

AGENDA - COMMON COUNCIL MEETING – January 16, 2017 - 5:30 P.M.
REGULAR MEETING

1. Call to order, Roll Call and Pledge of Allegiance to the flag.
2. Certification of prior meetings. Resolution dispensing with reading of minutes.
3. Reading of Privilege of the Floor Regulations.
4. Privilege of the Floor.
5. Communications from the Mayor including disapproval messages.
6. Communications from the public and petitions:
 1. Notice of Claim from Rebecca Mirek for alleged damages to her vehicle when it was struck by a City Plow truck.
 2. Notice of Claim from Ken Drummond for alleged damages to his rims when he hit an unfilled pothole.
7. Reports of Standing Committees, Boards and Commissions:
8. Unfinished Business:
9. Pre-filed Resolutions:
 12. Resolution Authorizing Agreement for Consultant Services for City of Dunkirk Smart Growth Capital Initiative Central Connections Projects.
 13. Resolution Authorizing Agreement for Consultant Services for City of Dunkirk Smart Growth Capital Initiative Pier and Harbor Projects.
 14. Resolution Authorizing Agreement for Consultant Services for City of Dunkirk Smart Growth Capital Initiative Branding and Marketing Projects.
 15. Resolution for State Environmental Quality Review Act Determination of Environmental Significance Negative Declaration.
 16. Resolution Authorizing Agreement for the Adoption of the Chautauqua County Jurisdictional All-Hazard Mitigation Plan.
 17. Resolution Authorizing to bag all inoperable parking meters in the City until deemed operable.
10. New Business:
11. Adjournment.

Edwin Ramos
City Clerk

Notice of Claim
City of Dunkirk, N.Y.

PLEASE TAKE NOTICE, that the undersigned, pursuant to the applicable NY State statutes, hereby makes claim against the CITY OF DUNKIRK, NEW YORK for injuries and/or damages sustained by me as hereinbelow detailed:

Claimant Name: Rebecca Mirek
Claimant Address: 106 Frazier St.
Dunkirk NY 14048
Claimant Telephone Number: (716) 785-5799

This claim is for (injuries/damages alleged): Damages to vehicle hit by Dunkirk City Plow while parked on Plover St.

This claim is alleged to have arisen on the 11th day of December, 2017 at approximately 11:45 (a.m./p.m.) on that date at car parked on Plover St.

The injuries and/or damages sustained by the Claimant arose in the following manner: Car parked on Plover St. and hit by Dunkirk City Plow.

The amount and type of injuries and/or damages sustained by the Claimant consist of the following: Damages to the vehicle (please see attached estimate)

WHEREFORE, the undersigned respectfully requests that the within claim be allowed and paid to me.

Respectfully yours,
Rebecca J. Mirek
Claimant (date)

State of New York)
County of Chautauqua) ss.:

Rebecca J. Mirek being duly sworn, deposes and say that he/she is the claimant herein; that he/she has read the foregoing claim and knows the contents thereof; that the same is true to the knowledge of the deponent, except as to matters therein stated to be alleged upon information and belief, and, as to those matters, he/she believes it to be true.

Linda S. Olsen
Notary

Sworn to before me this 3 day of January, 2018.

LINDA S. OLSEN
NOTARY PUBLIC, STATE OF NEW YORK
NO. 0106054113
QUALIFIED IN CHAUTAUQUA COUNTY
COMM EXPIRES JANUARY 29, 2019

2018 JAN -8 PM 1:59
RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.

Notice of Claim
City of Dunkirk, N.Y.

RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.
2018 JA -4 PM 2:02

PLEASE TAKE NOTICE, that the undersigned, pursuant to the applicable NY State statutes, hereby makes claim against the CITY OF DUNKIRK, NEW YORK for injuries and/or damages sustained by me as hereinbelow detailed:

Claimant Name: Ken Drummond
Claimant Address: 1007 Brigham Road
Dunkirk, NY 14048
Claimant Telephone Number: (716) 678-5747

This claim is for (injuries/damages alleged): 2 Rims bent on a
2015 Cadillac XTS.

This claim is alleged to have arisen on the 22nd day of July, 2017 at approximately 4:00 a.m./p.m. on that date at LUCAS AVE. DUNKIRK, NY 14048

The injuries and/or damages sustained by the Claimant arose in the following manner:
Cadillac XTS hit unfilled pothole on
LUCAS AVENUE DUNKIRK, NY 14048 NEAR
MARAUDER DRIVE.

The amount and type of injuries and/or damages sustained by the Claimant consist of the following: \$959.71 - TWO RIMS DAMAGED AND
REPLACED ON 10-26-2017.

