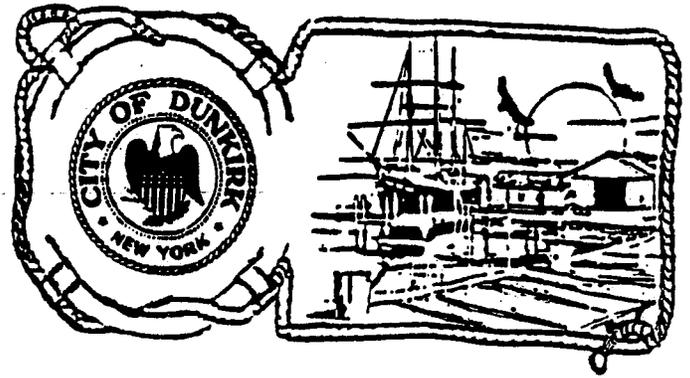


AGENDA - COMMON COUNCIL MEETING – March 01, 2016 - 5:30 PM
REGULAR MEETING

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. Harbor Commission requesting approval of Commercial Bait Fishing Application.
 2. Request from Dunkirk Fast-Pitch Team to use the Stadium, Kochs & School #7 Fields on July 15th to the 17th, waiver of the curfew for all three days, and permission for a food stand around the Stadium for that weekend.
 3. Request from Tim Wdowiasz on behalf of the First Ward Falcons Club to use The Stadium on May 21, 2016 for an Early Bird Fast Pitch Softball Tournament.
 4. Request from Scott Mekus on behalf of Dunkirk Senior High School's Class of 1989 to host their annual "Marauder Trotter 5K Run/Walk" along the Lake Erie Waterfront Saturday, July 2nd beginning at 8:45 AM as well as post-race activities immediately following in Wright Park.
 5. Loudspeaker application from:
 - a). Rookies on the Lake for live music, loudspeakers and amplifiers May 1st thru October 1st.
 - b). Northern Chautauqua Conservation Club, Inc. for live bands and speakers from May 1st thru October 1st.
7. Reports of Standing Committees, Boards and Commissions.
8. Unfinished Business:
 25. Resolution authorizing Boardwalk lease agreement (Robert Contiguglia).
9. Pre-filed Resolutions:
 29. Resolution authorizing Grant Application (Wright Park Amenities Grant).
10. New Business:
11. Adjournment.

Lillian R. Divine
City Clerk

**The
GREATER DUNKIRK AREA
HARBOR COMMISSION**



MEMORANDUM

TO: Members of Common Council
FROM: Dunkirk Harbor Commission
DATE: February 19, 2016
RE: Application Permit for Commercial Bait Fishing

2016 FEB 19 PM 2:50
CITY CLERK'S OFFICE
DUNKIRK, N.Y.

Dear Common Council Members:

According to the City Code Section 24 "L"(5), any applications for commercial bait fishing must be reviewed by this Commission prior to Common Council approval.

After reviewing said application at the February 17, 2016 meeting, it was unanimously agreed upon to approve the application from:

1. Eugene Pauszek Dunkirk, New York

In order to facilitate this application, we would like to suggest that this Common Council act on the approval of this application permit as soon as possible.

Thank you.

Jim Nichols, pp
Jim Nichols
Dunkirk Harbor Commission

JN/pjp
Attach.



CITY OF DUNKIRK
OFFICE OF THE CITY CLERK
CITY HALL, DUNKIRK, NY 14048

RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.

2016 JA 25 PM 3:30

WILFRED ROSAS
MAYOR
(716) 366-9882
FAX (716) 366-2049

LILLIAN R. DIVINE
CITY CLERK
(716) 366-9766
FAX (716) 363-0058

GRACE TARNOWSKI
DEPUTY CLERK
(716) 366-9766
FAX (716) 363-0058

CITY OF DUNKIRK
APPLICATION PERMIT FOR COMMERCIAL BAIT FISHING

Application for permit must be made 60 days prior to bait fishing. Application must be reviewed by the Dunkirk Harbor Commission prior to approval by the Common Council and Harbormaster. Permit is revocable at any time by the Dunkirk Police Department or Environmental Conservation Regulations. Bait fishing will be limited to two (2) permit holders at any one time. City of Dunkirk reserves the right to control the amount of bait taken by any bait fisherman. The bait fishing permit will be effective until the end of the year that it is issued. A new permit application shall be filled out each year. Photo copy of bait license to be presented with application shall be filled out each year. Photo copy of bait license to be presented with application for permit for commercial bait fishing. The window permit time-frame is November 1st – January 31st.

