



Town of Tonawanda Board Town Board

Organizational

~ Agenda ~

2919 Delaware Ave
Kenmore, NY 14217
(716)877-8800
www.tonawanda.ny.us

Marguerite Greco
Town Clerk

Tuesday, January 3, 2017

5:00 PM

Town Board - Conference Room

I. Call to order

Attendee Name	Present	Absent	Late	Arrived
Supervisor Joseph Emminger	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Councilman John Bargnesi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Councilwoman Lisa Chimera	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Councilman William Conrad	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Councilman Daniel Crangle	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

II. Invocation/Pledge of Allegiance - Supervisor Emminger

III. 2017 Rules of Order for the Tonawanda Town Board

1. The Supervisor shall preside at all meetings of the Board and shall preserve order and decorum in debate.
2. The Supervisor, immediately following the opening of every regular meeting of the Board, shall proceed to the regular order of Town business as follows: reception of petitions and other communications addressed to the Town Board, reports of committees, reports of officers and departments and introduction of resolutions and motions.
3. **Public Hearings:** It shall be the duty of the Supervisor to preside at all general or special business hearings to instruct all persons addressing the Board to state their names and addresses and to request those in favor of the proposal before the Board to speak first and those in opposition to speak last. At such hearings the Board may by special rules prescribe the time to be allotted to each speaker and the number of times each speaker may speak.
4. At the **close of the public hearing** as provided for in paragraph "3" above, the Supervisor may grant any member of the general public in attendance at such meeting a reasonable opportunity to be heard on any question or subject in which the Town or its government is concerned.
5. Every resolution or **motion must be seconded** before being put to a vote by the Supervisor, and all resolutions or motions shall be recorded in their entirety in the official minutes of the Town Board.
6. The Supervisor may offer or second a resolution or a motion and need not relinquish the chair for such purpose.
7. **No motion or resolution may be brought to a vote except by the majority consent of those present**, unless printed or typewritten copies thereof are presented to each member of the Board 48 hours prior to the opening of the meeting at which such motion or resolution is offered.

8. No motion shall be made to offer any amendment to an amendment already before the Board on any proposition.
9. A majority vote of all the members of the Board shall be required to suspend these rules of order. A majority of the Board shall constitute a quorum.
10. If the above stated rules are, or become at any time, in conflict with the statutory law, the statutory law shall take precedence.
11. No member of the public shall engage in any demonstration, booing, hand clapping or otherwise disrupt the formality of a Town Board meeting.
12. Any persons speaking to the Board with the consent of the Supervisor shall address their remarks to the Board, not to other members of the audience in the form of a debate.

IV. Received and Filed

1. Letter of Resignation from John J. Flynn

ATTACHMENTS:

- Flynn Resignation Letter (PDF)

V. Town Board Committee Assignments and Supervisor Appointments for 2017

2017 TOWN BOARD COMMITTEES

Deputy Supervisor
Town Historian

John Bargnesi
Ed Adamczyk

Public Safety
Budget
Personnel
Fire Districts

EMMINGER, Chairman
Crangle
Bargnesi

Youth, Parks and Recreation/
Senior Citizens
Building Maintenance
Vehicle Utilization

CRANGLE, Chairman
Chimera
Conrad

Water Resources
SEQR
Cable TV and Franchises
Intergovernmental Relations
Assessors

CONRAD, Chairman
Emminger
Chimera

Technical Support
Building Department
Planning Board
Zoning Board of Appeals
Planning/Economic Development

BARGNESI, Chairman
Emminger
Conrad

Highway
Town Clerk
Street Lighting
Libraries
Insurance

CHIMERA, Chairwoman
Crangle
Bargnesi

Purchasing

Town Clerk
Department Head
Committee Chairman

VI. Resolutions

1. Resolution 2017-1

Motion: Approve 2017 Salaries and Rates of Pay for Town Officials and Other Non-Bargaining Unit Town Employees, Full Time, Part Time and Temporary Not Covered by Collective Bargaining Contracts, as Set Forth in the Agenda Before You.

2. Resolution 2017-2

Motion: Approve 2017 Employee Benefits and Employee Health Insurance Benefits for Town Officials and Other Non-Bargaining Employees Not Covered by Collective Bargaining Contracts, as Set Forth in the Agenda Before You.