WHEREFORE, the undersigned respectfully requests that the within claim be allowed and paid to me.

Respectfully yours,

Ken Drummond

Claimant

1-4-2018

(date)

State of New York)
County of Chautauqua) ss.:

Kenneth J Drummond, being duly sworn, deposes and say that he/she is the claimant herein; that he/she has read the foregoing claim and knows the contents thereof; that the same is true to the knowledge of the deponent, except as to matters therein stated to be alleged upon information and belief, and, as to those matters, he/she believes it to be true.

Lillian R Divine

Notary

Sworn to before me this
4th day of January, 2018.

LILLIAN R. DIVINE
Notary Public, State of New York Rev. May 2012
No. 01D16347757
Appointed in Chautauqua County
My Commission Expires Sept. 12, 2020

RESOLUTION #12 -2018

January 16, 2018

BY: ENTIRE COUNCIL

**AUTHORIZING AGREEMENT FOR CONSULTANT SERVICES
FOR CITY OF DUNKIRK SMART GROWTH CAPITAL INITIATIVE CENTRAL
CONNECTIONS PROJECT
(Barton and Loguidice)**

WHEREAS, the City of Dunkirk has been awarded \$2,500,000 through the Buffalo Billion Phase II funding to develop a pedestrian and bicycle trail, along with a cohesive marketing, branding, and signage system to connect the City of Dunkirk and its waterfront with the Village of Fredonia and SUNY Fredonia along Central Avenue in both Dunkirk and Fredonia; and

WHEREAS, professional consultant services are required to develop the plans, engineering, and permitting pieces, and Barton and Loguidice, is ready, willing and able to provide such services for the City in a good and workmanlike manner as determined by the Director of Planning and Development under her responsibility and authority by the City Code, and with the further consideration that Barton and Loguidice, comes highly recommended from the nearby communities that have done similar projects; now, therefore be it

RESOLVED, that the Mayor is authorized and directed to execute an agreement of services, on behalf of the City of Dunkirk, with Barton and Loguidice, 443 Electronics Parkway Liverpool, NY 13088, to plan, engineer, and implement, the City's Central Connections Project for the benefit of the community with a cost not to exceed a total of ninety eight thousand four hundred dollars (\$98,400); and be it finally

RESOLVED, that the revenue, and appropriations for this project be set up by Fiscal Affairs as an income and expense in a separate City Fund, and that any and all consultant contract administration services be paid from the expense line of said Fund.

RESOLUTION #13 -2018

January 16, 2018

BY: ENTIRE COUNCIL

**AUTHORIZING AGREEMENT FOR CONSULTANT SERVICES
FOR CITY OF DUNKIRK SMART GROWTH CAPITAL INITIATIVE PIER AND
HARBOR PROJECTS
(Barton and Loguidice)**

WHEREAS, the City of Dunkirk has been awarded \$2,500,000 through the Buffalo Billion Phase II funding to enhance the Dunkirk Pier and harbor to include an increase in green space and recreation amenities, as well as improved connections between the pier and waterfront trail system; and

WHEREAS, professional consultant services are required to develop a Site Program and Conceptual Design, and Barton and Loguidice, is ready, willing and able to provide such services for the City in a good and workmanlike manner as determined by the Director of Planning and Development under her responsibility and authority by the City Code, and with the further consideration that Barton and Loguidice, comes highly recommended from the nearby communities that have done similar projects; now, therefore be it

RESOLVED, that the Mayor is authorized and directed to execute an agreement of services, on behalf of the City of Dunkirk, with Barton and Loguidice, 443 Electronics Parkway Liverpool, NY 13088, to program and design, the City's Pier and Harbor for the benefit of the community with a cost not to exceed a total of sixty six thousand eight hundred dollars (\$66,800); and be it finally

RESOLVED, that the revenue, and appropriations for this project be set up by Fiscal Affairs as an income and expense in a separate City Fund, and that any and all consultant contract administration services be paid from the expense line of said Fund.

