

AGENDA - COMMON COUNCIL MEETING – March 19, 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 from Northern Chautauqua Catholic School to use Washington Park on May 3rd from 9:00 AM until 12:30 PM for their Walk a Thon. Also requesting permission to use park electricity, to erect a tent and police assistance.
 2. Request from Chautauqua County Exceptional Senior All-Star Baseball/Softball Committee to use Prommenschenle Stadium on June 13th (June 14th rain date) to host the 2013 Chautauqua County Exception Senior All-Star Softball game.
 3. Notice of Claim from State Farm Insurance on behalf of Alicia Fedrick for damages to her vehicle allegedly hit by a fork lift.
 4. Request from the Dunkirk City School District for one uniformed Police Officer at School Four and School Seven on May 21st from Noon until 3:00 PM for their Annual School District Budget Vote & Election.
 5. Request from the Dunkirk Board of Education to use Murray Hose Company #4 on May 21st 12:00 PM until 9:00 PM for their Annual School District Budget Vote & Election.
 6. Request from Ryan Corbett to hold a Classic Car Cruise in Washington Park on June 16th from 11:00 AM until 3:00 PM. Also, requesting permission to erect a tent, trash cans, vendors and the closing Washington Avenue between 5th and 6th Streets.
 7. Request from Loretta Slaton Torain for Fire & Police assistance and monetary donation for their Juneteenth Celebration on June 8th and 9th.
 8. Loudspeaker applications from:
 - a) Northern Chautauqua Catholic School for microphones and speakers in Washington Park on May 3rd from 9:30 AM until 12:00 PM.
 - b) Tracy Ossman on behalf of Hailey's Honeys for the Arthritis Foundation requesting to use microphones and band equipment on June 30th from 2:00 PM until 6:00 PM at 202 Central Avenue.

- c) Ryan Corbett on behalf of the Dunkirk Historical Society requesting permission to have a band for the Car Cruise in Washington Park on June 16th from 11:00 AM until 3:00 PM.

- 7. Reports of Standing Committees, Boards and Commissions.
- 8. Unfinished Business:
- 9. Pre-filed Resolutions:
 - 18. Resolution introducing Local Law #2-2013 amending Article XIII, Department of Assessment Section 13.03 of the Dunkirk City Charter entitled "Annual Board of Assessment Review Meeting."
 - 19. Resolution acknowledging SEQR Coordinated Review by Dunkirk City School District (Marauder Drive).
 - 20. Resolution authorizing lease agreement with Dunkirk City School District (Marauder Drive).
 - 21. Resolution authorizing agreement for Engineering Services Water Treatment – Phase 2- 2013 under 2009 Consent Order (Hill Engineering, Inc.).
- 10. New Business:
- 11. Adjournment.

Lacy L. Lawrence
City Clerk

Northern Chautauqua Catholic School

336 Washington Avenue
Dunkirk, New York 14048
Phone: (716) 366 - 0630
Fax: (716) 366 -5101
Es37@buffalodiocese.org

Board of Trustees:

Most Rev. Richard J. Malone
Chairman
Bishop, Diocese of Buffalo

Rev. Msgr. David S. Slubecky
Vicar General & Moderator of the Curia

Rev. Paul Litwin
Chancellor

Mrs. Carol Kostyniak
Secretary of Education, Dio. of Buffalo

Dr. Rosemary Henry
Superintendent, Dio. of Buffalo

Rev. Joseph Zafacca, Canonical Admin.
Holy Trinity Parish, Dunkirk, Pastor

Rev. Dennis Riter
St. Elizabeth Ann Seton, Dunkirk, Pastor

Kathy Moser
Principal

Edward Stegle, Vice Chair
Retired

Rebecca Conti, Secretary
Mathematics Teacher SUNY Fredonia

Neil Dempsey
Retired
Public School Business Manager

Bill Farrell
Farrell Roofing, Owner

John Galley
Director patient Financial Services
Brooks Memorial Hospital

Edmond Schober
Architect, Harrington/Sandburg

Dr. James Strychalski
Dentist

Nccschool.us

RECEIVED

MAR 01 2013

February 8th, 2013

342 Central Ave #1
Dunkirk, NY 14048

DUNKIRK POLICE DEPT.

