

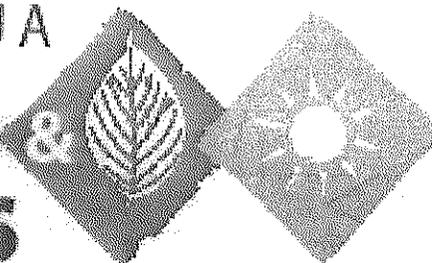
AGENDA - COMMON COUNCIL MEETING – February 5, 2013 - 5:30 P.M.
REGULAR MEETING

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. Request for use of city streets beginning at the D&F Plaza (by Middlesex) for a 5K road race on June 29th at approximately 9:30 AM by Chautauqua Health & Fitness.
 2. Request from Putnam Record Insurance Agency requesting a written proclamation from the Mayor and the Mayor's presence on May 4th for their annual "Safety Saturday". Also requesting to use 30 orange cones and 8 wooden barriers.
 3. Request from Michael R. Cerrie on behalf of the Nathan George Foundation requesting to use School #7, Koch's Field and the Stadium for the Fifth Annual Nathan George co-ed slo-pitch tournament on Saturday, August 10th (Rain date August 11th).
 4. Loudspeaker application from the Nathan George Foundation for loudspeakers on August 10th (Rain date August 11th) from 12:00 PM until 4:00 PM for their Annual Softball Tournament at the Stadium.
 5. Notice of claim from Ronald Epolito for damages to a mailbox and post allegedly caused by a city snowplow.
 6. Request from Kimberly Delgado, DHS Class of 2013 co-advisor, for two Police Officers on February 16th for a Valentine's Day dance/activity night at the High School.
7. Reports of Standing Committees, Boards and Commissions.
8. Unfinished Business:
9. Pre-filed Resolutions:
 6. Resolution approving surplus equipment declaration for disposal.
 7. Bond Resolution authorizing the improvements to the City Water System (2013 Phase) at an estimated maximum cost of \$4,400,000.00 and authorizing issuance of serial bonds not to exceed \$4,400,000.00.

8. Resolution authorizing grant application for Local Government Records Management Improvement Fund.
 9. Resolution authorizing grant services for Rotella Grant Management.
 10. Resolution authorizing a Five Year consolidate plan to HUD.
 11. Resolution authorizing submission of FY 2013 CDGB Annual Action Plan to HUD.
10. New Business:
 11. Adjournment.

Lacy L. Lawrence
City Clerk

CHAUTAUQUA Health & Fitness



D&F Plaza
1170 Central Ave.
Dunkirk, NY 14048
716-363-6383
www.getfitwry.com

Mayor Dolce,

My name is Greg Craft and I am one of the managers at Chautauqua Health & Fitness in the D & F Plaza. I am again interested in putting on our 5K road race called the "D & F 5K Challenge" at the beginning of the summer. Last year's race was a great success! We had over 150 participants and over 15 sponsors. Kix Country put on a mobile broadcast from our event and we were able to give out raffle prizes for Darien Lake and Lake Erie Speedway, as well as gift certificates to many local business. The community very much enjoyed the event, and with the help of the Dunkirk and Fredonia Police it went off without a hitch.

I would like to run this years event much like last year. This year I would like to have the race at 9:30am on Saturday June 29th. Like last year, I feel this is a good weekend when there is not any other activities going on in the community that would interfere. Additionally, a run at the end of June would not affect the attendance of any previously established races (Lakefront 5K, Tri-Dunkirk) which are scheduled for later in the summer. Enclosed is the official USA Track & Field map of last years course. It is quite expensive have the course officially mapped out, so I would like to keep the same route this year. As you will see the race stays mostly clear of busy roads. The busiest road we would be on Central Ave. and that would only be for about 1/10 of a mile. I would like to start and end the race at the end of the D & F plaza by Middlesex Dr. This would offer ample room for a start line and finish shoot that would be off any road and safe for participants. This is also a lot of room for the runners to warm up and cool down, as well as a good area to set up a tent with tables, food, drinks, music, awards, etc. If the race is approved I will get a waiver of insurance from USA Track & Field stating Dunkirk, Fredonia, and SUNY Fredonia as additionally insured.