BAIT PERMIT

Date: 1/25/16 Net Tag Number: _____

Name: EUGENE PAUSZOK

Street/Road Address: 66 W. DOUGLASS ST

City: DUNKIRK Zip Code: 14048 County: CHAUT.

Business Name: _____

Bait License Serial Number: _____

Home Phone: (716) 366-1772 Business Phone: () SAMU

Applicant's Signature: Eugene J Pauszok

APPROVED BY: _____ Date: _____

Signature of Dunkirk City Clerk

**Approved permit application is to be posted in window of vehicle being used to transport bait.

Bait Fish License Application

License Duration:

1 Year (January 1-December 31)

License Fee:

Varies by gear type & operation

For more information about this license visit:
www.dec.ny.gov/permits/25004.html

License #: _____
 Fee Paid: \$ _____
 Check # _____
 M.O.# _____

Applicant Information

*Name: PAUSZEK EUGENE S *Date of Birth: 06/01/1951
Last First M.I. MM DD YYYY

*Address: 66 W. DOUGHTY ST DUNKIRIC
Street Address Apartment/Unit City

CHAUTAUGUA NY 14048
County State Zip Code

*Phone: (716) 366-1772 Email: WWW.MARY.PAUSZEK@LIVE.COM

Facility/Business Information (*Complete if different than above)

Facility/Business Name: GENE PAUSZEK

Address: 66 W. DOUGHTY DUNKIRIC NY
Street Address Suite/Unit City State

CHAUT. 14048 Phone: (716) 366-1772
County Zip Code

License Purpose(s) & Fee (*Check all that apply to indicate intended purpose(s) for this license. Then calculate total license fee.)

	Resident Fee	Nonresident Fee	Subtotal
<input checked="" type="checkbox"/> Sell bait fish at facility address above.	\$2	\$6	<u>2</u>
<input type="checkbox"/> Take and sell aquatic insects.	\$2	\$6	_____
<input type="checkbox"/> Sell baitfish and operate <u>one</u> seine net that is <u>50</u> feet long to take bait fish in private ponds or specially designated waters listed in Section 35.2 of 6NYCRR.	\$10 for first 50 feet, plus 25¢ for each additional foot	\$30 for first 50 feet, plus 75¢ per each additional foot	<u>810.00</u>
<input type="checkbox"/> Operate <u>one</u> cast net not exceeding 10 feet in diameter in the Hudson River south of Troy Dam including tributaries to first barriers.	\$10	\$30	_____
<input type="checkbox"/> Operate _____ minnow trap(s) not exceeding 3 x 1 1/2 feet in private ponds or specially designated waters listed in Section 35.2 of 6NYCRR.	\$3 each	\$9 each	_____
<input type="checkbox"/> Operate _____ minnow fyke net(s) not exceeding 2 feet in diameter in private ponds	\$3 each	\$9 each	_____
*Total Fee:			<u>12.00</u>

Required Document(s)
 (must be submitted with your application)

Check or money order for the calculated license fee made payable to: "NYS Department of Environmental Conservation"

Application Checklist

(Before sending this application, please verify the following)

All application fields marked with an asterisk (*) are complete¹

You signed and dated below

By signing below, I understand that this license does not authorize trespassing on private lands or waters, or interfere with property belonging to another person.

NOTICE: Pursuant to ECL Section 3-0301(2)(Q), false statements made on this application are punishable in accordance to Section 210.45 of the New York State Penal Code.

Eugene A. Pauszek
 Applicant's Signature

1/23/16
 Date

Please allow 45 days for DEC to review and process your application.
¹Incomplete or vague applications will be returned and delay the processing of your permit.



NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

BAIT LICENSE

8088	
BAIT LICENSE NUMBER	
\$ 12.00	Net 138
FEE	TAG NO.

LICENSE TO:

- Operate one seine not over 50 feet long to take bait fish in private ponds with written permission of owner or in *specially designated waters* as listed in Section 35.2 of Title 6 of New York Codes, Rules and Regulations (6NYCRR).
- Operate one cast net not over 10 feet in diameter in the Hudson River south of Troy Dam including tributaries to first barrier.
- Operate ___ minnow traps not exceeding 3 x 1 1/2 feet, in private ponds with written permission of owner or in *specially designated waters* as listed in Section 35.2 of 6NYCRR.
- Operate ___ minnow fykes, not exceeding 2 foot hoop in private ponds, only. Written permission of owner required.
- Sell bait fish at address below.
- Take and sell aquatic insects.

PURSUANT TO THE PROVISIONS OF THE ENVIRONMENTAL CONSERVATION LAW AND RULES AND REGULATIONS OF THIS DEPARTMENT.

NAME AND ADDRESS OF LICENSEE Gene Pauszek 66 W. Doughty Street Dunkirk, New York 14048	DATE ISSUED 02/08/2016
	DATE EXPIRES 12/31/2016
	ISSUED BY D. Gill

ORIGINAL COPY



2016 FEB 12 PM 4:01
 RECEIVED
 DUNKIRK, N.Y.

February 16, 2016

TO: Members of the Common Council

Dear Council Members:

On behalf of the Dunkirk Fast-Pitch Team I would like to request several items in conjunction with our Annual Fast-pitch Softball Tournament, scheduled for July 15, 16 and 17, 2016.

- (1) Use of the Stadium, Kochs and School #7 for all three days.**
- (2) Waive the curfew at the Stadium Field for all three days.**
- (3) Permission to operate a food stand in the area around the Stadium Field for the entire weekend.**

As I am sure you are aware, a tournament such as this can bring in thousands of dollars and hundreds of people into the area. I would like to thank you in advance for your time and consideration.

Yours truly,

**TIM WDOWIASZ
Chairman**



2016 FEB 16 PM 3:37
DUNKIRK, N.Y.
CITY CLERK'S OFFICE
RECEIVED

February 16, 2016

Members of the Common Council
City Hall
Dunkirk, NY 14048

Dear Council Members:

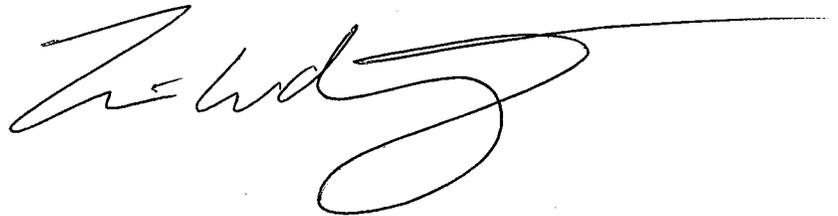
On behalf of the First Ward Falcon Club, I would like to request the use of the Stadium Softball Field, School #7 Field, and Koch's Field on May 21, 2016.

The purpose of this request is for the Early Bird Fast Pitch Softball Tournament.

Thank you.

Very truly yours,

TIM WDOWIASZ, Chairman

A handwritten signature in black ink, appearing to read "Tim Wdowiasz", with a long horizontal flourish extending to the right.

RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.
2016 FEB 16 PM 3:37



Scott Mekus, Certified Event Planner
80 Metcalf Avenue, Jamestown, NY 14701
(716) 720-0564
smekus@eventzbyscott.com

2016 FEB 24 PM 1:29



February 24, 2016 <THIRD PROPOSAL>

Dear City of Dunkirk Mayor Willie Rosas and Common Council:

This letter is in regard to the Dunkirk Senior High School's Class of 1989 interest in hosting our second annual Marauder Trotter 5K Run/Walk on **Saturday, July 2, 2016** to raise funds for our annual DHS Class of 1989 Memorial Scholarship. **We are requesting the use of your normal 5K race route along the Lake Erie waterfront involving Wright Park, Lake Front Boulevard, the pier and Memorial Park in Dunkirk.**

Last year's inaugural event at the Dunkirk High School campus, under the direction of Scott Mekus and D.J. Wilson, was very successful with 170 participants, over 500 spectators and a total profit of \$5,000.00 which was added to our scholarship account.

We would only need the police force (if needed) for about one hour that morning, probably 8:45 a.m. to 9:45 a.m. We also plan to have other volunteers along the route to direct participants.

