presenting a petition, memorial, resolution or other paper, shall move some action thereon.

9. All petitions or other papers addressed to the Council shall be considered by the Common Council.

10. A motion to amend or amendments, lay on the table, or for the previous question, shall be decided without debate, and all question of order, and all questions relating to the order of business, shall be decided without debate. The several motions to postpone, or refer, shall preclude all debate on the main question.

11. When a question has been once put and decided, it shall be in order for any member who voted with the majority to move for the reconsideration and possible rescinding of that question.

12. A motion for reconsideration, if lost, shall not again be repeated at the same meeting of the Council, nor shall any question be reconsidered more than once.

13. When a question is pending, no motion shall be received, except as hereinafter specified, and these shall have preference in the order stated, viz:

- A. For an adjournment of the Council
- B. To lay on the table
- C. For the previous question
- D. To postpone indefinitely
- E. To postpone to a certain day
- F. To refer to a standing committee
- G. To refer to a special or select committee
- H. To amend

14. After the roll call upon any question has been commenced, no member shall speak on the question, nor shall any motion be made until after the result is declared.

15. Upon the presentation of any claim or account, it shall be referred to the Audit Committee, and no account or claim shall be audited or allowed until it shall be examined and reported on by said committee.

16. A majority vote or more of the whole Council and not a majority of the members present shall be necessary to the appointment of any person to any appointed office.

17. Every motion presented to the Council shall have a sponsor before it is placed on the agenda.

18. Every motion which shall have been offered shall be distinctly stated by the City Clerk, upon being seconded and before being debated, shall be reduced to writing by the City Clerk, upon request of the Presiding Officer or any member of the Council. It may be withdrawn at any time before decision, commitment, or amendment by majority consent.

19. No standing rule or order of the Council shall be repealed, rescinded, or changed except by an affirmative vote of at least three members of the Council; nor shall any new rule be added thereto, except by a like vote; but they may be suspended at any time by the consent of the majority of the whole Council.

20. Whenever any questions not covered by these rules arise, this Council shall be governed by the majority rule of the Common Council.

Ayes: Gilbert, Rautenstrauch, Toth, Koch

Nays: None

Resolution declared adopted

5. By Councilmember Toth seconded by Councilmember Gilbert  
Resolved, that at the recommendation of the City Clerk, Laurie L. Schultz, Account Clerk-Typist in the City Clerk's Office, be appointed Deputy City Clerk for the City of Tonawanda, effective January 5, 2016, with the additional annual stipend of \$4,000, term to expire December 31, 2017, or until such time after December 31, 2017, an appointment is made.

Ayes: Gilbert, Rautenstrauch, Toth, Koch

Nays: None

Resolution declared adopted

6. By Councilmember Gilbert seconded by Councilmember Toth  
Resolved, that Laurie L. Schultz be appointed Deputy Registrar of Vital Statistics for the City of Tonawanda, said two year appointment to expire December 31, 2017, or until such time after December 31, 2017, an appointment is made.

Ayes: Gilbert, Rautenstrauch, Toth, Koch

Nays: None

Resolution declared adopted

7. By Councilmember Rautenstrauch seconded by Councilmember Gilbert  
Resolved, that at the recommendation of the City Treasurer, Coleen Overholt, Sr. Account Clerk in the Treasurer's Office, be appointed Deputy City Treasurer for the City of Tonawanda, effective January 1, 2016, with the additional annual stipend of \$4,000, term to expire December 31, 2017, or until such time after December 31, 2017, an appointment is made.

Ayes: Gilbert, Rautenstrauch, Toth, Koch

Nays: None

Resolution declared adopted

8. By the Councilmember Toth seconded by the Councilmember Gilbert  
Whereas, the Charter of the City of Tonawanda no longer requires that the Common Council designate an official newspaper for the City, and  
Whereas, the Common Council has determined that designation of an official newspaper is in the best interest of the City, therefore be it  
Resolved, that the Buffalo News is hereby designated as the official newspaper of the City of Tonawanda for the years 2016-2017.

