

AGENDA - COMMON COUNCIL MEETING – March 07, 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. Petition from South Ocelot property owners to install curbing along the East and West sides between Middle Road and Lakeshore Drive and North and South sides of East Chestnut Street west of South Serval Street to South Ocelot Street.
 2. Request from Dunkirk Lakefront 5K Committee to host the annual "Dunkirk Lakefront 5K Road Race" on August 5th beginning at 8:00 AM.
 3. Notice of Summons and Verified Complaint.
 4. Notice of Claim from Jose Reyes-Collazo for alleged damages to his vehicle due to a pothole while driving on Willow Road on February 21st, 2017.
7. Reports of Standing Committees, Boards and Commissions.
8. Unfinished Business:
9. Pre-filed Resolutions:
 11. Resolution Authorizing Professional Services Contract for Bridge NY Engineering to replace West Howard Avenue Culvert.
10. New Business:
11. Adjournment.

Edwin Ramos
City Clerk

Petition for installing Curbing along the East and West sides of South Ocelot Street between Middle Road and Lakeshore Drive;
North and South Sides of East Chestnut Street West of South Serval Street to South Ocelot Street

The Purpose of this petition is to eliminate the damage being done to the street(s) and abutting property soil/sod due to a lack of curbing. Individuals are forced to park vehicles either into the roadway or off onto soft and muddy soil causing drainage issues as well as destroying the foundation of the road surface. Additionally, the corners of said streets have storm drains that are being compromised due to the traffic cutting across them as a result of a lack of curbing. Installing curbing will prevent future property damage as well as extend the life of the street(s) and minimize additional damage to the storm/sewer drainage systems.

We, the undersigned, are concerned citizens and property owners who urge our leaders and elected officials to act immediately to remedy the continued deterioration of the streets listed above which front our property.

It is understood that should the above mentioned streets be reinforced with properly constructed concrete curbing, that the taxpayers will absorb 100% of the cost for curbing not to exceed \$25.00 per linear foot of their property frontage (40 ft x \$25.00 = \$1,000.00). It is further understood that the property owners will have the option of paying their portion in cash at the time of the installation of the curbing, or having the full amount spread over a period of 10 years.

Property Owner(s) Signature	Owner/Address	Frontage	Max. Est. ANNUAL cost over 10 years	Max. Est. Cost
Signed 2/18 & 2/19/2017				
	Peggy S. Cooper, 115 - 117 South Ocelot	80'	200	2,000
	Ryan & Amy Corbett, 121 South Ocelot	80'	200	2,000
	Michael & Susan Michalski, 131 South Ocelot	100	250	2,500
	Amanda Mazurek, 135 South Ocelot	50	125	1,250
	Donna M. Wisniewski, 139 South Ocelot	50	125	1,250
	Frank Katulski, 141 South Ocelot	75	188	1,875
	Brian Wojcinski, 143 South Ocelot	45	113	1,125
	Lori Felt, 149 South Ocelot	80	200	2,000
	Stacy M. Korzenieski, 153 South Ocelot	159	398	3,975
	Richard Pokoj, 108 South Ocelot	40	100	1,000
	Kevin Wunder, 110 South Ocelot	40	100	1,000
	Richard Staszak, 112 South Ocelot	40	100	1,000
	Linda Corbin, 114 South Ocelot	40	100	1,000
	Richard Wronski, 118 South Ocelot	40	100	1,000
	Paavo Puranen, 120 South Ocelot	40	100	1,000
	Raymond Hauck, 122 South Ocelot	40	100	1,000
	Richard & Vicki Westling, 130 South Ocelot	160	400	4,000
	Chestnut Street Frontage	100	250	2,500
	Thomas Fafinski, 142 South Ocelot	80	200	2,000
	Chestnut Street Frontage	100	250	2,500
	Alberta Nowak, 148 South Ocelot	80	200	2,000
	Joshua Tedone, 152 South Ocelot	80	200	2,000
	Cindy Gotowka, 154 South Ocelot	80	200	2,000
	Norman Struzynski, 158 South Ocelot	78.3	196	1,958
	Richard Pokoj, 327 Lakeshore Drive			
	South Ocelot Frontage	147.5	368	3,688
	Donald Fafinski, 137 South Serval Street	100	250	2,500
	(Chestnut Street Frontage)			
	Jamie Ruiz, 141 South Serval Street	100	250	2,500
	(Chestnut Street Frontage)			

In order for this petition to be taken to the City Council for approval, there must be a minimum of 50% approval from the above property owners. Note: total ownership is based on lot size, e.g., lot frontage of 40' equals one lot, and frontage of 80' equals two lots, thus two percent of the total.

* - RENTAL PROPERTY, OWNERS UNAVAILABLE
 ** - IN FAVOR W/ SOME QUESTIONS
 *** UNAVAILABLE

RECEIVED

FEB 21 2017

MAYOR'S OFFICE

February 14, 2017

Mr. Willie Rosas
Mayor of Dunkirk, New York
Office of the Mayor, City Hall
Dunkirk, NY 14048

To Whom It May Concern,

I, Andrew J. Burnside, am requesting the use of the facilities listed below to be used for the annual Dunkirk Lakefront 5k being held on August 5th from 8:00am to 12:00am.