We believe that this athletic, family-oriented event would be a great addition to the Dunkirk Fourth of July events scheduled that week along the waterfront. We would like our residents that live along the race route to come outside that morning and cheer on the runners and walkers to show their Dunkirk hometown pride.

We hope that you will consider approving this event for the Dunkirk community during the 4th of July holiday weekend. Please feel free to contact us if you have any additional questions since we plan to start preparing for this event as soon as possible.

Thanks,

Scott Mekus
Marauder Trotter Event Manager
DHS Class of 1989 President
DHS Class of 1989 Reunion Chairman
Owner, Eventz by Scott
(716) 720-0564 | smekus@eventzbyscott.com

D.J. Wilson
Marauder Trotter Race Director
DHS Class of 1989 Graduate
DHS Cross Country & Track Team (1986-1989)
Avid Race Participant
(716) 785-1537 | densilwilson@gmail.com



MARAUDER TROTTER 5K RUN/5K WALK/KIDS' FUN RUN DUNKIRK HOMETOWN PRIDE

(Registration/waiver forms and posters will be produced with approval)

Date: Saturday, July 2, 2016

Time: Registration – 7:00 – 8:30 a.m.

Race Start Time – 9:00 a.m.

Location: Lake Erie Waterfront

(including Wright Park, Lake Front Boulevard, the pier, and Memorial Park)

Race will start and end at Wright Park

Events: 5K Run

5K Walk

Kids' Fun Run (ages 10 & under)

Race Route: (please also refer to race map attached below)