2013 MAR -1 AM 9:00
RECEIVED
CLERKS OFFICE
DUNKIRK, N.Y.

Dear Mayor of Common Council,

We are writing to you on behalf of the Northern Chautauqua Catholic School's (NCCS) Home School Association to request assistance with our upcoming Walk A Thon on Friday, May 3rd. This unique fundraiser will not only support our theme of a "Healthy Body and Mind", but will also provide a connection with the wonderful city of Dunkirk.

This Walk A Thon will run from approximately 9:00am-12:30pm on Friday, May 3rd. A map of the route is attached in Exhibit A. Children and Teachers in grades 3rd-8th will do two loops walking on the sidewalks. Children and teachers in grades PK-2nd will do one sidewalk loop with an older student buddy. Along the designated route we will have stations set up on the sidewalks with volunteers handing out water and snacks. They will also assist monitoring the children while they walk. Everyone will finish in Washington Park.

We will stagger start the kids initially at 9:30am and begin arriving at Washington Park around 10:20am. A copy of the timeline is attached in Exhibit B. After everyone has finished their designated routes, we will have some entertainment festivities, award ceremonies, and lunch all ending by 12:30. We request permission to use the park electricity and place a tent in Washington Park. We will also submit a loud speaker permit for award ceremony use. Any required clean-up will be handled by the students and volunteers.

In addition to teacher support, we plan on having parent volunteers along the route. We are requesting security and traffic control assistance on the designated route.

We would greatly appreciate any help you can offer with this event. If you have any questions or request any additional information, please contact me directly at 703.216.5974.

Northern Chautauqua Catholic School

336 Washington Avenue
Dunkirk, New York 14048
Phone: (716) 366 - 0630
Fax: (716) 366 -5101
Es37@buffalodiocese.org

Board of Trustees:

Most Rev. Richard J. Malone
Chairman
Bishop, Diocese of Buffalo

Rev. Msgr. David S. Slubecky
Vicar General & Moderator of the Curia

Rev. Paul Litwin
Chancellor

Mrs. Carol Kostyniak
Secretary of Education, Dio. of Buffalo

Dr. Rosemary Henry
Superintendent, Dio. of Buffalo

Rev. Joseph Zalacca, Canonical Admin.
Holy Trinity Parish, Dunkirk, Pastor

Rev. Dennis Riter
St. Elizabeth Ann Seton, Dunkirk, Pastor

Kathy Moser
Principal

Edward Stegle, Vice Chair
Retired

Rebecca Conti, Secretary
Mathematics Teacher SUNY Fredonia

Neil Dempsey
Retired
Public School Business Manager

Bill Farrell
Farrell Roofing, Owner

John Galley
Director patient Financial Services
Brooks Memorial Hospital

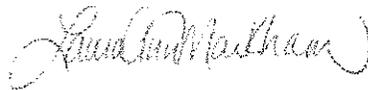
Edmond Schober
Architect, Harrington/Sandburg

Dr. James Strychalski
Dentist

Nccschool.us

On behalf of the students, parents, and faculty of NCCS, we thank you for your assistance.