3. Resolution 2017-3

Motion: Approve Standard Work Day for Retirement Reporting Purposes for 2017.

4. Resolution 2017-4

Establish Time and Place for Town Board Regular Meetings and Work Sessions in 2017, as per the Schedule in the Agenda before you.

5. Resolution 2017-5

Motion: Approve the Zoning Board of Appeals 2017 meeting schedule and deadlines for receiving applications from the Building Department to the Town Clerk's Office.

6. Resolution 2017-6

Motion: Approve Bi-Weekly Payrolls for Town Employees and Set Payroll Period Dates for 2017, as Per the Schedule Set Forth in the Agenda Before You.

7. Resolution 2017-7

Motion: Approve 2017 Holidays for All Regular Salaried and Hourly Full-Time Employees, Except as Otherwise Provided in the Collective Bargaining Agreements, According to the List Set Forth in the Agenda Before You.

8. Resolution 2017-8

Motion: Approve and authorize the Supervisor to execute Memorandums of Agreement with the Police Club, Hourly Employees' Association and the Salaried Workers' Association to extend the date of agreement retroactive from January 1, 2017 to December 31, 2017 relative to Military Leave during a deployment as set Forth in the Agenda Before You

9. Resolution 2017-9

Pursuant to §25 of the Town Law and §11 (2) of the Public Officers Law a Motion is In Order to Approve Dishonesty/Faithful Performance Insurance Coverage for All Officers and Employees for the Year 2017.

10. Resolution 2017-10

Motion: Approve 2017 Banks or Trust Companies in Which the Supervisor and Town Clerk Shall Deposit All Town Monies Coming into Their Hands by Virtue of Their Offices, According to the List, as Set Forth in the Agenda Before You.

11. Resolution 2017-11

Motion: Approve the Rules, Orders, and Regulations Governing the Operation of the Town of Tonawanda Police Department, Paramedic Unit and Public Safety Dispatch Unit, and the Civilian Rules, Orders and Regulations, as Amended for the Year 2017 and as attached.

ATTACHMENTS:

- Police - Rules of Conduct (PDF)
- Police - General Order (PDF)
- Police - Rules - Order for Emergency Medical Unit (PDF)
- Police - Rules-Orders Public Safety Dispatch (PDF)
- Police - Rules-Orders Civilian Members (PDF)

12. Resolution 2017-12

Motion: Approve Town Officials, Department Heads And/Or Their Representative(s) to Attend Meetings, Conventions, Conferences, Etc. for the Year 2017, as Set Forth in the Agenda Before You.

13. Resolution 2017-13

Motion: Approve the Appointment of Mario A. Giacobbe as Town Attorney, to Fill the Unexpired Term of John J. Flynn, Effective January 1, 2017 Through December 31, 2017.

14. Resolution 2017-14

Motion: Approve the Appointment of Michael Kooshoian as Deputy Town Attorney "B" for a One (1) Year Term Effective January 1, 2017 through December 31, 2017.

15. Resolution 2017-15

Motion: Approve the Appointments of Denise Cefalu, James Webster, Timothy Waring, Carl Heimiller and Christopher Patch to the Records Management Advisory Board Chaired by Marguerite Greco, Town Clerk, for a One (1) Year Term, Effective January 1, 2017 to December 31, 2017.

16. Resolution 2017-16

Motion: Appoint Records Access Officers and Appeal Officer for Town FOIL Requests for the Year 2017.

17. Resolution 2017-17

Motion: Approve the Appointments of Deborah Schwarz, James M. Webster, Eileen Fleming and Timothy Callan, to the Town of Tonawanda Deferred Compensation Board for 2017.

18. Resolution 2017-18

Motion: Approve Appointment of Eileen Fleming as Internal ADA Compliance Officer and Rachelle Uschold as ADA Coordinator for the Town of Tonawanda for the Year 2017.

19. Resolution 2017-19

Motion: Approve the Appointment of James Hartz as the Town's Fair Housing Officer for 2017.

20. Resolution 2017-20

Motion: Approve the Appointment of Frank Krisnosky as a Civil Officer for the Year 2017.

