

Council Chambers  
Tonawanda, New York  
May 5, 2015

A Regular Meeting of the Common Council

Present: Acting Council President Gilbert

Present Councilmembers: Hall, Koch

Excused: Council President Zeisz, Councilmember Smilinich

Pledge of Allegiance led by Acting Council President Gilbert

Prayer led by Associate Fire Chaplain Rick Oates

**Mayor's Proclamation**  
**NT Meals on Wheels**

**Arbor Day Celebration Coloring Contest Winners**

Bid Opening: Installation of Geotextile Fabric

April 21, 2015

9:25 A.M.

Urban Enterprises

954 Oliver Street

N. Tonawanda, NY 14121

Total Bid: \$.42 sq. yd.

Bid Bond and Non-Collusive Bidding Certificate accompanied bid

Referred to the Committee of the Whole and ordered filed

Bid Opening: Paving Equipment & Operator Rental

April 21, 2015

9:15 A.M.

Milherst Construction

10025 County Road, PO Box 430

Clarence Center, NY 14032-0430

Total Bid: \$549.00/hr.

Robinson Paving

11525 E. Main Street

East Aurora, NY 14052-9266

Total Bid: \$575.00/hr.

Bid Bonds and Non-Collusive Bidding Certificate accompanied bids

Referred to the Committee of the Whole and ordered filed

Bid Opening: Road Building Materials

April 21, 2015

9:30 A.M.

Buffalo Crushed Stone

500 Como Park Blvd.

Buffalo, NY 14227

Urban top or equal	\$68.15/ton
Type 3 binder	56.55/ton
Regular top (type 6F)	60.05/ton
1ACF (type 7F)	63.25/ton
Cold patch	no bid
#1 stone	17.00/ton
#2 run of crushed stone	10.65/ton

County Line Stone  
4515 Crittenden Rd.  
PO Box 150  
Akron, NY 14001

Urban top or equal	\$68.00/ton
Type 3 binder	55.00/ton
Regular top (type 6F)	59.50/ton
1ACF (type 7F)	62.00/ton
Cold patch	96.00/ton
#1 stone	13.50/ton
#2 run of crushed stone	8.70/ton

LaFarge North American Inc.  
75 Pineview Dr.  
Amherst, NY 14228

Urban top or equal	\$67.80/ton
Type 3 binder	56.00/ton
Regular top (type 6F)	61.35/ton
1ACF (type 7F)	63.90/ton
Cold patch	90.00/ton
#1 stone	13.00/ton
#2 run of crushed stone	9.25/ton

Bid Bonds and Non-Collusive Bidding Certificates accompanied bids  
Referred to the Committee of the Whole and ordered filed

### **COMMUNICATIONS FROM THE MAYOR**

A letter to Kimberly Davis, 178 Brookside Terr. W., dated April 24, 2015, appointing her to the Youth Board, term to expire December 31, 2019.

Ordered filed

### **COMMUNICATION FROM CITY OFFICIALS AND CORRESPONDENCE**

The following monthly reports were received by the City Clerk:

April monthly report of the City Clerk

April minutes of the Traffic and Safety Advisory Board

Referred to the Committee of the Whole

Ordered filed

*The Tonawanda Common Council, in an effort to conduct business in a timely fashion and maintain an open line of communication with the public, welcomes comments on resolutions.*

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- *All questions and/or comments should be addressed to the President of the Common Council.*
- *Please state your name and address clearly for inclusion in the Common Council minutes. In the event any person wishes a response outside the confines of the Common Council meeting, please leave all necessary contact information with the City Clerk after the meeting.*
- *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**

100. By the Council seconded by the Council  
 Resolved, that the Common Council minutes from April 21<sup>st</sup> and April 28<sup>th</sup>, 2015, be accepted as filed.

Ayes: Gilbert, Hall, Koch  
 Nays: None

Resolution declared adopted

101. By Councilmember Koch seconded by Councilmember Hall  
 Resolved, that the following be appointed Commissioner of Deeds for the City of Tonawanda, term to expire December 31, 2016: Rick Davis, Jr., 178 Brookside Terrace West; Gary E. Doane, 51 Elmwood Park South; Kim M. Doane, 151 Dexter Street; Elaine Grisanti, 75 Niagara Shore Drive; Dylan R. Hayes, 27 East Hill Street; Kal S. Hayes, 72 King Street; Caitlin P. Rech, 566 Fletcher Street and Sean M. Rautenstrauch, 133 Elmwood Park W.