Sincerely,



NCCS Home School Association
hsa@nccschool.us

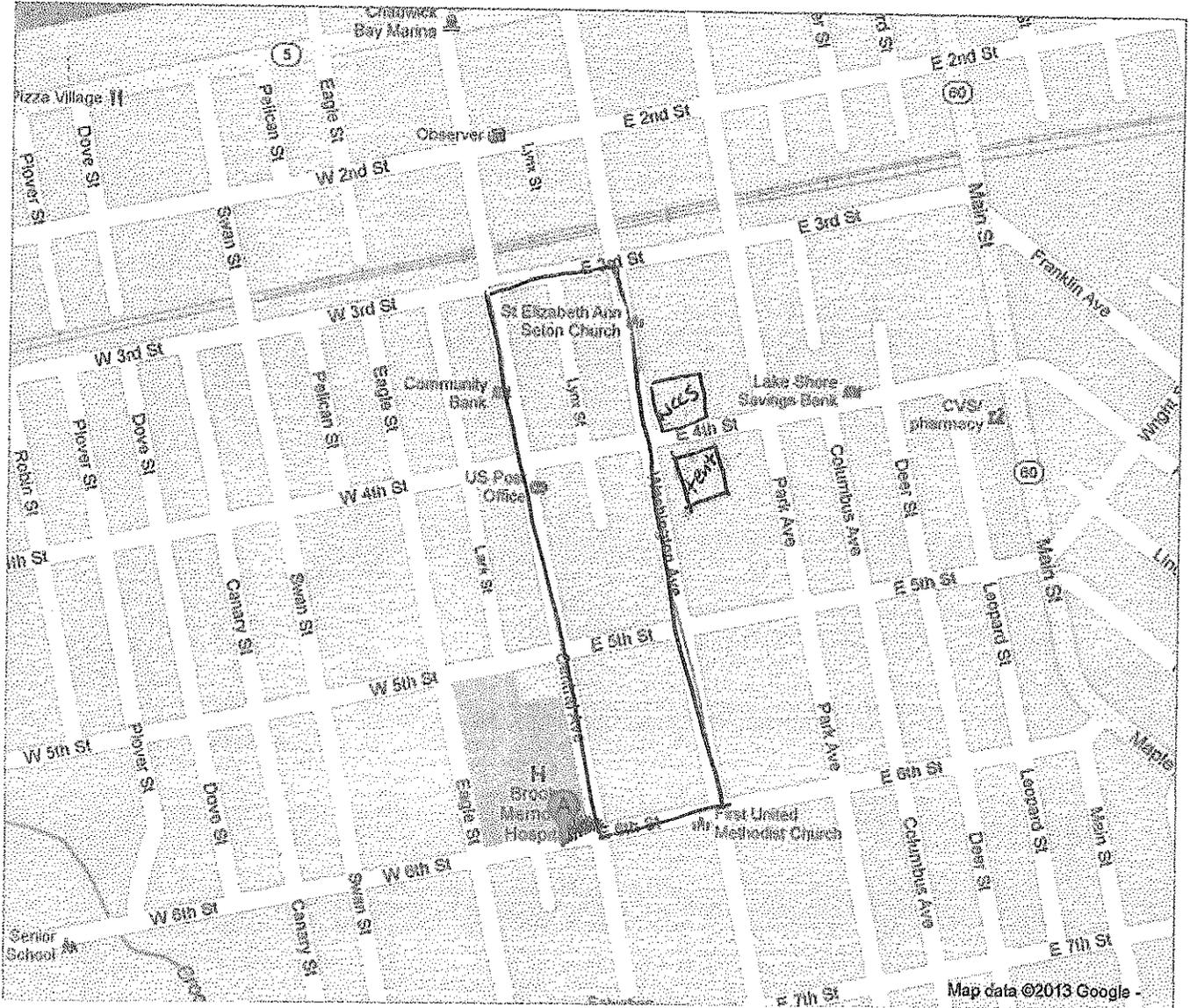
RECEIVED

MAR 01 2013

DUNKIRK POLICE DEPT

To see all the details that are visible on the screen, use the "Print" link next to the map.

Google Exhibit A: Route



RECEIVED

MAR 01 2013

DUNKIRK POLICE DEPT

Exhibit B: NCCS Walk-A -Thon Timeline

- 9:00 Assembly/Pep Rally
- 9:30: Walk A Thon starts by grade
- 9:40: 8th/7th grades starts
- 9:45: 6th/5th grade starts
- 9:50: 4th/3rd grade starts
- 10:00: 8th/7th graders starts to pick up PK3 and 4
- 10:05: 6th/5th grade picks up K

- 10:20ish kids start to end at Washington Park
- 11:00 Entertainment/Awards
- 11:30 Lunch in the Park
- 12:30 head back to school for 1:00 dismissal

RECEIVED
MAR 01 2013
DUNKIRK POLICE DEPT

Friday, January 25, 2013

City of Dunkirk - Common Council
342 Central Avenue
Dunkirk, NY 14048

Dear Common Council Members,

The Chautauqua County Exceptional Senior All-Star Baseball/Softball Committee would like to request the use of Prommenschenle Stadium on the evening of Thursday, June 13th, 2013 (rain date: Friday, June 14th, 2013) for the purpose of hosting the 2013 Chautauqua County Exceptional Senior All-Star Softball game. Attached to this letter is our application for use of the field as well as proof of our insurance - specifically naming the City of Dunkirk as additionally insured.

Thanks to the Common Council graciously approving our request, last year's softball game was a huge success. The game was tightly contested (a 3 to 2 walk-off win for the South) in front of a standing room-only crowd. Dunkirk was well represented - as a Marauder student-athlete was selected the North Team's most valuable player. This was the second time that has happened in as many all-star games!

With your approval, we would like to continue this great tradition and give the 2013 softball game the proper stage that it deserves. We have been in contact with Mr. Rozumalski in the Parks and Recreation Department and, pending your approval, will coordinate parking with the City of Dunkirk Police Department.