21. Resolution 2017-21

Motion: Approve Appointment of Michael Kaiser as Minority Business Officer (MBO) for the Town of Tonawanda for the Year 2017.

22. Resolution 2017-22

Motion: Approve the Re-appointments of Florine Luhr and Jim McGee as Members to the Zoning Board of Appeals.

23. Resolution 2017-23

Motion: Approve the Appointments of William E. Swanson, Joseph L. Beaumont, and Steven T. Overbeck to the Northwest Solid Waste Management Board for the Year 2017.

24. Resolution 2017-24

Motion: Approve the Appointments of Supervisor Joseph H. Emminger, Councilman Daniel Crangle, Councilman William Conrad, James Webster, and Eileen Fleming to the Merit Award Board for 2017.

25. Resolution 2017-25

Motion: Approve the Appointments of Eileen Fleming, James Webster, Frederick Vincent, Robert Coppola, and Joseph Catalano, to the Suggestion Review Committee for 2017.

26. Resolution 2017-26

Motion: Approve the Re-appointments and Appointment to the Town of Tonawanda Plumbing Board for a Two-Year Term to Expire December 31, 2018, as Set Forth in the Agenda Before You.

27. Resolution 2017-27

Motion: Approve the Re-appointments and Appointments to the Town of Tonawanda Examining Board of Electricians for a Two-Year Term to Expire December 31, 2018, as Set Forth in the Agenda Before You.

28. Resolution 2017-28

Motion: Approve the Re-Appointments of Lynn DiAugustino, Sandra DiAugustino, and Kevin Leous to the Town of Tonawanda Commission for the Conservation of the Environment for Terms of Two Years to Expire on December 31, 2018 and to Appoint Kaylee Andolsek as Junior Member for a One Year Term Set to Expire December 31, 2017.

29. Resolution 2017-29

Motion: Approve Appointments/Reappointments to the Town of Tonawanda Youth Board Per the List Set Forth in the Agenda Before You.

30. Resolution 2017-30

Motion: Approve Rules and Procedures for Purchasing in the Town for 2017.

31. Resolution 2017-31

Motion: Approve and Authorize the Supervisor to Apply to the Erie County Commissioner of Finance for an Extension to Collect Taxes Pursuant to §6-14 of the Erie County Tax Act.

32. Resolution 2017-32

Motion: Request the County of Erie to Make Direct Payment to the Town of Tonawanda, for the Town's Portion of the Sales Tax Revenue.

33. Resolution 2017-33

Motion: Approve a Policy for Employer-Provided Cell Phones for Persons Employed by the Town for 2017.

34. Resolution 2017-34

Motion: Approve Mileage Allowance for 2017 at \$.535 cents Per Mile for the Use of Private Cars While on Town Business by Town Employees, as Per the List Set Forth in the Agenda Before You.

35. Resolution 2017-35

Motion: Approve the Policy Statement Restricting the Personal Use of Employer Provided Vehicles for Persons Employed by the Town for 2017.

36. Resolution 2017-36

Motion: Approve Payment to Members of the Zoning Board of Appeals and the Planning Board for Their Services in 2017 and to Establish a Standard Work Day Per the Schedule Set Forth in the Agenda Before You.

37. Resolution 2017-37

Motion: Approve Payment to Members of the Board of Assessment Review for Their Services During the Year 2017, Per the Schedule Set Forth in the Agenda Before You.

38. Resolution 2017-38

Motion: Approve the Payment Schedule for COURT STENOGRAPHERS for 2017 Per the Schedule Set Forth in the Agenda Before You.

39. Resolution 2017-39

Motion: Approve and Authorize Newspapers for Legal And/Or Display Notices as Required by Federal and State Regulations, As Set Forth in the Agenda Before You.

40. Resolution 2017-40

Motion: Authorize Supervisor to Execute Loan Agreements, Loan Commitments, Performance Reports, Discharge of Mortgages, Loan Subordinations and Modifications, Loan Closeouts, Etc. Associated with the Rental Rehabilitation Program and the Economic Development Loan Program under the Community Development Block Grant Program During 2017, and to File the Uniform Commercial Code Forms with Erie County and the State of New York as Necessary During 2017.