Ayes: Gilbert, Hall, Koch  
 Nays: None

Resolution declared adopted

102. By Councilmember Hall seconded by Councilmember Koch  
 Resolved, that the reading of all the following resolutions be waived.

Ayes: Gilbert, Hall, Koch  
 Nays: None

Resolution declared adopted

103. By Acting Council President Gilbert seconded by Councilmember Koch  
 Whereas, a \$25.00 Special Events application fee and application were received by the City Clerk for the Blessing of the Boats 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 Director of Parks and Recreation, Amanda Lofft and the event chairperson, now, therefore be it

Resolved, that permission be granted to the Inner Harbor Yacht Club to hold the Blessing of the Boats on Sunday, June 7, 2015, at approximately 2:00 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 May 25, 2015.

Ayes: Gilbert, Hall, Koch  
 Nays: None

Resolution declared adopted

104. By Councilmember Hall seconded by Councilmember Koch  
 Whereas, a \$25.00 Special Events application fee and application were received by the City Clerk for the 1<sup>st</sup> Presbyterian Church Family Picnic 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 Director of Parks and Recreation, Amanda Lofft and the event chairperson, now, therefore be it

Resolved, that permission be granted to the 1<sup>st</sup> Presbyterian Church to hold their Church Picnic on Sunday, May 17, 2015 and be it further

Resolved, that a Certificate of Insurance naming the City of Tonawanda as additional insured be filed with the City Clerk no later than May 12, 2015.

Ayes: Gilbert, Hall, Koch

Nays: None

Resolution declared adopted

105. By Councilmember Hall seconded by Acting Council President Gilbert  
Whereas, a \$25.00 Special Events application fee and application were received by the City Clerk for a band performance at the bandshell 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 Director of Parks and Recreation Amanda Lofft and the event chairperson, now, therefore be it

Resolved, that permission be granted to Christian Boron to hold a band performance at the Miller Bandshell on Saturday, June 13, 2015, from 2:00 P.M. to 8:00 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 June 1, 2015.

Ayes: Gilbert, Hall, Koch

Nays: None

Resolution declared adopted

106. By Councilmember Koch seconded by Councilmember Hall  
Whereas, a \$25.00 Special Events application fee and application were received by the City Clerk for the Glory Be To Kids Softball Tournament 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 Director of Parks and Recreation, Amanda Lofft and the event chairperson, now, therefore be it

Resolved, that permission be granted to Glory Be To Kids, Inc. to hold their annual Softball Tournament on May 30, July 18 and July 19, 2015, all day and be it further

Resolved, that any overtime that is incurred during this event will be paid for by the Glory Be To Kids, Inc. and be it further

Resolved, that a Certificate of Insurance naming the City of Tonawanda as additional insured be filed with the City Clerk no later than May 15, 2015.

Ayes: Gilbert, Hall, Koch

Nays: None

Resolution declared adopted

107. By Councilmember Koch seconded by Councilmember Hall  
Resolved, at the recommendation of the Superintendent of Public Works, the bid for Paving Equipment and Operator Rental be awarded to Milherst Construction for a bid price of \$549.00/hr.

Ayes: Gilbert, Hall, Koch

Nays: None

Resolution declared adopted

108. By Acting Council President Gilbert seconded by Councilmember Koch  
Resolved, at the recommendation of the Superintendent of Public Works, the bid for the Installation of Geotextile Fabric be awarded to Urban Enterprises for a bid price of \$.42/sq.yd.

Ayes: Gilbert, Hall, Koch  
Nays: None

Resolution declared adopted

109. By Councilmember Koch seconded by Acting Council President Gilbert  
Resolved, at the recommendation of the Superintendent of Public Works, that the bid for Road Building Materials be awarded to LaFarge North American, Inc., at a bid price of \$67.80/ton for urban top or equal; \$56.00/ton for type 3 binder; \$61.35/ton for regular top (type 6F); \$63.90/ton for 1ACF (type 7F); \$90.00/ton for cold patch (QPR); \$13.00/ton for #1 stone; \$9.25/ton for #2 run of crushed stone.