Ayes: Gilbert, Rautenstrauch, Toth, Koch

Nays: None

Resolution declared adopted

9. By Councilmember Rautenstrauch seconded by Councilmember Toth  
BE IT RESOLVED, that First Niagara Bank, N.A. headquartered in Buffalo, New York, JP Morgan Chase NA/Buffalo, New York, M&T Bank/Tonawanda, New York and Citizens Bank/Tonawanda, New York, are designated as authorized depositories of this corporation; and be it further  
RESOLVED, that all drafts, checks, or other instruments or orders for the payment of money drawn against the account or accounts of this corporation with said depositories shall be signed by any 1 of the following:

Treasurer, Joseph M. Hogenkamp  
Mayor, Rick Davis

And be it further

RESOLVED, that said depository is authorized to place to the credit of the account, or any of the accounts, of this corporation, funds, drafts, checks or other property by whomever delivered to said depository or agent thereof for deposit to the accounts of this corporation, endorsed with the name of this corporation, by rubber stamp, facsimile, mechanical, manual, or other signature (and any such endorsement by whomever affixed shall be the endorsement of this corporation), or otherwise endorsed, or unendorsed, provided that if any such item shall bear, or be accompanied by, directions (by whomever made) for deposit to specific account, then such deposit shall be to the credit of such specific account: and be it

RESOLVED, that said depository is hereby directed to accept, and/or pay and/or apply any draft, check, instrument or order for the payment of money, or any proceeds thereof, drawn on such account or accounts when signed as required by these resolutions by manual, rubber stamp, facsimile, or other mechanical signature (by whomever affixed) without limit as to amount, without inquiry, and without regard to the disposition of any such item or any proceeds thereof. Further, said depository shall not be liable in connection therewith notwithstanding that such item may be payable to the order of a person whose signature appears thereon or of any other officer or officers, agent or agents of this corporation, or such items or any proceeds thereof may be used or disposed of for the personal credit or account of any such person or persons, officer or officers, agent or agents with the depository or otherwise

Ayes: Gilbert, Rautenstrauch, Toth, Koch

Nays: None

Resolution declared adopted



10. By Councilmember Gilbert seconded by Councilmember Rautenstrauch  
 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.

**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", 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.

Ayes: Gilbert, Rautenstrauch, Toth, Koch  
Nays: None

Resolution declared adopted

11. By Councilmember Toth seconded by Councilmember Gilbert  
BE IT RESOLVED, that City of Tonawanda Mayor Rick Davis be authorized and directed to advertise and to hold a Public Hearing, pursuant to legal publication, regarding Local Law No. 3 for the year 2015, 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".**

BE IT FURTHER RESOLVED, that this Public Hearing shall be held on Tuesday, January 19, 2016 at 7:00 P.M. in the City Hall, Common Council Chambers, 200 Niagara Street, Tonawanda, New York.