Start - Wright Park

Lake Front Boulevard toward Clarion

Behind Clarion

Loop around pier

Memorial Park toward Lakeshore Drive

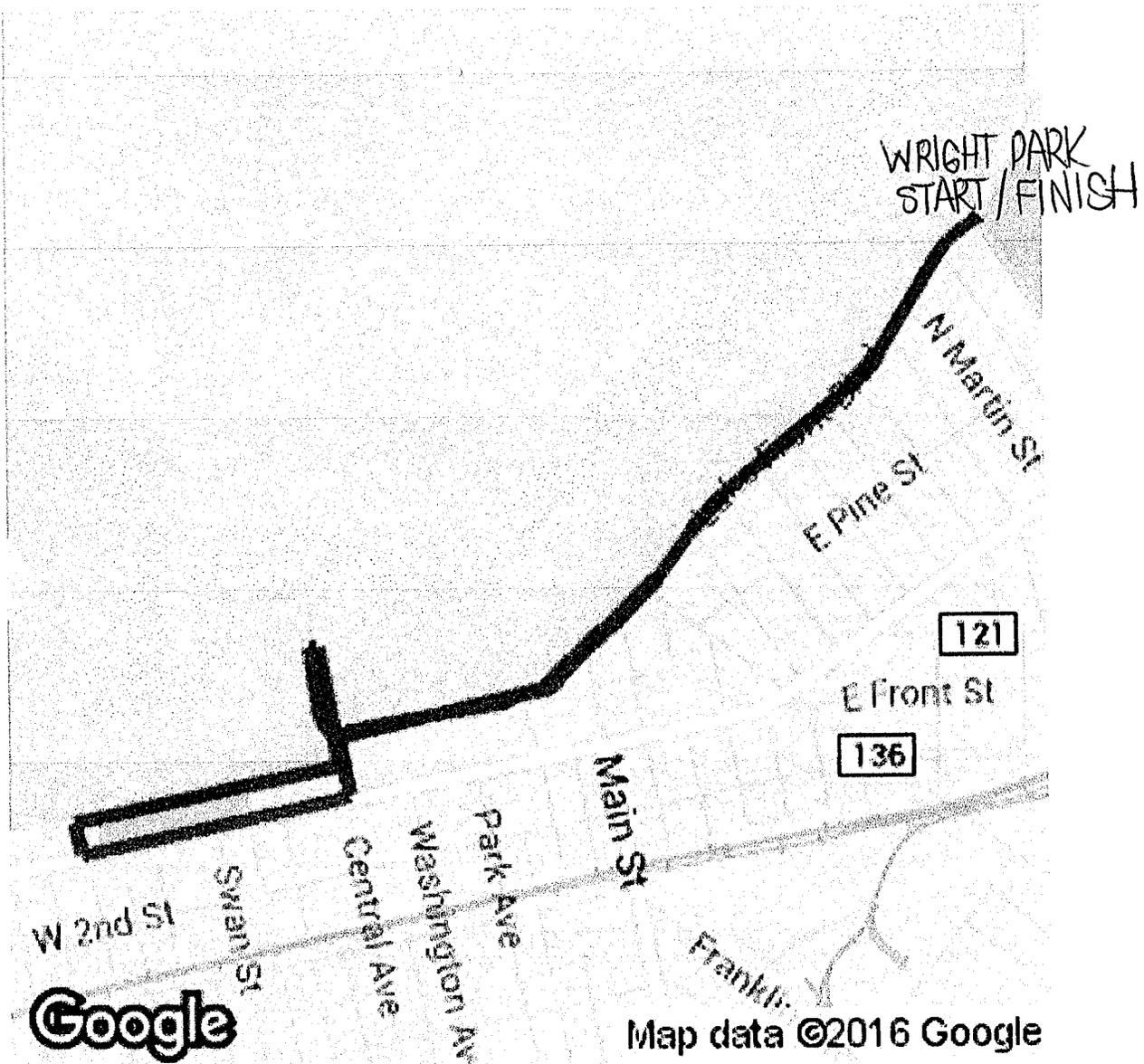
Stay on sidewalk back toward pier

Right along waterfront behind Clarion

Follow path to Lake Front Boulevard

End – Wright Park

Race Map:



Proposed Police Officer Assistance:

This will be based on your 5K race guidelines

Note: Our race volunteers will be stationed along the route to assist with directions

Age Groups:	14 and under	30-34	50-54
	15-19	35-39	55-59
	20-24	40-44	60-64
	25-29	45-49	70+

Marauder Trotter 2016, page 3

Timing & Scoring: The Big White Trailer

Awards: 5K top overall male and female

Run – Top 3 male and female in each 5 year age group

Walk – Top 3 male and female in each 5 year age group

Entry Fee: Pre-registration Register after 6/27/2016 (no t-shirt)

Cost - \$20 Cost - \$25

Kids Fun Run (10 & younger) with t-shirt - \$12

Note: On-line registration will also be available

T-shirts: All pre-registered participants will receive a goodie bag with race t-shirt

Proceeds Benefit: Dunkirk High School Class of 1989 Memorial Scholarship which is awarded annually to a graduating DHS senior

Volunteers: Responsible for race management, route personnel, post-race party, set/clean up

We will recruit from the following groups:

- DHS Class of 1989 reunion committee, classmates and families**
- DHS Class of 1989 deceased classmate families**
- Past DHS Class of 1989 memorial scholarship winners**
- Eventz by Scott volunteers**
- DHS track teams and sports boosters group**

Insurance: Provided by Eventz by Scott

Sponsors: We plan to obtain the following events sponsors

- DHS Class of 1989 classmates**
- Local Dunkirk businesses**
- National running product companies**