Ayes: Gilbert, Hall, Koch  
Nays: None

Resolution declared adopted

110. By Councilmember Hall seconded by Councilmember Koch  
Resolved, that Travelers Insurance, as per the proposal and submitted by Lawley Insurance, shall be named as the liability carrier for the City of Tonawanda, effective May 3, 2015 and be it further

Resolved, that Mayor Rick Davis and/or City Treasurer Joseph M. Hogenkamp are hereby authorized and directed to execute any and all documents necessary to effectuate this change.

Ayes: Gilbert, Hall, Koch  
Nays: None

Resolution declared adopted

111. By Acting Council President Gilbert seconded by Councilmember Koch  
Whenever an active volunteer firefighter of the City of Tonawanda Volunteer Fire Department provides services under General Municipal Law Section 209-I (Volunteer Ambulance Workers' Benefit Law Section 5) when there is no jurisdictional officer in command present, such active volunteer firefighter shall be entitled to coverage under the VFBL (WAVBL) coverage provided by the City of Tonawanda Volunteer Fire Department for the provision of such services. Upon the arrival of a jurisdictional officer in command, such active volunteer firefighter shall report to such officer and offer his/her services to assist such fire company or fire department. If such offer of assistance is not accepted, then the active volunteer firefighter of the City of Tonawanda Volunteer Fire Department must immediately cease providing any additional service at the scene of the emergency.

Ayes: Gilbert, Hall, Koch  
Nays: None

Resolution declared adopted

112. By Councilmember Koch seconded by Councilmember Hall  
Be it Resolved, that in honor of Larry O'Connor's commitment and dedication to youth softball in the City of Tonawanda, the City hereby renames the softball field at Kohler Field "Larry O'Connor Field".

Councilmember Koch it is an honor to sponsor this resolution and I want to thank John White for bringing this to my attention and for his efforts in spearheading this. Along with Mr. Larry O'Connor's accomplishments, it includes starting a girls' fast pitch softball organization right here in the City of Tonawanda, called the Shamrocks. He coached over 300 athletes in Western New York and he also coached the Empire State Fast Pitch Team for 11 consecutive years, and I look forward to the dedication ceremony which will be held in July.

Councilmember Hall ó Larry was a good friend of mine, I agree with what Jenna said, I'm very happy to second this resolution, he's done a lot for softball in this community. Thank you.

Acting Council President Gilbert ó I'd just like to add that in meeting Mr. O'Connor a couple times, you could tell that his love was softball, and when my daughter got to the age to try out for softball, I approached Mr. Hall and I got to talk to Mr. O'Connor about the traveling league. Even after years of him being out, he still had more knowledge than I ever had, so it's a great honor to have a field named after him.

Councilmember Koch ó There's actually a funny story. He would come over to the field during our practices, our varsity practices, don't listen to what Jay Hall is saying, do it this way, soí great guy.

Ayes: Gilbert, Hall, Koch

Nays: None

Resolution declared adopted

113. By Councilmember Hall seconded by Councilmember Koch  
Whereas, a \$25.00 Special Events application fee and application were received by the City Clerk for the WDCX Talent Competition 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 Amanda Lofft, Director of Parks and Recreation and the event chairperson, now, therefore be it  
Resolved, that permission be granted to WDCX Radio to hold a talent competition on Friday, July 10, 2015, from 3:00 P.M. to 8:00 P.M. and be it further  
Resolved, that any overtime that is incurred during this event will be paid for by WDCX Radio and be it further  
Resolved, that a Certificate of Insurance naming the City of Tonawanda as additional insured be filed with the City Clerk no later than July 1, 2015.

