

Council Chambers
Tonawanda, New York
March 1, 2016

A Regular Meeting of the Common Council

Present: Council President Koch
Present Council Members: Gilbert, Smilinich, Rautenstrauch, Toth

Pledge of Allegiance led by Council President Jenna Koch
Prayer led by Associate Fire Chaplain Dorothea Schweitzer

Council President Koch- If you could please keep in your thoughts and prayers the family of Fire Chief Chaplain Bill Miles in the passing of his brother.

COMMUNICATIONS FROM THE MAYOR

COMMUNICATIONS FROM CITY OFFICIALS AND CORRESPONDENCE

Letter from Holly Batt announcing her February 25, 2016 retirement from the Clerk's Office.

Copy of letter to Holy Protection Orthodox Church from Judy M. Tafelski, Assessor

Report of Building Inspector Erik Lindhurst regarding questions pertaining to Barber Shop at 578 Delaware,

Communications from Daniel J Kancar regarding various FOIL requests.

The following monthly reports were received by the City Clerk:
February Report of the Traffic and Safety Advisory Board
February Report of the Clerks Office
February Report of the Building Inspector

Referred to the Committee of the Whole

COMMENTS BY THE PUBLIC ON RESOLUTIONS

No comments from the public on the resolutions.

MOTIONS AND RESOLUTIONS

50. By Council seconded by Council
Resolved, that the Common Council minutes from February 16, 2016, be accepted as filed.
Ayes: Gilbert, Smilinich, Rautenstrauch, Toth, Koch
Nays: None
Resolution declared adopted
51. By Councilmember Smilinich seconded by Councilmember Toth
Resolved, that the readings of resolutions #2- #11 be waived.
Ayes: Gilbert, Smilinich, Rautenstrauch, Toth, Koch
Nays: None
Resolution declared adopted
52. By Councilmember Smilinich seconded by Councilmember Gilbert
Whereas, a \$25.00 Special Events application fee and application were received by the City Clerk for the Classics on the Niagara Car and Craft Show from the VVA # 77 and American Legion Post 264 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 of the above named event must be coordinated with Parks and Recreation Director Amanda Lofft and the event Chairperson, now, therefore be it

Resolved, that permission be granted to the Viet Nam Veterans # 77 to hold a Car and Craft Show on Sunday, September 4, 2016 from 6 AM until 4 PM and be it further

Resolved, that Certificate of Insurance naming the City of Tonawanda as additional insured be filed with the City Clerk no later than August 26, 2016

Ayes: Gilbert, Smilinich, Rautenstrauch, Toth, Koch

Nays: None

Resolution declared adopted

53. By Councilmember Toth seconded by Councilmember Smilinich

Whereas, a \$25.00 Special Events application fee and application were received by the City Clerk for the Kiwanis Club Chicken BBQ 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 of the above named event must be coordinated with Parks and Recreation Director Amanda Lofft and the event Chairperson, now, therefore be it

Resolved, that permission be granted to the Kiwanis Club to hold a Chicken BBQ on Sunday, June 5th, 2016 from 9 AM until 5 PM and be it further

Resolved, that Certificate of Insurance naming the City of Tonawanda as additional insured be filed with the City Clerk no later than May 23, 2016

Ayes: Gilbert, Smilinich, Rautenstrauch, Toth, Koch

Nays: None

Resolution declared adopted

54. By Councilmember Gilbert seconded by Councilmember Smilinich

Resolved, that permission be granted to St Francis of Assisi Church to close Adam Street between Seymour and Clinton on June 11, 2016 from 9 AM until 9 PM for an outdoor parish celebration.

Ayes: Gilbert, Smilinich, Rautenstrauch, Toth, Koch

Nays: None

Resolution declared adopted

55. By Councilmember Gilbert seconded by Councilmember Koch

Resolved, that upon the recommendation of the City Clerk, Lynn M. Burke be appointed a Sub-Registrar of Vital Statistics for the City of Tonawanda, term to begin March 1, 2016.

Ayes: Gilbert, Smilinich, Rautenstrauch, Toth, Koch

Nays: None

Resolution declared adopted

56. By Councilmember Smilinich seconded by Councilmember Toth

WHEREAS, the City of Tonawanda entered into an Order on Consent with the New York State Department of Environmental Conservation to abate sanitary sewer overflows (SSO) from its collection system; and

WHEREAS, the City of Tonawanda was awarded a planning grant through NYS Environmental Facilities Corporation to study a portion of the sanitary sewer collection system;

NOW THEREFORE BE IT RESOLVED, that the Mayor is authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the City of Tonawanda's obligations under the Engineering Planning Grant Agreement.