Ayes: Gilbert, Rautenstrauch, Toth, Koch

Nays: None

Resolution declared adopted

12. By the Councilmember Rautenstrauch seconded by the Councilmember Toth  
Resolved, that the following certificates of insurance and bonds for plumbers be filed and a license be issued for said plumbers to do business in the City of Tonawanda: Gary Blaser (Blaser Plumbing/Ritter & Sentry Plumbing); John A. Brundage (J.A.Brundage/Drain Doctor Inc.); Jaysen Bryk (H.W. Bryk & Sons, Inc.); Charles Carfley (A. Gareleck & Sons, Inc.); Michael Carney (M. J. Carney Plumbing Service); Paul N. Cecchini (Cecchini Plumbing); Anthony Christiano (Hertel Hardware & Plumbing Co., Inc.); Kenneth N. Clabo (Kenø Plumbing Service); Frank DiMaria (Mr. Plumber); Michael R. Dollendorf (Royø Plumbing Inc.); Kevin Fawcett ( CEF Enterprises, Inc.); Mark Fremont (Markø Plumbing Inc.); Mark Gfroerer (Huron Plumbing); Frank M. Grandinetti (Grand Jude Inc.); Barrett Greene (WNY Plumbing); Daniel Greene (WNY Plumbing); Donald V. Greene Jr. (Niagara Frontier Plumbing); Michael F. Higgins( Higgins/Mayers Plumbing); Matthew Kandefer (Matthew Kandefer Inc.); Dennis Kenney II (Great Lakes Plumbing); Dean Luongo (John W. Danforth Co.); David P. Martin (Dave Martin Plumbing); John Militello (Kimil Construction Inc.); David W. Muskopf (MLP Plumbing & Mechanical, Inc.); John T. Nuttle (Numarco Inc.); Louis J. Panepento (Pennyø Hardware & Plumbing); William M. Petty (BP Plumbing); Stephen Reddy (Niagara Plumbing, Inc.); Paul Rosiek (G&W Plumbing & Heating, Inc.); John Russo (Russo & Murray Plumbing); Todd Schmigel (Joseph V. Schmigel & Sons); Herbert F. Schmit, III (Schmit Plumbing & Heating); George E. Sorri (New Horizon Plumbing & Construction); James R. Swanson (J.R. Swanson Plumbing Co., Inc.); Mark A. Taylor (East Amherst Plumbing Co., Inc.); Christopher Tryjankowski (PCS Plumbing & Heating, Inc.); John Wachalo (Sunset Plumbing & Heating); Gregory Zakrzewski (Aslan Plumbing & Mechanical Services, Inc.); Thomas Zinzola (Zinzola Plumbing).

Ayes: Gilbert, Rautenstrauch, Toth, Koch

Nays: None

Resolution declared adopted

13. By Councilmember Toth seconded by Councilmember Gilbert  
Whereas, the City of Tonawanda was awarded funding from the Greenway Commission in 2015 to undertake design work for the proposed Intermodal Hub project at the Koenig Alley parking area (owned by the City); and  
Whereas, the City is now submitting a proposal to the Greenway Commission for additional support for the Hub project for 2016; and  
Whereas, the Common Council is in full support of obtaining such funding and advancing the Hub project; now, therefore be it  
Resolved, that the Common Council approves the Cityø submittal to the Greenway Commission.

Ayes: Gilbert, Rautenstrauch, Toth, Koch

Nays: None

Resolution declared adopted

## COMMENTS BY THE PUBLIC AFTER RESOLUTIONS

Carleton Zeisz, 7225 Creek Bend, Pendleton- I had to come because my dear friend, this is it for her. We had a good run together. A long time.

City Clerk Bodie- We sure did. Thank-you.

Carleton Zeisz- And I just want to wish you the best. And if I stand up here too long you're going to start crying and I'm going to start crying.

City Clerk Bodie- Thank-you for showing up.

Carleton Zeisz- It was great. Good luck to all of you. You're going to need it.

City Clerk Bodie- Thanks Carl!

Mark Dennis Zahm, 33 Grove Place- Don't worry I'm not going to make it a habit of coming here. But tonight I wanted to say good-bye and good luck to Jan. Because you always made it a pleasure and that's nice. I do want to wish God's speed to all of you because it's not going to be easy. That's probably one of the reasons I won't be coming. I abhor unpleasant situation but truly in spite of the fact that I create turmoil as a rule when I come, I am like dog's breath around City Hall but I take great pride in that. I had a great education and I don't fall for the nonsense that so many people who will remain anonymous, try and pull, it doesn't happen. It never will. Because that would be a violation of my education and my position in life. Jenna, good luck! I am really pleased to see you here and the rest of the council too. Like I say God speed.

Council President Koch- Thank-you very much.

Nancy Paschen, 5 Main Street- Jan, I would just like to say that I picked on you throughout the years but I really do appreciate you and everything you do. I wish everybody on the Council very happy year I hope!

Roger Puchalski, 478 Adam Street- The Council and the Mayor you have referred periodically referred to various committees in the City. It's difficult to know how many committees there are and different people on the committees. I was wondering if there could be something that the City could put on the City Website. All the different waterfront, planning, whatever those committees are and who is on those committees. So for people who are concern about a particular issue they could talk to the people that are on those committee.