I am writing to you because I want to see if you can approve this race and help me with any roadblocks you might see necessary. Last year, Dunkirk Police helped direct traffic in the D & F plaza by the start of the race, as well as on Middlesex by the entrance to the plaza. I will also be contacting the chief of police of Dunkirk and Fredonia, SUNY Fredonia, and Mayor Keefe of Fredonia. Chautauqua Health & Fitness is going into its 6th year of operation and continuing this 5K is a great way to give back to the community. Last yea, I feel the D & F 5K Challenge was an excellent addition to the wide array of events the Dunkirk/Fredonia area has to offer. If you have any questions please don't hesitate to contact me at any of the numbers listed below.

Sincerely,

Greg Craft
Chautauqua Health & Fitness LLC
1170 Central Avenue
Dunkirk, NY 14048
716-363-6383
Fax: 716-363-6384
Cell: 716-510-0702

2013 JAN 22 AM 11:06

RECEIVED
CLERK'S OFFICE
DUNKIRK, N.Y.

RECEIVED

JAN 18 2013

MAYOR'S OFFICE

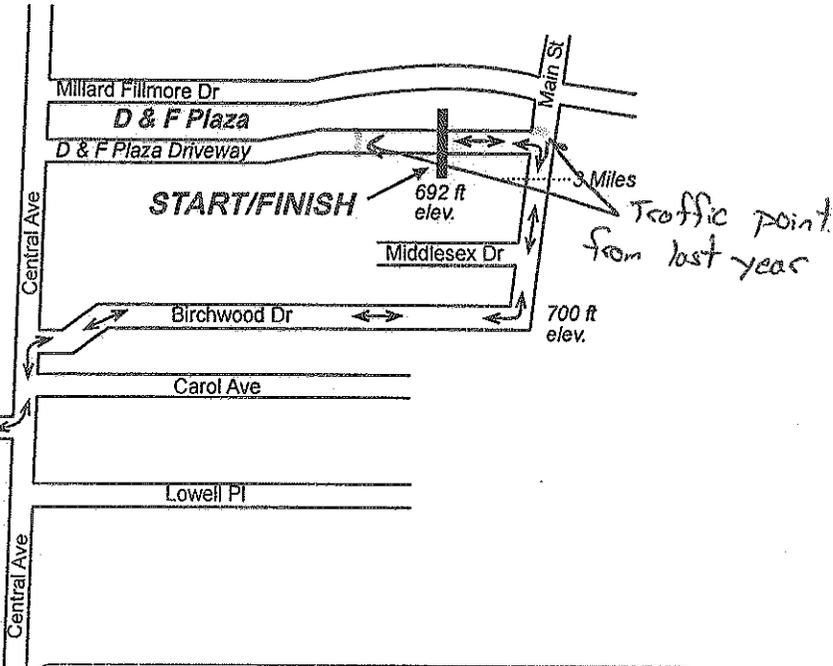
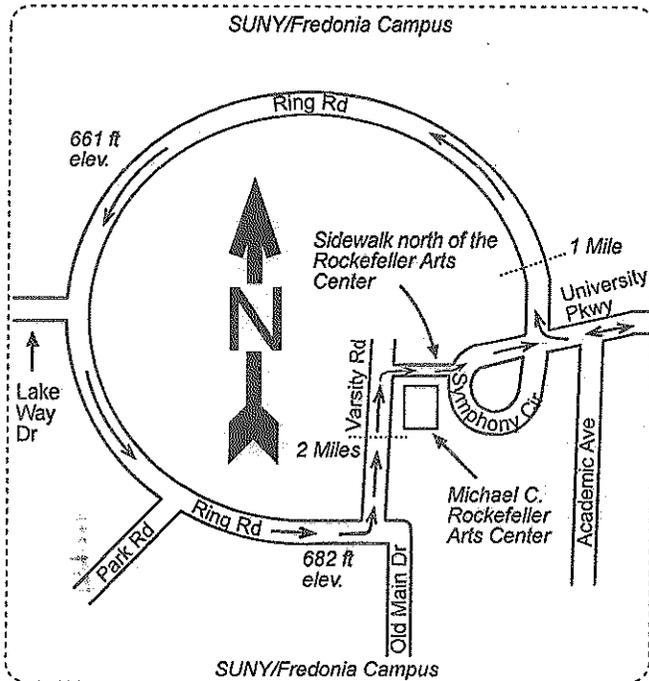
Dunkirk & Fredonia 5K