Ayes: Gilbert, Smilinich, Rautenstrauch, Toth, Koch

Nays: None

Resolution declared adopted

57. By Councilmember Smilinich seconded by Councilmember Gilbert

WHEREAS, the City of Tonawanda entered into an Order on Consent with the New York State Department of Environmental Conservation to abate sanitary sewer overflows (SSO) from its collection system; and

WHEREAS, the City of Tonawanda was awarded a planning grant through NYS Environmental Facilities Corporation to study a portion of the sanitary sewer collection system;

NOW THEREFORE BE IT RESOLVED, that the City of Tonawanda authorizes and approves a minimum 20% local match as required by the Engineering Planning Grant Program for the City of Tonawanda Engineering Study (Planning Grant #51603). Under the Engineering Planning Grant Program, this local match must be at least 20% of the total project cost. The maximum local share appropriated subject to any changes agreed to by the Mayor shall not exceed \$100,000 based upon a total estimated project cost of \$200,000. The Mayor may increase this local match through the use of in kind services without further approval from the City of Tonawanda Common Council.

Ayes: Gilbert, Smilinich, Rautenstrauch, Toth, Koch

Nays: None

Resolution declared adopted

58. By Councilmember Smilinich seconded by Councilmember Rautenstrauch

WHEREAS, the City of Tonawanda entered into an Order on Consent with the New York State Department of Environmental Conservation to abate sanitary sewer overflows (SSO) from its collection system; and

WHEREAS, the City of Tonawanda was awarded a planning grant through NYS Environmental Facilities Corporation to study a portion of the sanitary sewer collection system;

WHEREAS, 6 NYCRR Section 617.5 (Title 6 of the New York Code of Rules and Regulations) under the State Environmental Quality Review Act (SEQR) provides that certain actions identified in subdivision (c) of that section are not subject to environmental review under the Environmental Conservation Law;

NOW THEREFORE BE IT RESOLVED, that the City of Tonawanda hereby determines that the proposed City of Tonawanda Planning Study (Planning Grant #51603) is a Type II action in accordance with 6 NYCRR Section 617.5 (c) (21) which constitutes the conducting concurrent environmental, engineering, economic, feasibility and other studies and preliminary planning and budgetary processes necessary to the formulation of a proposal for action, provided those activities do not commit the agency to commence, engage in or approve such action and is therefore not subject to review under 6 NYCRR Part 617.

Ayes: Gilbert, Smilinich, Rautenstrauch, Toth, Koch

Nays: None

Resolution declared adopted

59. By Councilmember Rautenstrauch seconded by Councilmember Toth

Resolved, that the following certificate of insurance and bonds for plumbers be filed and a license be issued for said plumbers to do business in the City of Tonawanda: Richard Lyons, Bernie Patcyk, Hastings & Son, Inc; David Kubiniec, Kubiniec Plumbing.

Ayes: Gilbert, Smilinich, Rautenstrauch, Toth, Koch

Nays: None

Resolution declared adopted

60. By Councilmember Rautenstrauch seconded by Councilmember Gilbert

Whereas, a \$25.00 Special Events application fee and application were received by the City Clerk from the First Presbyterian Church for a Vacation Bible School to be held in Clinton Park 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 of the above named event must be coordinated with Parks and Recreation Director Amanda Lofft and the event Chairperson, now, therefore be it

Resolved, that permission be granted to the First Presbyterian Church to hold a Vacation Bible School on July 30th, 2016 from 2 PM till 5 PM and be it further

Resolved, that Certificate of Insurance naming the City of Tonawanda as additional insured be filed with the City Clerk no later than July 11, 2016.

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

Resolution declared adopted

61. By Councilmember Koch seconded by Councilmember Gilbert
Whereas, a \$25.00 Special Events application fee and application were received by the City Clerk from Partners in Art/ Coalition of WNY Art Societies for the 13th Annual Art on The Riverwalk to be held in NiaWanda Park 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 of the above named event must be coordinated with Parks and Recreation Director Amanda Lofft and the event Chairperson, now, therefore be it
Resolved, that permission be granted to hold a their 13th Annual Art of the Riverwalk event on July 10th, 2016 and
Resolved, that Certificate of Insurance naming the City of Tonawanda as additional insured be filed with the City Clerk no later than June 30, 2016.

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

Resolution declared adopted

Council President Koch- We will not be going into Executive Session.