- Dunkirk Boardwalk Porch Area
- Dunkirk Boardwalk Restrooms
- Grass area surrounding Dunkirk Boardwalk
- Dunkirk Pier
- Streets/areas listed on attached map

Additionally, as in years past, we are requesting a police presence near the Dunkirk Pier for the beginning and end of the race to temporarily block traffic on a "as-needed" basis. We are not asking the pier be shut from traffic all together, rather, temporarily hold vehicles from passing through as runners pass by.

Since this event typically brings over 200 participants and observers, we will be inviting the local businesses within the Dunkirk Boardwalk to open their storefronts during our event.

This race will benefit the Dunkirk Varsity Track and Field athletes as their primary fundraiser.

Please contact me with any additional questions or concerns.

Sincerely,

Andrew J. Burnside
11 Clark Street, Fredonia NY 14063
716-863-5062
ajburnside@gmail.com

2017 FEB 21 PM 12:58
DUNKIRK, N.Y.

STATE OF NEW YORK
Supreme Court: County of Chautauqua

JAMES A. McKNIGHT III
2 Norton Place
Lower Apartment
Fredonia, New York 14063,

-vs-

DONALD BENNICE
1047 Central Avenue
Dunkirk, New York 14048;

THE CITY OF DUNKIRK
342 Central Avenue
Dunkirk City Hall
Dunkirk, New York 14048;

Plaintiff,

Defendants.

Index No. K1-2017-232

SUMMONS

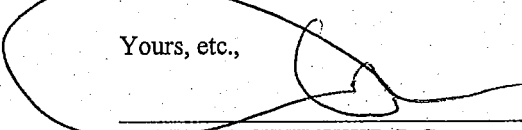
FILED
CHAUTAUQUA COUNTY CLERK
2017 FEB 21 PM 1:30

To the above named Defendant :

You are hereby Summoned to answer the complaint in this action, and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the plaintiff's attorney within twenty (20) days after the service of this summons, exclusive of the day of service, where service is made by delivery upon you personally within the state, or within thirty (30) days after completion of service where service is made in any other manner. In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Plaintiff designates Chautauqua County as the place of Trial.
The basis of the venue is Residence of Plaintiff
Plaintiff resides at 2 Norton Place, Lower Apartment, Fredonia, New York County of Chautauqua

Dated this 17 day Feb of, 2017

Yours, etc.,

DAVID M. CIVILETTE, P.C.
Attorneys for Plaintiff
Office and Post Office Address
643 Central Avenue
Dunkirk, New York 14048
Tele: (716)366-2011

To the above named Defendant :

The nature of the action is : Personal Injury
The relief sought is : Money Damages

2017 MR - 1 AM 11:50

DUNKIRK, N.Y.
JAMES A. McKNIGHT III

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: Jose A Reyes - Collazo
Claimant Address: 10266 ROTUNDA B.L.V.D
Dunkirk N.Y 14048
Claimant Telephone Number: (716) 467-0092

This claim is for (injuries/damages alleged): Front Passenger Side RIM Bent LIP from POT hole ON willow RD

This claim is alleged to have arisen on the 21 day of February, 2017 at approximately 11 a.m./(p.m) on that date at Willow RD (ACROSS RATS COLLISIDE)

The injuries and/or damages sustained by the Claimant arose in the following manner: Driving Down Willow to temple st hit pot hole shook whole passenger side impact was pretty hard couldn't avoid it

The amount and type of injuries and/or damages sustained by the Claimant consist of the following: Bent passenger side inside LIP

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

Respectfully yours,

Jose A Reyes - Collazo 2/27/17
Claimant (date)

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

Jose A Reyes - Collazo, 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. DiGirolamo
Notary

Sworn to before me this 27 day of February, 2020.

2017 FEB 27 09:25:38

RESOLUTION # 11-2017
MARCH 7, 2017

BY: COUNCILMAN BAMONTO

**AUTHORIZING PROFESSIONAL SERVICES CONTRACT FOR
BRIDGE NY ENGINEERING TO REPLACE WEST HOWARD AVENUE CULVERT**

WHEREAS, the qualified and licensed professional services engineering firm of Greenman-Pederson, Inc. (GPI) is pre-approved by the New York State Department of Transportation to design and bid and supervise building of Governor Cuomo's Bridge NY Program, for which the City of Dunkirk has received a \$750,000 grant, through the efforts of Mayor Rosas and the engineering division of the Department of Public Works, to replace the deteriorated culvert over Crooked Brook on West Howard Avenue; and

WHEREAS, GPI submitted one of several proposals to as rapidly-as-possible perform this design and bid and build supervision engineering to replace the deteriorated culvert over Crooked Brook on West Howard Avenue, and which proposal was rated best by Mayor Rosas and by the Director of Public Works based on GPI's extensive experience with regional NYS DOT bridge projects, lists impressive references with its proposal, and proposes a fee schedule acceptable to and in accord with the Bridge NY Program; and

WHEREAS, GPI fees would not exceed \$200,000 and would be fully funded within the total Bridge NY project grant received by the City to replace the deteriorated culvert over Crooked Brook on West Howard Avenue, and would be billed according to the hourly rate tables supplied by GPI in its proposal; now therefore be it

RESOLVED, that the Mayor be, and hereby is, authorized to execute a contract, on behalf of the City of Dunkirk, with Greenman-Pederson, Inc., 4950 Buffalo NY 14225, to perform all engineering services for the West Howard Avenue culvert replacement under the City-received Bridge NY grant, for total fees not to exceed \$200,000.