Councilmember Gilbert- There is a book in the Clerk's Office that has all the boards on it, all committees on it with everybody's name on it.

Council President Koch - It is the City directory but it has to be updated.

Mayor Davis - We will be adding it to the Website too.

Ron Pillozzi, 82 Clinton Street- Not to be out done, there is only one person here who has a longer association with you Jan and that's Carl. I spent sixteen years of my life sitting in one of those seats. I've got to tell you it's not an easy job. It's easy to say 'Yahö, let's have a block party, anybody can do that. A lot of difficult things that we have to contend with and I know one thing there was always a smiling face to help you get through it all. Jan is going to be missed. There is no question about that. I'm sorry I didn't get here before the holidays but I had some health problems that I am just now recovering from. Obvious the best to you and Larry, enjoy your place up in Canada. Best of luck to Jenna, the Mayor and to Tim, Sean and Chuck. Like I said it's a tough job but you guys can do it.

City Clerk Bodie ó Thank you.

## COMMENTS BY THE COUNCILMEMBERS AFTER RESOLUTIONS

Councilmember Gilbert- I just want to tell everyone thank you for coming tonight. Jan, again you will be missed. I hope you enjoy your time with Larry. I know he's going to enjoy it. That's it Madam President.

Councilmember Rautenstrauch- No comments at this time.

Councilmember Toth -Thank you Madam President. I just want to congratulate Amber Baldwin on her fundraising effort. It's always nice to hear a heartwarming story around the holidays about the youth in the City always trying to do something nice for people. So, it was nice that the Mayor recognized her. I also want to say congratulations to Jan. Jan was in City Hall when I started as a Police Officer in 1990. I have known her a long time and we got to know each other pretty well when I was working as a Police Officer. I'm sorry she's going now because I won't get to sit up here on the council with her. She's going to be missed. I'm sure she is going to enjoy her retirement. It's a great time. That's all I have Madam President.

Mayor Davis- Thank-you Madam President. If you get an opportunity take a drive down Vickers Avenue. Take a look at all the hard work DPW and Parks/Rec I believe have done clearing out all the grapevines and the bush from that area. It really has transformed it. Drive down there now and see the creek instead of, there's a creek on the other side and you don't know it's there. Once they are able to fully remove all the brush and the vines and stuff like that I would like to see that turned into a park. Because we really other than Eastern Park, don't have a stretch of open area in the City that the community can congregate in or take a load off their feet along the creek on that location. Again, my hats off to all the workers for all their hard work and it's looking great. Like I said, take a drive down there. I would just like to again welcome the new Council. I look forward to working with them and with Madam President this upcoming year. Thank you Madam President.

Council President Koch ó Thank you Mayor. Jan, I won't take it personally that I've only been sitting in this chair for less than thirty minutes and you're already leaving.

City Clerk Bodie- It's nothing personal.

Council President Koch- I want to thank you for your dedication and commitment to the City and I wish you and Larry well. One of the mistakes you made was giving me your cell phone number.

City Clerk Bodie-That's true. Call me any time.

Council President Koch- I would like to thank Councilman Gilbert who sat in as Interim Council President since October. I appreciate all you did for the Council, so thank you. Lastly, I mentioned it earlier to keep the Eisenhower and Valliancourt families in your thoughts and prayers. As we leave here tonight and we go home and put our head on our pillows, please say an extra prayer for this family. I really want to flood heaven's gates with prayer for thirty-six year old, mother of five, soon to be six, that has a long road of recovery. So, thank-you all, have a great night, and God bless!

**ADJOURNMENT**

14. By Councilmember Gilbert seconded by Councilmember Toth  
Resolved, that this Common Council adjourn until January 19, 2016.

Ayes: Gilbert, Rautenstrauch, Toth, Koch  
Nays: None

Resolution declared adopted

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

\_\_\_\_\_  
Mayor

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