Dunkirk, NY



Certified Course
NY12066JG
 Effective 6/16/2012
 through 12/31/2022

Measured by: Jeff John
 Measured on: May 17, 2012
 calibration course: NY06033JG

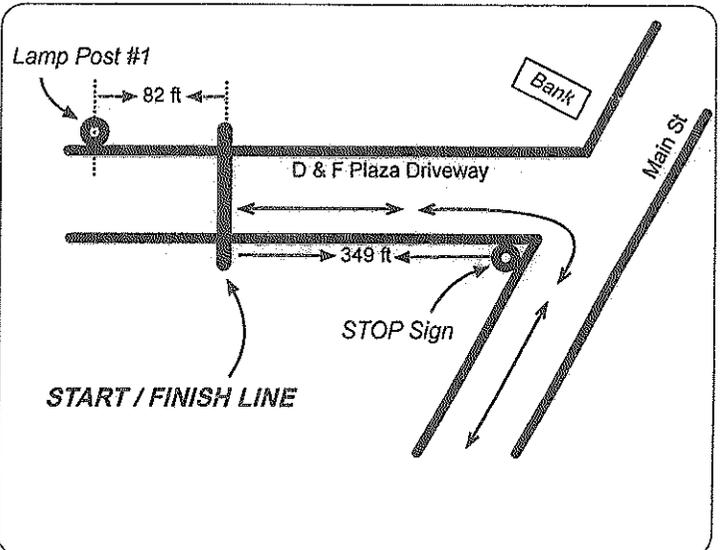


SPECIAL NOTE: Runners may have use of the sidewalk, as well as roads, on the SUNY/Fredonia campus. Sidewalk use is especially important on the Ring Road for shortest distance.

Mile Splits

- START** On the east end of the Driveway of the D&F Plaza, exactly 82' east of the big lamp post #1, and 349' west of the Stop Sign at Main Street.
- 1 Mile** On Ring Rd, 16' past (north of) pole PR-5.
- 2 Mile** On Varsity Rd before the cross-walk at the south edge of the Rockefeller Arts Center, 7.5 feet before (south of) pole VD-8.
- 3 Mile** On Main St, 58' past (north of) two fire hydrants on west side of road and 2 feet past National Fuel Gas cover
- FINISH** Same as the start line location.

START / FINISH Area Detail



**PUTNAM
RECORD**
A CHAUTAQUA PUBLICATION

Dunkirk
716-366-2744
Silver Creek
716-934-2202

Local Insurance Coverage, Savings, Loans & Money



PutnamRecordOnline.com

RECEIVED

JAN 16 2013

MAYOR'S OFFICE

January 15, 2013

Mayor Dolce
342 Central Avenue
Dunkirk, NY 14408

Dear Mayor Dolce:

Our office is excited to be conducting our first annual "Safety Saturday" which will be held from 10am-2pm on May 4, 2013. Dunkirk Fire Department will be having Safety Demonstration, the Dunkirk Police Department will be overseeing the child finger printing kits, NYS Police Department will be checking car seats to ensure they are properly installed, and Rich Goodman of Wheel People will be discussing bicycle safety.

This letter serves as a written request that you are able to attend and provide a written proclamation. We are also going to need approximately 30 orange cones, and 8 wooden barriers to help block off the back parking lot our office. If approved at the council meeting, we would like to have them delivered to the Chautauqua County Fair Grounds, Floral Hall Pavilion by 8:45am on the day of the event or the day before.

I have included a copy of the flyer we are using to advertise this event. We appreciate your collaboration in making this event a success. Our office will be contacting you in a week to confirm you have received this letter and have reserved that day for us.

We look forward to seeing you in May.

Sincerely,

Doug Mahany
President

RECEIVED
MAYOR'S OFFICE
DUNKIRK, N.Y.
2013 JAN 18 PM 2:45



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CLERK'S OFFICE
DUNKIRK, N.Y.

2013 JAN 22 AM 11:18

The Nathan George Foundation, Inc.

PO Box 1315 Dunkirk NY 14048

January 22, 2013

Dear Members of the Dunkirk City Council:

On Saturday, August 10, 2013, the Nathan George Foundation would like to have the Fifth Annual, Nathan George co-ed slo-pitch softball tournament in the City of Dunkirk. The tournament would take place at School 7, Kochs Field, and the Stadium. The purpose of this tournament is to raise money for the Nathan George Foundation.