Please note, a copy of our proof of insurance may have preceded this letter and our application. Please know that we did not assume any decision on behalf of the Common Council. On the contrary, we simply wanted to confirm that our insurance was in place before making this request.

We thank you for your consideration of our request and hope to have the opportunity to share a great event with the City of Dunkirk!

Sincerely,



Timothy Cowan, Senior All-Star Game Coordinator

32 Risley Street
Fredonia, New York 14063
Phone: 716.673.6508
E-Mail: timothycowan@hotmail.com

2013 JAN 25 PM 3:35
RECEIVED
CLERK'S OFFICE
DUNKIRK, N.Y.



DUNKIRK RECREATION COMMISSION
342 CENTRAL AVENUE
CITY HALL, DUNKIRK, N.Y. 14048

APPLICATION FOR SOFTBALL FIELD USE

APPLICANT PLEASE SUBMIT TWO (2) COPIES

I, the undersigned, as authorized representative of CHAUTAUQUA COUNTY SENIOR
ALL-STAR GAME
(name of organization)

do hereby request the use of PROMMENSCHENKLE STADIUM & ADJOINING
PARKING LOT(S), LIGHTS, TEMPORARY OUTFIELD FENCE
(specific facilities)

on THURSDAY, JUNE 13, 2013 (RAIN DATE: FRIDAY, JUNE 14, 2013.)
(day of week) (day of month)

from (5:00) a.m./p.m. to (11:00) a.m./p.m.

We will use this facility for SENIOR ALL-STAR SOFTBALL GAME
(describe event)

Approximately 30 persons and 2 teams are expected to participate. Special facilities, arrangements, and equipment requested include: FIELD LINED, LIGHTS, TEMPORARY OUTFIELD FENCE,

* ROADS BLOCKED FOR PARKING (WILL COORDINATE WITH DUNKIRK POLICE DEPT.)

We, the sponsoring organization, hereby agree to pay a registration fee of *\$50.00 per single game or \$100.00 per tournament to the Dunkirk Recreation Commission, 342 Central Avenue, Dunkirk, NY 14048. Full payment must accompany this application.

We, the sponsoring organization, hereby agree to return all fields, facilities, and equipment to the Dunkirk Recreation Commission in the same condition and good repair as when we received them. This includes cleanup of all trash in and around areas used. We will make financial restitution for any damages to the City of Dunkirk or Recreation properties, facilities, or equipment while in our charge during the time covered in this application.

* This fee was waived last year.
We respectfully ask for the same this year. Thank you!

We, the sponsoring organization, do hereby for ourselves, our heirs, executors, and administrators, waive, release, and forever discharge any and all rights and claims for damages and/or injuries against the City of Dunkirk, the Dunkirk Recreation Commission, and its employees.

DECLARATION:

I have read the Dunkirk Recreation Commission's statement of policies, regulations, and procedures and I believe this request satisfied the stated conditions for approval of field use.

1/25/13
(date)

Timothy J. Cowan
(signature of authorized representative)

EVENT COORDINATOR
(title)

32 RISLEY ST.
(address)

FREDONIA, NY 14063 / 716.673.6508
(city/town/village) (phone)

Submit two (2) copies of this application to:

DUNKIRK RECREATION COMMISSION
342 CENTRAL AVENUE
DUNKIRK, NEW YORK 14048



Municipal and State Level Notice of Claim

Claim Number 52-235X-291	Date of Loss 12/12/2012	Location of Loss 4th And Woodrow	Our Insured Alicia M Fedrick
-----------------------------	----------------------------	-------------------------------------	---------------------------------

2013 HR - 1 PM 4:26
 RECEIVED
 I OF THE COUNTY OF
 DUNKIRK, N.Y.

City Of Dunkirk
 342 Central Ave
 Dunkirk NY 14048-2122

State Farm Claims
 PO Box 106106
 Atlanta GA 30348-6106

In the Matter of the Claim of State Farm Fire and Casualty Company against City Of Dunkirk.

PLEASE TAKE NOTICE that I, State Farm Fire and Casualty Company, the undersigned, pursuant to the Statutes in such cases made and provided, do hereby intend to make claim against City Of Dunkirk. In support of such claim I do state the following:

1. My name is State Farm Fire and Casualty Company and my post office address is PO BOX 106106, Atlanta, GA 30348.
2. The claim is one against City Of Dunkirk for damages sustained by a 2012 Nissan Altima, owned by Alicia M Fedrick.
3. The time this claim arose and damages hereinafter alleged were sustained at approximately on 12/12/2012.
4. The particular place of the sustaining of such damages was on , Dunkirk, NY.
5. The said damages for which claim is hereby made arose in the following way:
Fork Lift Hit V1 On Front Drivers Side.

