

Council Chambers  
Tonawanda, New York  
November 4, 2015

A Regular Meeting of the Common Council

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

Pledge of Allegiance led by Interim Council President Gilbert

Prayer led by Associate Fire Chaplain Bill Miles

Mayor's Proclamation  
National Alzheimer's Awareness Month

**COMMUNICATIONS FROM THE MAYOR**

A letter to Monical Ljijanich, 50 Walter Avenue, dated October 26, 2015, appointing her to the Board for the Visual and Performing Arts, term to expire December 31, 2017.

A letter to Joel Tucciarone, 200 Roosevelt Street, dated October 26, 2015, appointing him to the Plumbing Board, term to expire December 31, 2017.

Ordered filed

**COMMUNICATION FROM CITY OFFICIALS AND CORRESPONDENCE**

The following monthly reports were received by the City Clerk:

- October minutes of the Board of Appeals
  - October Monthly Report of the Building Inspector
  - October Monthly Report of the City Clerk
  - October 20, 2015, Informal Minutes of the City Clerk
  - October 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.*

- *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.*

Interim Council President Gilbert- Tonight you'll notice we have a full Council up here preparing for the upcoming year. Mr. Toth won the Fourth Ward so he will be accepting the nomination and appointment coming up so we felt like, as a whole, he should be up here and start to get used to all the things that go on, so we invited him up and thank him for being here with us. So, now we will take any questions or comments on the changes to the agenda.

### **COMMENTS BY THE PUBLIC ON RESOLUTIONS**

There were no comments by the public on the resolutions.

### **MOTIONS AND RESOLUTIONS**

245. By Councilmember Hall seconded by Councilmember Smilinich  
Resolved, that the reading of all the resolutions tonight be waived.

Ayes: Smilinich, Hall Koch, Gilbert

Nays: None

Resolution declared adopted

246. By the Council seconded by the Council  
Resolved, that the Common Council minutes from October 20, 2015, be accepted as filed.

Ayes: Smilinich, Hall, Koch, Gilbert

Nays: None

Resolution declared adopted

247. By Councilmember Koch seconded by Councilmember Smilinich  
Resolved, at the recommendation of the City Engineer, Jason J. LaMonaco, P.E., that Mayor Davis be authorized and directed to sign a Memorandum of Agreement to extend the City of Tonawanda's membership in the Western New York Stormwater Coalition through 2020 and be it further

Resolved, that the City authorize payment of the annual \$1,200 membership fee as required.

Ayes: Smilinich, Hall, Koch, Gilbert

Nays: None

Resolution declared adopted

248. By Councilmember Hall seconded by Councilmember Smilinich  
Resolved, at the recommendation of the City Engineer, Jason J. LaMonaco, P.E., that award of the Niagara River sheet piling rehabilitation design phase services be made to Clark Patterson Lee, Inc., at a cost not to exceed \$9,000.00.

Ayes: Smilinich, Hall, Koch, Gilbert

Nays: None

Resolution declared adopted

249. By Councilmember Smilinich seconded by Councilmember Hall  
Resolved, at the recommendation of the City Engineer, Jason J. LaMonaco, P.E., that the award of the Phase 4 SSES Sanitary Sewer and Manhole Rehabilitation Change Order No. 1 be made to Mark Cerrone, Inc., at a cost not to exceed \$55,690.87.

Ayes: Smilinich, Hall, Koch, Gilbert

Nays: None

Resolution declared adopted

Interim Council President Gilbert- Now, we will take a minute, I have a statement that I would like to read and then we will take public comments. On October 20, the Council and Mayor's office, along with members of the School Board and Administration, attended a SMSI meeting to discuss the potential land swap of Clinton Small Stadium on

Main Street. Based on the meeting the Council has decided to issue a statement. I will now read the statement:

Interim Council President Gilbert- The results of Phase 2 testing of the Little League property outlined in the swap have determined that property meets or exceeds the requirements as requested by the district. However, the testing by the district for the property at the former Main Street Stadium was not tested to meet residential use as requested by the City and has confirmed that fill was extensively used. As a result, further testing will be required by the district before any further action relative to the swap can move forward. The district has not at this time committed to further testing; therefore, the City will explore additional avenues for the use of its four acres located at Little League Drive. Thank-you. Now we will take public comments.

*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.*

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

There were no comments from the public on the resolutions.

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

Councilmember Smilinich- I have nothing.

Councilmember Hall ó First of all I would like to congratulate my colleagues here on their victories and the new candidates that won, I congratulate them and wish them the best and that's all I have.

Councilmember Koch - I'd like to congratulate Councilmember Gilbert, Councilwoman Smilinich, Councilmember-Elect Sean Rautenstrauch and Councilmember-Elect Tim Toth. I look forward to working with you all. Thank-you to the voters who took the time out to vote. A special thank you to those who decided to run. It's not easy. So I thank you for taking the time to discuss the issues. I hope you remain active in the community so, thank you.

Mayor Rick Davis - Just a reminder, Veterans Day, 11:00 A.M. on the Renaissance Bridge, please come out and honor veterans, young and old, here and deceased, for the sacrifices that they made for our wonderful country. Election Day, again, congrats to all the winners that are sitting up here today. I'd like to have some special words about Councilmember Hall the last meeting of the year. Mr. Puchalski, my hats off to you for running and I know you will be a fixture here at the meetings moving forward, so again hats off to you. Lieutenant Clontz was honored today by the Exchange Club for Officer of the Year. Anybody that has had the privilege of working, knowing, or dealing with

Lieutenant Clontz knows how by the book he does things, how professional he is and my hats off to him and congratulations to him on the wonderful job he does representing our City. Lastly, got this in the mail, it's a Charles Gilbert's birthday is tomorrow and AARP sent me this for Chuck. As of tomorrow he is an honorary member of AARP, signed by the CEO Joanne Jacobs. Congratulations on this.

Interim Council President Gilbert - Nice. I am very honored to receive that. Thank-you very much Mr. Mayor. I would like to add just a few things. To the candidates that ran, thank-you very much for your time and efforts. It's very hard to go door to door, public speaking. Roger thank-you for your time and efforts. It's a very hard thing to do and I really applaud everybody that ran. Tim, congratulations! I know you are going to do very well. Sean, I'm not going to say your last name right now, I'll get it. Thank-you for everything you guys have done. I want to congratulate the Varsity Cheerleaders. They won their competition, the ECIC's. If anybody knows Tonawanda, they're a small group of kids and the girls were a small group but they beat a lot of larger schools, so I just want to applaud them on that. Lieutenant Clontz I want to thank him for everything and congratulate him on that, and as the mayor said, he is a true professional. Thank him for us. Other than that, thank-you all for coming and get home safe and have a great night.