41. Resolution 2017-41

Authorize the Supervisor to Subscribe to the Provisions of Section 29, Paragraphs 10 and 10-A of the Town Law Pertaining to the Powers and Duties of the Supervisor and the Preparation and Publishing of the Annual Financial Report for the Year 2017.

42. Resolution 2017-42

Motion: Approve the Supervisor as Chief Fiscal Officer of the Town, the Power to Issue and Sell Various Bonds, Notes and Note Renewals for 2017 and Also to Prescribe the Form and Content of Same Notes in Accordance with §30 and §50 of the Local Finance Law of the State of New York.

43. Resolution 2017-43

Retain the Services of Phillips Lytle, LLP and appoint Harris Beach, PLLC as Bond Counsel for the Year 2017.

44. Resolution 2017-44

Motion: Adopt Investment Guidelines for 2017 According to the Schedule; Set Forth in the Agenda Before You.

45. Resolution 2017-45

Retain the Services of Capital Markets Advisors, LLC for Financial Advisory Services Related to the Issuance of Serial Bonds or Bond Anticipation Notes for the Year 2017.

46. Resolution 2017-46

Motion: Adopt the Capital Asset Guide for 2017 According to the Schedule As Set Forth in the Agenda Before You.

47. Resolution 2017-47

Motion: Approve the Law Firms of Bengart & DeMarco, Gibson, McAskill & Crosby, Phillips Lytle and Alisa Lukasiewicz, to Provide Legal Services Related to the Defense of Article 7 Proceedings Brought Against the Town.

48. Resolution 2017-48

Motion: Approve the Legal Services for Defense Work Under the Town's Self-Insurance Program for the Year 2017 as Set Forth in the Agenda Before You.

49. Resolution 2017-49

Motion: Approve and Authorize the Supervisor to Execute a Retainer Agreement with Goldberg Segalla, LLP in Connection with the Town's Collective Bargaining, Labor and any Employment Matters Related Thereto; on an As Needed Basis for the year 2017.

50. Resolution 2017-50

Motion: Approve and Authorize the Supervisor to Execute Any Retainer Agreements with the Law Firm of Colucci & Gallaher, in Connection with the Town's Day-To-Day Relations with Labor Organizations and Any Matters Related Thereto; on an as needed basis for the year 2017.

51. Resolution 2017-51

Communication from Carl Heimiller, SEQR Chairman, Recommending the Town Board authorize the Services of Wendel WD Architecture, Engineering, Surveying and Landscape Architecture, P.C. ("Wendel") to Provide Professional Consulting Services at SEQR Committee Meetings through Calendar Year 2017, on an as Needed Time and Expense Basis, and Authorize the Supervisor to Executed any Documents In Connection Therewith.

52. Resolution 2017-52

Authorize the Supervisor to Receive Disbursements of Money and the Chief of Police to Receive Property and Transfer Documents Concerning Applications for Transfer of Federally Forfeited Property During 2017.

53. Resolution 2017-53

Motion: Approve & Authorize Marguerite Greco, Town Clerk, to Execute and Issue any and all Trailer License Renewals for the Year 2017.

54. Resolution 2017-54

Motion: Approve & Authorize Marguerite Greco, Town Clerk, to Execute and Issue any and all Amusement License Renewals for the Year 2017.

55. Resolution 2017-55

Motion: Approve Fees as Collected by the Town Clerk in 2017 as the Town's Licensing and Cash Collection Agent, as Set Forth in the Agenda Before You.

56. Resolution 2017-56

Motion: Approve an Annual License Fee for 2017 of \$100.00 for Private Waste Haulers Operating in the Town Pursuant to §9 of Local Law 4-92, "A Local Law to Regulate Waste Management."

VII. Further Town Board Action Items**VIII. Town Board Information for the Public****IX. Delegations/Public Portion**

THERE APPEARED:

X. Adjourn in Memory of the Following to the Town Board Meeting to be held Monday, January 9, 2017**1. Resolution 2017-57**

Adjourn to the Town Board Meeting to be Held Monday, January 9, 2017 at 7:00 P.M. in the Council Chambers of the Municipal Building.