Ayes: Gilbert, Hall, Koch

Nays: None

Resolution declared adopted

114. By Councilmember Hall seconded by Councilmember Koch  
Whereas, a \$25.00 Special Events application fee and application were received by the City Clerk for the Tilley 5K Run/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 Amanda Lofft, Director of Parks and Recreation and the event chairperson, now, therefore be it  
Resolved, that permission be granted to Heidi Lowitzer to hold the Tilley 5K Run/Walk on Saturday, June 6, 2015 and be it further  
Resolved, that any overtime that is incurred during this event will be paid for by the Heidi Lowitzer, coordinator of the charity event for Cholangiocarcinoma and be it further  
Resolved, that a Certificate of Insurance naming the City of Tonawanda as additional insured be filed with the City Clerk no later than May 25, 2015.

Ayes: Gilbert, Hall, Koch

Nays: None

Resolution declared adopted

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

Ron Pillozzi, 82 Clinton Street ó Recently, I read in the paper that Tonawanda is going to get something in the vicinity of \$17,000,000 worth of zero interest loans for sewer work.

Acting Council President Gilbert - \$13,600,000.

Ron Pillozzi - I'm just curious, is that for the plan that exists that was approved through DEC, or is that a new plan?

Mayor Davis ó It's for the final seven years worth of work. They won't let us, the first three phases, they won't let us get interest free because we already bonded those, but for the remaining seven phases moving forward, nothing changes in that, it's just that the bonding for that is interest free.

Ron Pillozzi - But it's the plan that DEC approved two or three years ago.

Mayor Davis ó Right. Nothing changes.

Ron Pillozzi - It took them a year or two to approve as I recall.

Mayor Davis ó Right.

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

Councilmember Koch ó Congratulations to our Arbor Day winners and thank you to Meals on Wheels for everything that you do everyday and the service you provide for our community. Our next Council-on-the-Corner will be on May 20<sup>th</sup> at the Senior Citizen Center, so I hope I can see you guys there. Please pick up a copy of the 2015 Summer Guide book, they're great, great job to all the staff for putting it together. I think this is a wonderful resource that we offer to our community and there're a lot of good things happening this Summer. May is declared "Older American's Month", so please take time to stop by our Senior Citizens Center and give a helping hand to our older Americans.

Councilmember Hall ó I'd like to congratulate Meals on Wheels for their years of service, and to the Arbor Day winners, it's always nice to see the youth of our community participate in things like this and us given a chance to honor them.

Mayor Davis ó As Ms. Koch said, about the Summer Guide books, I could not be more pleased and thrilled with the hard work that Mandy Lofft and Kelly Utzig put into this. You know this is the second year in a row, they've done a phenomenal job, put a lot of hard work into it and most people that get the Courier, it was in there. If for some reason you did not get one, it is on our website and it is also located in the foyer and the Library and I believe Kohler Pool and the Senior Citizen Center. Get your hands on one and see

what Summer has to offer here in the City. I'd also like to thank, because I wasn't at the last meeting, the Canal clean-up crew that came in and cleaned up all along the River and the Canal and our team that helped to clean up who had their first clean up two Saturdays ago. I thank them for all their hard work. As former Mayor Pilozzi indicated, I am very pumped, it is not every day that a city gets to announce that they saved taxpayers \$13,600,000 and I really cannot thank enough the people in my office, Joe Hogenkamp, our City Engineer, GHD Consultants and Municipal Solutions for all the hard work that they put into this. It's a very large amount of money, it's \$13,600,000 that we won't have to raise sewer funds in order to pay, so again, thanks to everybody, it was total team effort.

Acting Council President Gilbert Ó I'd just like to add, the Summer Guide book is phenomenal. I'd also like to add that Karen Kisloski had a lot to do with it as well and I thank her for her efforts on it. I'd also like to thank D&M Lawn Maintenance. They donated some mulch down at the Gateway and they also donated their time and fuel to cut Little League baseball fields when they needed help, so thank you to them for their efforts to help the City out as well. Other than that, I just want to thank everybody for coming, it's great to see a good crowd here, the Arbor Day kids, those pictures were great, and Meal on Wheels was something that we should all be thankful for, that's something that's a great effort for the City of Tonawanda as well. Have a good night, God Bless you, drive home safely.



**ADJOURNMENT**

115. By Councilmember Koch seconded by Councilmember Hall  
Resolved, that this Common Council adjourn until May 19, 2015.

Ayes: Gilbert, Hall, Koch

Nays: None

Resolution declared adopted

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City Clerk

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Mayor

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Date Filed