WHEREFORE, I respectfully request that this, my Intention to File a Claim, be allowed and paid by the said name.

February 22, 2013
 State Farm Fire and Casualty Company
 (877) 208-1487 Ext. 41

on behalf of State Farm Insurance

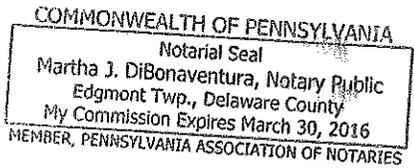
State Farm Fire and Casualty Company, being duly sworn, says that he/she is the claimant named in the foregoing Intention to File Claim; that he/she has read the same and knows the contents thereof; that the same is true to his/her own knowledge except as to the matter alleged upon information and belief as to those matters he believes is to be true.

Witness: Robert J. Dempsey

Dated: 2/26/13

Notary Public: Martha J. DiBonaventura

COUNTY OF Del. STATE OF PA





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

RECEIVED

MAR 12 2013

DUNKIRK POLICE DEPT

March 11, 2013

Chief David Ortolano
City of Dunkirk Police Department
City Hall
Dunkirk, New York 14048

Dear Chief Ortolano:

The Dunkirk City School District will be holding our Annual School District Budget Vote & Election on Tuesday, May 21, 2013.

The District would like to again request the presence of uniformed police officers from noon to 3:00 p.m. at School Four and School Seven the day of the vote (one officer at each location).

If approved, I would appreciate it if the officers would contact my office so I can obtain required information so that we can prepare the necessary paperwork for compensation the same day.

I look forward to your favorable response.

Respectfully,

Tracy Ossman
District Clerk

2013 MAR 12 PM 1:10





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

March 11, 2013

RECEIVED
MAR 12 2013
MAYOR'S OFFICE

Mayor Anthony Dolce &
Dunkirk Common Council
City Hall
Central Avenue
Dunkirk, New York 14048

RECEIVED
CLERK'S OFFICE
DUNKIRK, N.Y.
13 MAR 13 AM 9:25

Dear Mayor Dolce & Council Members:

On behalf of the Dunkirk Board of Education, I am writing to request the use of Murray Hose Company #4 as a voting location for our upcoming Annual School District Budget Vote and Election on Tuesday, May 21, 2013, from 12:00 to 9:00 p.m.

Please advise in writing when this request has been granted. Thank you for your consideration in these matters.

Respectfully,

Tracy D. Ossman
Tracy D. Ossman
District Clerk

cc: Keith Ahlstrom, Fire Chief

Mayor Dolce and City council members:

I am writing this letter to request the right to hold the 2nd annual "Park in the Park" Classic Car Cruise in Washington Park on June 16th, Fathers Day. The event will be from 11am to 3pm and will help raise money for the Dunkirk Historical Society.

The goal is to run it the same way as last year, cars parked in the park, music in the gazebo, and vendors selling food. A tent 20X30 would be erected with tables and chairs for seating.

I would need to make sure we have the electrical power hooked up for the band and vendors again, a few extra garbage cans distributed throughout the park, and Washington Avenue closed off from 5th Street to 6th Street to park the cars on if the ground is too soft.

The event was very successful last year with many positive comments made throughout the community about it. My hope is that with your help we can continue to bring a positive spin to and about Dunkirk from events such as this.

Thank you for your time and consideration on this matter.

Ryan Corbett

121 S. Ocelot St.

363-1195 Home

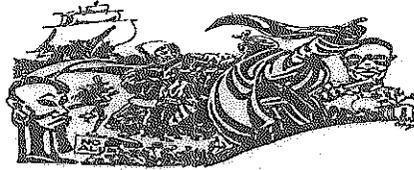
410-1015 Cell

Or contact Diane Andrasik at the Dunkirk Historical Society.

RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.
APR 13 AM 9:25

JUNETEENTH

2013 CELEBRATION COMMITTEE
415 MULLET STREET
DUNKIRK, NEW YORK 14048
(716) 363-1102



RECEIVED

MAR 14 2013

MAYOR'S OFFICE

February 27, 2013

Mayor A. J. Dolce
City of Dunkirk Common Council
Police Chief
Fire Chief
City Attorney
City Hall
Dunkirk, New York 14048

RECEIVED
MAYOR'S OFFICE
DUNKIRK, N.Y.
2013 MAR 14 PM 3:12

RE: 2013 Juneteenth Celebration

Dear City Officials:

The Juneteenth 2013 Celebration Committee is in the process of planning the eighteenth annual Juneteenth Celebration in the City of Dunkirk. As we have done in the past, the Juneteenth Celebration will kick off on Saturday, June 8, 2013, with Opening Ceremonies at 12:00 noon. The Celebration will end following a Gospel Fest on Sunday, June 9, 2013, at 6:00 p.m.

The Celebration will be held at the Chautauqua County Fairgrounds for both days.

We hope that the City will see its way to once again provide assistance from the City Fire Department and Police Department. The demonstrations provided by both organizations in the past have been informational and enjoyed by all.

We also request a monetary donation towards the cost of Juneteenth from the City of Dunkirk. Juneteenth is a family oriented event that promotes and enhances the unity and

spiritual strength of African Americans. These two days will be filled with entertainment and educational performances that everyone in the community can enjoy. Many special events are planned for this eighteenth celebration.

We hope you will see your way to providing a generous donation to the 2013 Juneteenth Celebration.

Please contact me at 363-1102 to discuss this matter further.

I look forward to hearing from you at your earliest convenience.

Very truly yours,

A handwritten signature in cursive script that reads "Loretta Slaton Torain". The signature is written in black ink and is positioned above the typed name.

Loretta Slaton Torain
Chairperson

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

DATE OF APPLICATION (must be 30 days Prior to event):		February 26 th , 2013	
* No more than 3 days TOTAL per Individual or Group - per year		EVENT SPECIFICS * EXCLUDES HARBORFRONT AREA	
DATE: May 3 rd 2013	TIME: 9:30 - 12:00	LOCATION OF EVENT: Washington Park, Dunkirk	
SPONSOR: NCCS			
NAME: Laura Markham		PHONE NO. 703.216.5974	
ADDRESS: 336 Washington Ave		NCCS Phone # 366-0630	
<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> CORPORATE <input checked="" type="checkbox"/> CHARITABLE <input type="checkbox"/> COMMUNITY			
RESPONSIBLE INDIVIDUAL: RECEIVED			
NAME: Laura Markham		PHONE: 703,216.5974	
ADDRESS: 336 Washington Ave		MAR 01 2013	
REASON: NCCS Walkathon Fundraiser. Dunkirk Police Dept will have award ceremonies; entertainment and lunch in the park after the walk.			
AUDIO DEVICE TO BE USED: Microphone, speakers			
<input type="checkbox"/> PUBLIC EVENT		<input checked="" type="checkbox"/> PRIVATE EVENT	
NOTIFICATION OF AFFECTED PERSONS			
<input type="checkbox"/> YES	IF YES, PROOF:		
<input type="checkbox"/> NO			
I, the undersigned, have read and agree to abide by the provisions set forth in DCC 47-6-C.			
Signature: <u>Mak Pest</u>			
DEPARTMENTAL REVIEW		DATE SENT	REPORT BACK
POLICE DEPT OK 3/1/13			
DEPT OF PUBLIC WORKS 3/1/13			
DEPT OF LAW 3/1/13			
OTHER			
COMMON COUNCIL ACTION			
RECEIPT OF REVIEW			
APPROVAL			
CONDITIONS:			
DISAPPROVED			

2013 MAR -1 AM 9:08
 DUNKIRK, NY
 POLICE

APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO.
(DCC-47-8-C)

OK Time - 2:00 - 6:00pm or conversation w/ Tracy Ossman on 3-8-13.

DATE OF APPLICATION (must be 30 days prior to event):

No more than 3 days TOTAL per Individual or Group - per year

DATE: 6/30/13 TIME: 7:00 - 6:00pm

SPONSOR: Hailey's Honey's For THE ARTHRITIS FOUNDATION

NAME: Tracy Ossman

ADDRESS: 202 CENTRAL AVENUE, Dunkirk, NY 14048

[] INDIVIDUAL [] CORPORATE [X] CHARITABLE [] COMMUNITY

RESPONSIBLE INDIVIDUAL: NAME: Tracy Ossman

ADDRESS: 206 LORD ST., Dunkirk, NY 14048

REASON: Fund raiser - For ARTHRITIS FOUNDATION

AUDIO DEVICE TO BE USED: DJ's microphone + band equipment

[X] PUBLIC EVENT [] PRIVATE EVENT

NOTIFICATION OF AFFECTED PERSONS

[] YES IF YES, PROOF:

[X] NO

I, the undersigned, have read and agree to abide by the provisions set forth in DCC 47-8-C.