All of the proceeds will go towards scholarship's to be awarded in Nathan's memory. Last year the Foundation Awarded a \$1,000.00 scholarship to a Fredonia High School Softball Player as well as to a Baseball player. The Foundation also offered a \$500.00 scholarships to a Dunkirk High School Male athlete and a Dunkirk High School Female Athlete. Two - \$250 scholarship's were given to Silver Creek students, as well as two - \$250 scholarships to Brocton students.

This year, the foundation plans on awarding the same scholarships, along with two - \$2,500.00 Scholarships, one to the best Male athlete in Northern Chautauqua County, and one to the best female athlete in Northern Chautauqua County.

Last year's tournament was considered a wild success, with Twenty-Four (24) teams participating, and well over 600 people having attended. We were able to have a fun filled day, that many in the community attended, donated, contributed to, or played in.

I have already submitted a field request for the use of School 7, to the Dunkirk School System.

Please consider allowing us to have this tournament on Saturday, so that we may raise money for an extremely good cause, and that we may honor a friend who died at an extremely young age.

I understand that in order for this tournament to occur we will need to have an insurance policy of \$1,000,00.00. I have spoken with my insurance agent, and she has informed me that her underwriters would prefer that coverage be obtained within 30 days of the event. I will submit proof of insurance to the City of Dunkirk as soon as it is secured.

We would also like to have a rain date of August 11, 2013. If you have any questions, please feel free to contact me at 969-3469.

Very truly yours,

Michael Robert Cerrie
President/Co-Founder
Nathan George Foundation

APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO.
(DCC-47-6-C)

DATE OF APPLICATION (must be 30 days Prior to event): <u>1-22-13</u>	
* No more than 3 days TOTAL per Individual or Group - per year EVENT SPECIFICS * EXCLUDES HARBORFRONT AREA	
DATE: <u>8/10/13</u> ^{8/11/13 Row 0218}	TIME: <u>12:00 noon - 4:00pm</u> LOCATION OF EVENT: <u>THE STADIUM</u>
SPONSOR: <u>Nathan George Foundation</u>	
NAME: <u>Michael Cerric</u>	PHONE NO. <u>716-969-3469</u>
ADDRESS: <u>PO BOX 1215</u> <u>DUNKIRK NY 14048</u>	
<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> CORPORATE <input checked="" type="checkbox"/> CHARITABLE <input type="checkbox"/> COMMUNITY	
RESPONSIBLE INDIVIDUAL:	
NAME: <u>Michael Cerric</u>	PHONE: <u>716-969-3469</u>
ADDRESS: <u>769 DEER ST DK NY 14048</u>	
REASON: <u>SOFTBALL TOURNAMENT</u>	
AUDIO DEVICE TO BE USED: <u>LOUD SPEAKER</u>	
<input checked="" type="checkbox"/> PUBLIC EVENT <input type="checkbox"/> PRIVATE EVENT	
NOTIFICATION OF AFFECTED PERSONS	
<input type="checkbox"/> YES	IF YES, PROOF:
<input checked="" type="checkbox"/> NO	
I, the undersigned, have read and agree to abide by the provisions set forth in DCC 47-6-C.	
Signature: <u></u>	
DEPARTMENTAL REVIEW	DATE SENT
POLICE DEPT <u>OK 1/22/13</u> 	
DEPT OF PUBLIC WORKS <u>OK 1/22/13</u> <u>AG</u>	
DEPT OF LAW <u>OAS 1/23/13</u>	
OTHER	
COMMON COUNCIL ACTION	
RECEIPT OF REVIEW	
APPROVAL	
CONDITIONS:	
DISAPPROVED	

RECEIVED
 1. PUBLIC WORKS OFFICE
 DUNKIRK, N.Y.
 2013 JAN 22 AM 11:20

Notice of Claim
City of Dunkirk, N.Y.

RECEIVED
CLERK'S OFFICE
DUNKIRK, N.Y.

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

Claimant Name:

Ronald Epolito

Claimant Address:

26 Crooked Brook Dr
Dunkirk NY 14048

Claimant Telephone Number:

(716) 366-8772

This claim is for (injuries/damages alleged): Discarded mailbox & post had been hit by snow plow - found on ground damaged wooden post broken & splinter unable to repair New one will be needed

This claim is alleged to have arisen on the 30 day of December, 2012 at approximately 10 a.m./p.m. on that date at 26 Crooked Brook Dr.

The injuries and/or damages sustained by the Claimant arose in the following manner:

Pending

The amount and type of injuries and/or damages sustained by the Claimant consist of the following: Need to purchase new wooden post & will have to obtain a post office box until can be fixed when weather permitting

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

Respectfully yours,

Ronald Epolito
Claimant (date)

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

Ronald Epolito, 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.