Post-race Party: Wright Park

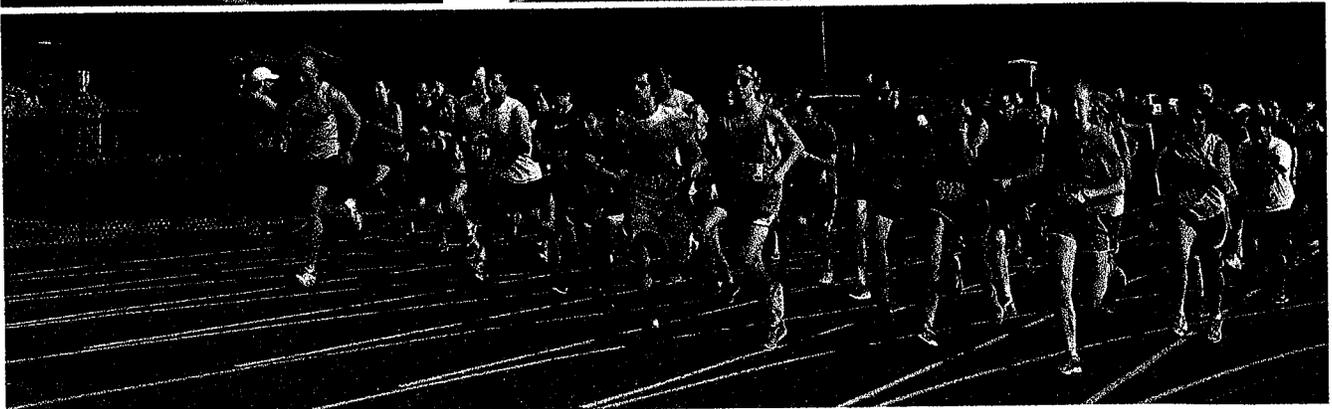
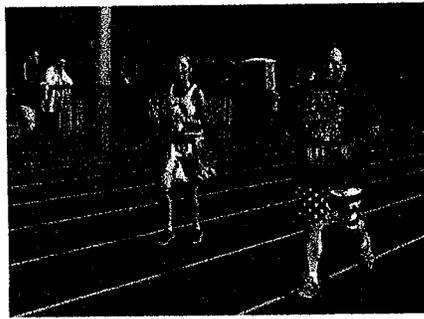
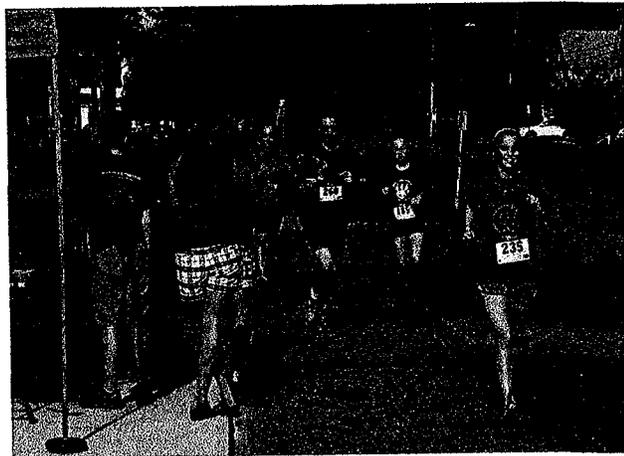
Awards, food, beverages, basket auction, music, kids' activities

Marauder Trotter 2015 Photo Gallery



MARAUDER TROTTER
Hometown Pride

Sponsors:
Columbus Club
Kosciuszko Club
Putnam Record Insurance Agency
Jason Hallmark, CFP®, Financial Advisor
Bob Ryczko DJ Joe Gould
Simply Perfect Promotions
Eventz by Scott



APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO.

(DCC-47-6-C)

DATE OF APPLICATION (must be 30 days Prior to event): 2/19/16

*No more than 3 days TOTAL per Individual or Group per year **EVENT SPECIFICS** EXCLUDES HARBORFRONT AREA

DATE: May 20, 2016 **TIME:** As allowed **LOCATION OF EVENT:** 1 Mullet Street
 Oct. 1, 2016 1:00 A.M.

SPONSOR: Northern Chautauqua Conservation Club, Inc.

NAME: Douglas Jaffray, President **PHONE NO.** 366-8836

ADDRESS: P. O. Box 178
 Dunkirk, NY 14048

INDIVIDUAL CORPORATE CHARITABLE COMMUNITY

RESPONSIBLE INDIVIDUAL:

NAME: Douglas Jaffray, President **PHONE:** 366-8836

ADDRESS: P. O. Box 178 1 Mullet Street Dunkirk, NY 14048

REASON: Fundraisers, tournament loud speakers, seminar loud speakers,
 live bands, recorded music on deck. Various events.

AUDIO DEVICE TO BE USED: Live bands, speakers.

PUBLIC EVENT PRIVATE EVENT

NOTIFICATION OF AFFECTED PERSONS

YES **IF YES, PROOF:**
 NO

2016 FEB 24 AM 10:09
 EDWARD K. N.Y.

I, the undersigned, have read and agree to abide by the provisions set forth in DCC 47-6-C.

Signature: *Douglas Jaffray*

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT OK 2/24/16 <i>(Signature)</i>		
DEPT OF PUBLIC WORKS <i>AB 2/24/16</i>		
DEPT OF LAW ADB 2/26/16		
OTHER		

COMMON COUNCIL ACTION

RECEIPT OF REVIEW

APPROVAL

CONDITIONS:

DISAPPROVED

APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO.