Signature: *Tracy Ossman*

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT OK 3/11/13		
DEPT OF PUBLIC WORKS 3/11/13		
DEPT OF LAW RFS 3/12/13		
OTHER		

COMMON COUNCIL ACTION

RECEIPT OF REVIEW

APPROVAL

CONDITIONS:

DISAPPROVED

11:30 AM - 8 PM 3/4/8
 DUNKIRK, N.Y.
 POLICE DEPT

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

DATE OF APPLICATION (must be 30 days Prior to event):		3-11-13
* No more than 3 days TOTAL per Individual or Group - per year		* EXCLUDES HARBORFRONT AREA
EVENT SPECIFICS		
DATE: 6-16-13	TIME: 11am - 3pm	LOCATION OF EVENT: WASHINGTON PARK
SPONSOR: DUNKIRK HISTORICAL SOCIETY		
NAME: RYAN CORBETT		PHONE NO. 363-1195
ADDRESS: 121 S. OCELOT ST DUNKIRK NY 14048		410-1015
<input type="checkbox"/> INDIVIDUAL	<input type="checkbox"/> CORPORATE	<input checked="" type="checkbox"/> CHARITABLE
<input type="checkbox"/> COMMUNITY		
RESPONSIBLE INDIVIDUAL:		
NAME: RYAN CORBETT		PHONE: 363-1195 410-1015
ADDRESS: 121 S. OCELOT ST DK		
REASON: CAR CRUISE		
AUDIO DEVICE TO BE USED: BAND TO PLAY IN THE GAZEBO		
<input checked="" type="checkbox"/> PUBLIC EVENT		<input type="checkbox"/> PRIVATE EVENT
NOTIFICATION OF AFFECTED PERSONS		
<input type="checkbox"/> YES	IF YES, PROOF:	
<input type="checkbox"/> NO		
I, the undersigned, have read and agree to abide by the provisions set forth in DCC 47-6-C.		
Signature: <u><i>[Signature]</i></u>		
DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT OR 3/12/13 <i>[Signature]</i>		
DEPT OF PUBLIC WORKS <i>[Signature]</i> 3/12/13		
DEPT OF LAW <i>[Signature]</i> 3/12/13		
OTHER		
COMMON COUNCIL ACTION		
RECEIPT OF REVIEW		
APPROVAL		
CONDITIONS:		
DISAPPROVED		

RECEIVED
 DEPT OF PUBLIC WORKS
 DUNKIRK, N.Y.
 3/11/13 1 PM 4:38

RESOLUTION #18-2013
MARCH 19, 2013

BY THE ENTIRE COUNCIL:

INTRO NO. 1 TO LOCAL LAW NO. 2-2013
CITY OF DUNKIRK

A LOCAL LAW TO AMEND ARTICLE XIII, DEPARTMENT OF ASSESSMENT
SECTION 13.03
OF THE DUNKIRK CITY CHARTER
ENTITLED "ANNUAL BOARD OF ASSESSMENT REVIEW MEETING"

BE IT ENACTED by the City Council of the City of Dunkirk, New York, as follows:

Section 1 **Intent.**

It is the intent of this Local Law to amend Article XIII, Section 13.03 "Annual Board of Assessment Review Meeting" to amend the annual meeting date to hear complaints as to assessments in the City of Dunkirk, and to allow an appropriate opportunity for review of the tentative role.

Section 2 **Amendment of City Code.**

Article XIII, Section 13.03 of the Dunkirk City Charter is hereby amended as follows:

DELETE

§ 13.03. Annual Board of Assessment Review Meeting.

The Board of Assessment Review shall meet annually to hear complaints as to assessments in the City of Dunkirk on the first Tuesday in June and so many days thereafter as the Board of Assessment Review deems necessary.

AMEND

§ 13.03. Annual Board of Assessment Review Meeting.

The Board of Assessment Review shall meet annually to hear complaints as to assessments in the City of Dunkirk on the second Tuesday in June and so many days thereafter as the Board of Assessment Review deems necessary.

Section 3 **Effective Date.**

This Local Law shall take effect immediately upon filing with the Secretary of State.