Sworn to before me this
20th day of January, 2013.

Deborah J. Paul
Notary

DEBORAH J. PAUL
Notary Public, State of New York
No. 01PA5050178
Qualified in Chautauqua County
Commission Expires October 2, 2013

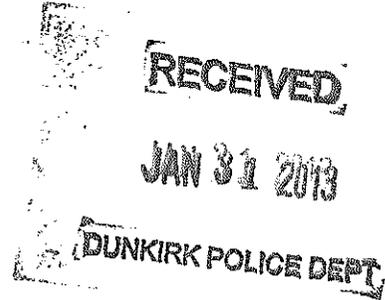


DUNKIRK CITY SCHOOL DISTRICT

620 Marauder Drive
Dunkirk, New York 14048
Telephone (716) 366-9300
Fax (716) 366-9399

MR. KENNETH KOZLOWSKI
President
Board of Education
MR. GARY CERNE
Superintendent

To: Dunkirk Police Department
From: Dunkirk Class of 2013 advisors
Re: Police Supervision from Valentine's Day Dance
Date: January 24, 2013



We are interested in employing two Dunkirk Police officers for Saturday, February 16, 2013 for a Valentine's Day dance/activity night. We would need one officer in attendance from 6-11 and the other one from 8-11. We would also need the officers to administer the Alco sensor test. The dance will be held at DHS in the auxiliary gym. Please contact me at 366-9300 ext. 2117 if you have any further questions or need additional information.

Thank you

Kimberly Delgado
Kimberly Delgado

Class of 2013 co-advisor

RESOLUTION #06-2013
FEBRUARY 5, 2013

APPROVING SURPLUS EQUIPMENT DECLARATION FOR DISPOSAL

BY: COUNCILMAN GONZALEZ

WHEREAS, it has been determined that several motor vehicles are inoperable or no longer useful for City purposes; and,

WHEREAS, such motor vehicles are to be declared surplus and for disposal; now, therefore, be it hereby

RESOLVED, that the Common Council, based upon the recommendation of the respective Department Heads, has determined and declared the following motor vehicles to be declared surplus:

DEPARTMENT	YEAR	MAKE	MODEL	BODY TYPE	ID NUM
FIRE	1975	WARD LAFRANCE	FIRE TRUCK	PUMPER	80-1072
STREET	1985	FORD	C600	STAKE-TYPE DUMP	1FDNC60H1FVA70927
STREET	1990	FORD	F-700	TREE TRUCK	1FDPK74P6LVA30826
STREET	1991	CHEVROLET	C1500	4x2 PICKUP	1GCEC14Z1ME184790
RECREATION	1994	FORD	F155	4x2 PICKUP	1FTEF15Y4RNB34793
WATER	1994	CHEVROLET	C-30	STEP VAN	1GBKP32K4R3314352
WWTP	1994	CHEVROLET	CK3500	6x4 DUALIE STAKE W/PLOW	1GBHK34K9RE278118
POLICE	1996	JEEP	CHEROKEE	4x4 CHEROKEE	1J4FJ68S5TL167306
ELEC. MAINT.	1997	DODGE	B2500 VAN	VAN	2B7HB21X8VK575943
MAYOR	2000	CHEVROLET	IMPALA	4DSD	2G1WF55K2Y9367248
MAYOR	2003	FORD	CROWN VICTORIA	4DSD	2FAFP71W63X124948
MAYOR	2003	FORD	CROWN VICTORIA	4DSD	2FAFP71W43X124947
POLICE	2007	FORD	CROWN VICTORIA	4DSD	2FAHP71W27X131751
POLICE	2008	FORD	CROWN VICTORIA	4DSD	2FAHP71V08X166569

and, be it further

RESOLVED, that the Director of Public Works is hereby authorized to dispose of the above motor vehicles through the eBay internet auction site and that for those items not receiving bids, the Director of Public Works is hereby authorized to dispose of such motor vehicles in the best interest of the City, consistent with obtaining the highest price for such motor vehicles, at the discretion of the Director of Public Works; and, be it finally

RESOLVED, that the Director of Public Works submit to the Council a report of the disposition of such motor vehicles, including purchaser, purchase price and method of sale.