COMMENTS BY THE PUBLIC AFTER RESOLUTIONS

Chief of Police Bill Strassburg, 200 Niagara Street- I just want to let the council know and the public know a little bit in case you've seen officers come to your house in the last couple months. On January 1, we started a fund raiser and we suspended the facial hair policy for two months. The officers were allowed to grow goatees and beards. They raised money for a charity. Unfortunately, a little bit after we had already designated the funds for charity, the Valliancourt situation came up. We decided to extend that through the month of March with the benefits of everything we raised going to the Valliancourt family. I just want to present Council President Koch with a check from members of the Police Department. All members donated, it wasn't just the people who actually decided to grow hair. I have a check for \$1,500.00 from the Police Department for the Valliancourt family.

Council President Koch- Thank-you Chief. I am beyond speechless. I've known the Valliancourts for, well I've known Kim for thirty years. What they are going through is just heartbreaking. I just want to thank the Chief and his department for doing this. You can extend my sincere thanks. I apologize; I am just at a loss for words. Thank-you very much Chief.

COMMENTS BY THE COUNCILMEMBERS AFTER RESOLUTIONS

Councilmember Gilbert- Thank you to the Chief and the rest of the Police Force for doing that. That is a huge thing to do not only once, but twice. Thank- you very much for doing that both times. The only other thing I have to tell you is we just got done with our Youth Days with the Youth Board. It was a great time. The kids did good. No big issues. A lot of the teams got T-shirts. So it was a great time. Thank-you Madam President.

Councilmember Smilinich- Chief, please pass on to your department the gratitude and the appreciation from all of us. I have nothing else.

Councilmember Rautenstrauch- No comment at this time.

Councilmember Toth- Chief, thanks to you and the guys in your department. I've seen them out there and some of them look like there not old enough to even grow facial hair. It was well worth it. Make sure you pass along our thanks. It is definitely appreciated by the Eisenhower and Valliancourt families. That's all Madam President.

Mayor Davis- I would like to thank the Police Department too. My question to the Chief is where's his goatee? I would have let you grow one.

Chief Strassburg- It would have been gray.

Mayor Davis- Today we were one of fifteen projects that went in front of the Greenway Committee and out of those fifteen projects, there is \$6,000,000 being asked and only \$2,000,000 being rolled out. So, needless to say that it is a very competitive process this year as a lot of people are hoping to jump on quote, "free money". I will say though we were the only municipality or agency outside the City of Buffalo that applied for funding. Hopefully, the factions in Buffalo will "duke it out" and we'll remain standing on the half a million dollars that we need to break ground this year and move forward on Phase 1 of the Intermodal Hub.

I had the honor on Monday to go to Grove Street Church to check out the warmth for "Hungry Hearts Breakfast" that they started up a few months ago at the church. I would have to say it's a wonderful program that I had no idea about until two weeks ago. I would encourage you if you know anybody that needs assistance and or anybody that would like to volunteer their time it's Mondays from 9:00-11:00A.M. My hat's off to everybody of that church for opening up their doors to our needy residents.

Harzfest, this Saturday, please consider coming out and supporting a wonderful organization that gives back to our community. Also, Green Beer Sunday, 12:00P.M., parade heading over to North Tonawanda from the City. It should be nice weather by then. So please come on out.

If anybody hasn't checked out the very nice article in The Buffalo News this morning about our efforts with the Land Bank. Hope our attorneys keep going on that list so we can collaborate with them on a few more projects before the end of the year in the next year. It is really a "shot in the arm" that our City needed. These three homes are not going to be the "silver bullet" that really saves the City but after years and years and years of housing stock declining and really not addressing things this is a step forward in the right direction.

Lastly, I would like to congratulate Officer Balling on being awarded the "Officer of the Year" by the Elks Club. A very deserving award. I graduated with Jason and have known him a long time. He is most deserving of this award. Thank-you Madam President.

Council President Koch-

Thank-you so much to the Police Department for giving back to the Valliancourt family. I can't wait to deliver this check to them. This will help them lift this burden of the financial stress off their shoulders. So, thank-you again.

Congratulations to Officer Balling. He's going to be recognized at a dinner on April 2 at the Elks Lodge. The tickets will be available at the Elks Club or Police Station. Please come out and support Officer Balling on his well deserved award. I want to thank Officer Balling for his services to the City.

Don't forget to get your tickets to see Peter Pan. Peter Pan will run March 3 through March 6 at the high school. I would like to congratulate the Quality Students. I look forward to celebrating with them on Thursday.

I know the Mayor mentioned about Harzfest. That takes place this Saturday. I can't say enough good things about the Harzfest and the Harzlak foundation. They are there when you need them the most. They are very generous in giving back to the community. So please come out and support them as well. That is all I have. Thank-you very much and have a good evening.