(DCC-47-6-C)

DATE OF APPLICATION (must be 30 days Prior to event): 2/23/16

*No more than 3 days TOTAL per Individual or Group - per year **EVENT SPECIFICS** *EXCLUDES HARBORFRONT AREA

DATE: May 1 - Oct / **TIME:** 11^{AM} - 1^{AM} **LOCATION OF EVENT:** Rookies on the Lake

SPONSOR:

NAME: Rookies on the Lake **PHONE NO.** 366-9797

ADDRESS: 19 Lakeshore Dr E

INDIVIDUAL CORPORATE CHARITABLE COMMUNITY

RESPONSIBLE INDIVIDUAL:

NAME: Deborah Zappie **PHONE:** 366-8173

ADDRESS: 712 Deer St OK ny 14098

REASON:

AUDIO DEVICE TO BE USED: Live music loud speakers, amplifiers

PUBLIC EVENT PRIVATE EVENT

NOTIFICATION OF AFFECTED PERSONS

YES **IF YES, PROOF:**

NO

I, the undersigned, have read and agree to abide by the provisions set forth in DCC 47-6-C.

Signature: Deborah Zappie

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT <i>OK 2/23/16</i> 		2016 FEB 23 PM 12:51 EDWARDS OFFICE DUNKIRK, N.Y.
DEPT OF PUBLIC WORKS <i>RB 2/23/16</i>		
DEPT OF LAW <i>ADB 2/21/16</i>		
OTHER		

COMMON COUNCIL ACTION

RECEIPT OF REVIEW

APPROVAL

CONDITIONS:

DISAPPROVED

UNFINISHED BUSINESS:

RESOLUTION #25-2016
FEBRUARY 16, 2016

BY: **COUNCILWOMAN SZUKALA**

AUTHORIZING BOARDWALK LEASE AGREEMENT
(Robert Contiguglia)

WHEREAS, the City of Dunkirk has developed and marketed the **Dunkirk Boardwalk Project** (the "Boardwalk") 8-22 Central Avenue, Dunkirk, New York, to help create and to encourage the vibrancy of the City's harbor district; and

WHEREAS, the City of Dunkirk has available space in the Boardwalk and desires to enter into an agreement with **Robert Contiguglia**, to lease a portion of the Boardwalk for the sale of food products, and for the conduction of restaurant activities; now, therefore, be it

RESOLVED, that the Mayor, Wilfred Rosas, upon consultation, and, if necessary the consent of the Director of Development, Duane Beard, and/or the Board of Directors of the Dunkirk Local Development Corporation (DLDC), is hereby authorized to execute a lease agreement with **Robert Contiguglia**, 50 Eagle Street, Fredonia, New York 14063, for a rental to be more fully described in the lease agreement between the parties.

2-16-16 Councilman Gonzalez moved to table this Resolution.
Seconded by Councilman Bamonto.

Carried, all voting aye. TABLED

RESOLUTION #29-2016
MARCH 1, 2016

BY: THE ENTIRE COUNCIL

**AUTHORIZING GRANT APPLICATION
WRIGHT PARK AMENITIES GRANT**

WHEREAS, the City of Dunkirk is applying for funding for the reconstruction and redevelopment of the facilities and amenities of Wright Park through a grant of the New York State Office of Parks, Recreation, and Historic Preservation (NYSOPRHP); and

WHEREAS, as a condition of the grant the NYSOPRHP requires that the park amenities to be installed/constructed, be on city owned land dedicated in perpetuity for park use and also requires the submission of a SEQR and provision by the city of a 50% matching share; and

WHEREAS, as a requirement of these programs, the City must obtain approval and endorsement of the governing body of the municipality in which the project will be located; now, therefore, be it

RESOLVED, that the Dunkirk Common Council does hereby designate Wright Park for park use in perpetuity; and hereby agrees to provide the 50% matching share and the filing of a SEQR with a "negative declaration" i.e. a finding of "no significant environmental effect" and recommends the application to the Commissioner, and authorizes the Mayor, as an official of the City, which is the project sponsor, to execute documents necessary to the project.