RESOLUTION #07-2013
FEBRUARY 5, 2013

BY: ENTIRE COUNCIL

A BOND RESOLUTION, DATED FEBRUARY 5, 2013, OF THE COMMON COUNCIL OF THE CITY OF DUNKIRK, CHAUTAUQUA COUNTY, NEW YORK (THE "CITY"), AUTHORIZING THE RECONSTRUCTION OF AND CONSTRUCTION OF IMPROVEMENTS TO THE CITY WATER SYSTEM (2013 PHASE) PURSUANT TO A CHAUTAUQUA COUNTY DEPARTMENT OF HEALTH CONSENT ORDER, AT AN ESTIMATED MAXIMUM COST OF \$4,400,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$4,400,000, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE CITY TREASURER.

WHEREAS, it has been determined by the City's retained consultant, Hill Engineering, Inc., that there is a need for water system improvements; and

WHEREAS, the Common Council of the City of Dunkirk, Chautauqua County, New York (the "City") has, based upon recommendations by Hill Engineering, determined that such a project will improve both the quality and quantity of water and will also improve fire-protection; and

WHEREAS, the Common Council desires to issue obligations of the City to finance the costs of such project. now, therefore, be it

RESOLVED, by the Common Council (by the favorable vote of not less than two-thirds of all the members of the Council) as follows:

SECTION 1. The specific purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the reconstruction of and construction of improvements to the City water system pursuant to a Chautauqua County Department of Health Consent Order. Such work shall include, but not be limited to, the reconstruction of the West end system, reconstruction of approximately seven filters, repairs to flocculation tanks, valves and piping, electrical wiring and controls upgrades (as necessary), and any associated work as found necessary consistent with the 2013 list of work to be done pursuant to such Board of Health Consent Order, and all preliminary work and necessary equipment, materials and site work and any preliminary costs and costs incidental thereto (collectively, the "Project"). The estimated maximum cost of said purpose is \$4,400,000.

SECTION 2. The Common Council plans to finance the estimated maximum cost of said purpose by the issuance of serial bonds in an amount not to exceed \$4,400,000 of the City, hereby authorized to be issued therefore pursuant to the Local Finance Law, said amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources (including without limitation, user charges paid by the owners of properties on which water meters are installed), the cost of such reconstruction and construction is to be paid by the levy and collection of taxes on all real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

SECTION 3. It is hereby determined that said purpose is an object or purpose described in subdivision 1 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is 40 years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of said bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

SECTION 6. The faith and credit of the City are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources (including without limitation, user charges paid by the owners of properties on which water meters are installed), there shall annually be levied on all the taxable real property of the City a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said notes and of Section 21.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00 and Section 63.00 of the Local Finance Law, the powers and duties of the Common Council pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the City Treasurer, the chief fiscal officer of the City. Without in any way limiting the scope of the foregoing delegation of powers, the Treasurer, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the City.

SECTION 8. The temporary use of available funds of the City, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in Section 1 of this resolution. The City then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the date hereof) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute the declaration of the City's "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

SECTION 9. The City Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution, and any notes issued in anticipation thereof as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 10. The City Treasurer is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11. The City has complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQRA"), comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issued a negative declaration and/or other applicable documentation, and therefore, no further action under the State Environmental Quality Review Act is necessary.

SECTION 12. The City Treasurer is hereby authorized to execute and deliver in the name and on behalf of the City a project financing agreement prepared by the New York State Environmental Facilities Corporation ("EFC") (the "SRF Project Financing Agreement"). The City Treasurer and the City Clerk and all other officers, employees and agents of the City are hereby authorized and directed for and on behalf of the City to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby, including, but not limited to, the SRF Project Financing Agreement.

SECTION 13. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

(1) (a) such obligations were authorized for an object or purpose for which the City is not authorized to expend money, or

(b) if the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or

(2) such obligations were authorized in violation of the provisions of the Constitution of New York.

SECTION 14. The City Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in a newspaper having a general circulation in said City and hereby designated as the official newspaper of said City for such publication.

SECTION 15. This Project will fulfill, in part, requirements outlined in a Consent Order dated October 7, 2009, from the Chautauqua County Department of Health.

SECTION 16. This Resolution shall take effect immediately.