RESOLUTION #14 -2018

January 16, 2018

BY: ENTIRE COUNCIL

**AUTHORIZING AGREEMENT FOR CONSULTANT SERVICES
FOR CITY OF DUNKIRK SMART GROWTH CAPITAL INITIATIVE BRANDING AND
MARKETING PROJECTS
(Block Club)**

WHEREAS, the City of Dunkirk has been awarded \$2,500,000 through the Buffalo Billion Phase II funding to develop branding and marketing for Dunkirk's Downtown and Waterfront, along with a signage system to connect the City of Dunkirk and its waterfront with the Village of Fredonia and SUNY Fredonia along Central Avenue in both Dunkirk and Fredonia; and

WHEREAS, professional consultant services are required to develop the marketing and branding pieces, and Block Club, is ready, willing and able to provide such services for the City in a good and workmanlike manner as determined by the Director of Planning and Development under her responsibility and authority by the City Code, and with the further consideration that Block Club, comes highly recommended from the nearby communities that have done similar projects; now, therefore be it

RESOLVED, that the Mayor is authorized and directed to execute an agreement of services, on behalf of the City of Dunkirk, with Block Club, 729 Main St., Buffalo, NY 14203, to develop branding and marketing for, the City's Central Connections Project for the benefit of the community with a cost not to exceed a total of forty nine thousand five hundred dollars (\$49,500); and be it finally

RESOLVED, that the revenue, and appropriations for this project be set up by Fiscal Affairs as an income and expense in a separate City Fund, and that any and all consultant contract administration services be paid from the expense line of said Fund.

RESOLUTION #15-2018

January 16, 2018

BY: ENTIRE COUNCIL

**STATE ENVIRONMENTAL QUALITY REVIEW ACT ("SEQRA")
DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE
NEGATIVE DECLARATION**

WHEREAS, the City of Dunkirk, in compliance with the New York State Environmental Quality Review Act (SEQRA), has reviewed the City of Dunkirk's BOA Phase II Plan. The City of Dunkirk's Planning and Development Department has reviewed the Part I Full Environmental Assessment Form (EAF) and has completed Part II and Part III of the Full Environmental Assessment Form; and;

WHEREAS, the BOA Phase II Plan has been classified as a "Type I" action under SEQRA, as the project consists of the adoption of a local municipal plan that could have impacts on the land use which is subject to SEQRA review; and

WHEREAS, the City of Dunkirk has determined the proposed plan as a negative declaration, which will have no significant impact on the environment or is otherwise precluded from environmental review under Environmental Conservation Law, Article 8; now, therefore, be it

RESOLVED, that the Common Council of the City of Dunkirk, after considering the action proposed herein, has reviewed the criteria in Section 6 NYCRR 617.5(c)(2) and determines that the Type I action is a negative declaration; and, be it further

RESOLVED, that the Mayor is hereby authorized and directed to sign required documentation indicating that the proposed action is of Non-Significance and a Negative Declaration that will not result in a significant adverse environmental impact.

RESOLUTION #16-2018

January 16, 2018

BY: COUNCILMAN CIVILETTO and COUNCILMAN BAMONTO

**AUTHORIZING AGREEMENT FOR THE ADOPTION OF THE CHAUTAUQUA
COUNTY JURISDICTIONAL ALL-HAZARD MITIGATION PLAN**

WHEREAS, the City of Dunkirk recognizes the threat that natural hazards pose to people and property with the City; and

WHEREAS, the City has prepared a multi-hazard mitigation plan, hereby known as the Chautauqua County Jurisdictional All-Hazard Mitigation Plan in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Chautauqua County Jurisdictional All-Hazard Mitigation Plan identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in the City from the impacts of future hazards and disasters; and

WHEREAS, adoption by the City of Dunkirk Common Council demonstrates their commitment to the hazard mitigation and achieving the goals outlined in the Chautauqua County Jurisdictional All-Hazard Mitigation Plan; now, therefore be it

RESOLVED, the City of Dunkirk Common Council adopts the Chautauqua County Jurisdictional All-Hazard Mitigation Plan.

RESOLUTION #17-2018

January 16, 2018

BY: COUNCILMAN CIVILETTO, COUNCILMAN BAMONTO, and COUNCILMAN WILLIAMS

**AUTHORIZATION TO BAG ALL INOPERABLE PARKING METERS IN THE CITY
UNTIL DEEMED OPERABLE**

WHEREAS, some parking meters in the City of Dunkirk do not function properly; and

WHEREAS, this situation creates a disadvantage to certain businesses throughout the business district within the City of Dunkirk; and

WHEREAS, this same situation creates an undue burden to the City Clerk's office, the Treasurer, the Judge and the Police Department; and

WHEREAS, the citizens who park their vehicles are not aware of the current situation concerning the working order of the meters and the correct procedures to follow if they do not function properly; and

WHEREAS, the City of Dunkirk Common Council recognizes that the situation creates inequity, as some businesses and owners of the parked vehicles confront inoperable meters; now, therefore be it

RESOLVED, the City of Dunkirk Common Council authorizes the Mayor and the responsible departments to bag and tag said meters with an "Out of Order" message until such time that these meters can be deemed to be in working order.