RESOLUTION #08-2013
FEBRUARY 5, 2013

BY THE ENTIRE COUNCIL:

AUTHORIZING GRANT APPLICATION
(LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND)

WHEREAS, the City of Dunkirk over the years has amassed a significant volume of hard copy records and reports and it would be in the best interests of the City to undertake a program to consolidate and to digitize such records and reports, providing greater efficiencies in utilizing such records and reports; and,

WHEREAS, the City of Dunkirk has the opportunity to apply to New York State for a Local Government Records Management Improvement Fund (LGRMIF) grant for a project grant to improve the City's records management and for archival administration of the City's records and reports; now, therefore, be it

RESOLVED, that the Dunkirk Common Council does hereby approve and endorse the City's application for a Local Government Records Management Improvement Fund (LGRMIF) grant through New York State; and authorizes the Mayor to execute any and all agreements necessary for such application.

RESOLUTION #09-2013
FEBRUARY 5, 2013

BY THE ENTIRE COUNCIL:

**AUTHORIZING GRANT SERVICES
(ROTELLA GRANT MANAGEMENT)**

WHEREAS, the City of Dunkirk over the years has amassed a significant volume of hard copy records and reports and it would be in the best interests of the City to undertake a program to consolidate and to digitize such records and reports, providing greater efficiencies in utilizing such records and reports; and,

WHEREAS, the City of Dunkirk has the opportunity to apply to New York State for a Local Government Records Management Improvement Fund (LGRMIF) grant for a project grant to improve the City's records management and for archival administration of the City's records and reports; and,

WHEREAS, ROTELLA GRANT MANAGEMENT, 3322 Upper Mountain Road, Sanborn, New York 14132, is ready, willing and able to provide grant drafting services for the City in a good and workmanlike manner; and,

WHEREAS, that the Dunkirk Common Council has approved and endorsed the City's application for a Local Government Records Management Improvement Fund (LGRMIF) grant through New York State; now, therefore, be it

RESOLVED, that the Mayor is directed and authorized to execute any and all agreements necessary to engage the independent contractor grant drafting services of ROTELLA GRANT MANAGEMENT, 3322 Upper Mountain Road, Sanborn, New York 14132, at a cost not to exceed Eight Hundred Dollars and Zero Cents (\$800.00), plus reasonable mileage reimbursement for no more than two (2) trips to Dunkirk and postage, to draft and to submit the LGRMIF grant application.

RESOLUTION #10-2013
FEBRUARY 5, 2013

BY: COUNCILMAN RIVERA

AUTHORIZING A FIVE YEAR CONSOLIDATED PLAN TO HUD

WHEREAS, the City of Dunkirk is required to submit a Consolidated Plan to HUD every five years laying out proposed activities to address a variety of community needs, and

WHEREAS, the City conducted a series of community meetings and focus groups to assess those needs and gather information on how to address community needs, now, therefore, be it

RESOLVED, that the Common Council hereby authorizes the Mayor to submit the 2013-2018 Consolidated Plan to HUD.

**RESOLUTION #11-2013
FEBRUARY 5, 2013**

BY: COUNCILMAN RIVERA

SUBMISSION OF FY 2013 CDBG ANNUAL ACTION PLAN TO HUD

WHEREAS, the City of Dunkirk receives funding each year from the United States Department of Housing and Urban Development (HUD) through the Community Development Block Grant (CDBG) program, and

WHEREAS, the City develops an *Annual Action Plan* each year which identifies and further describes the City's anticipated allocation of CDBG funds to various programs and activities for the next fiscal year, and

WHEREAS, according to the City's approved CDBG Citizen Participation Plan, the City's proposed allocations have been presented to the public and interested elected representatives via three public meetings, two technical assistance sessions, and a thirty-day public review and comment period has been afforded City residents, now, therefore, be it

RESOLVED, the following activities have been included in the 2013 Annual Action Plan submitted to the public pursuant to the City's Citizen Participation Plan for review and are to be submitted to HUD for its approval.

2013 CDBG ALLOCATIONS

ADMINISTRATION	Administration	\$ 90,000.00	\$ 90,000.00
PUBLIC FACILITY	Streets Improvement	\$ 109,815.00	\$ 109,815.00
PUBLIC SERVICE	Senior Services-Meals on Wheels	\$ 10,000.00	\$ 10,000.00
ECO DEVELOPMENT	DLDC/Eco Development	\$ 75,000.00	\$ 75,000.00
HOUSING	Owner-occupied Rehab	\$ 100,000.00	\$ 100,000.00
OTHER	Code Enforcement	\$ 25,000.00	\$ 75,000.00
	Demolition	\$ 50,000.00	
		\$ 459,815.00	