RESOLUTION #19-2013
MARCH 19, 2013

BY THE ENTIRE COUNCIL:

**ACKNOWLEDGING SEQR COORDINATED REVIEW BY DUNKIRK CITY SCHOOL DISTRICT
(Marauder Drive)**

WHEREAS, the City of Dunkirk owns certain premises bordered roughly by Marauder Drive and Lucas Avenue (designated as s/b/l 96.06-2-1) that have been utilized for and as sports and recreation facilities; and

WHEREAS, the Dunkirk City School District (the "District") wishes to enter into an agreement to memorialize the use of such property for athletic fields for practices and games for various sporting events, including but not necessarily limited to baseball, softball and soccer contests, as well as to improve a portion of the property including an access road to Van Miller Way; and

WHEREAS, the District wishes to act as lead agency for any SEQR review necessary in regard to the proposed lease arrangement with the City; now, therefore be it

RESOLVED, that the City of Dunkirk through its Common Council hereby acknowledges that the **Dunkirk City School District**, 620 Marauder Drive, Dunkirk, New York 14048, has acted as lead agency for a SEQR review which was undertaken by the District as part of a coordinated review in regard to the proposed lease with the City.

RESOLUTION #20-2013
MARCH 19, 2013

BY THE ENTIRE COUNCIL

**AUTHORIZING LEASE AGREEMENT WITH DUNKIRK CITY SCHOOL DISTRICT
(Marauder Drive)**

WHEREAS, the City of Dunkirk owns certain premises bordered roughly by Marauder Drive and Lucas Avenue (designated as s/b/l 96.06-2-1) that have been utilized for and as sports and recreation facilities; and

WHEREAS, the Dunkirk City School District (the "District") wishes to enter into an agreement to memorialize the use of such property for athletic fields for practices and games for various sporting events, including but not necessarily limited to baseball, softball and soccer contests, as well as to improve a portion of the property including an access road to Van Miller Way; and

WHEREAS, the District has acted as lead agency for a SEQR review which was undertaken by the District as part of a coordinated review in regard to the proposed lease with the City; and

WHEREAS, it would be in the best interests of the City of Dunkirk to enter into a Lease Agreement with the District for such use; now, therefore be it

RESOLVED, that the Common Council hereby authorizes and directs the Mayor to execute any required documents to enter into a Lease Agreement with the **Dunkirk City School District**, 620 Marauder Drive, Dunkirk, New York 14048, for the District's use of and improvement to certain property of the City, bounded roughly by Marauder Drive and Lucas Avenue (being a part of s/b/l 96.06-2-1), from April 1, 2013 through March 31, 2016, for the cost of One Dollar and Zero Cents (\$1.00) per year, with the use of such property as athletic fields for practices and games for various sporting events, including but not necessarily limited to baseball, softball and soccer contests, as well as to improve a portion of the property including an access road to Van Miller Way.

RESOLUTION #21-2013
MARCH 19, 2013

BY THE ENTIRE COUNCIL:

AUTHORIZING AGREEMENT FOR ENGINEERING SERVICES
WATER TREATMENT FACILITY – Phase 2 – 2013 under 2009 Consent Order
(Hill Engineering, Inc.)

WHEREAS, the City of Dunkirk, in 2009, entered into a Consent Order with the Chautauqua County Department of Health (CCDOH) to address certain inadequacies related to the City's water treatment plant and water distribution system; and

WHEREAS, the Common Council, through Resolution No. 07-2013 (February 5, 2013) authorized \$4,400,000.00 in bonding for the 2013 Phase of the reconstruction of and construction of improvements to the City's water system pursuant to such Consent Order; and

WHEREAS, the 2013 Phase 2 includes:

- Renovation of seven (7) filters at Water Treatment Plant and related work
- Filter and chemical building renovations and upgrades
- Tele-metering and control system for new Willowbrook Storage Tank
- Valve and piping replacements
- Replacement of sedimentation basic sludge removal system(s); and

WHEREAS, engineering services are required for the timely completion of such 2013 Phase and Hill Engineering of New York, P.C., is ready, willing and able to provide such services for the City in a good and workmanlike manner; now, therefore be it

RESOLVED, that the Mayor be and hereby is, authorized and directed to execute an agreement of services, on behalf of the City of Dunkirk, with HILL ENGINEERING OF NEW YORK, P.C., 8 Gibson Street, North East, PA, for water treatment facility work in regard to the 2009 Consent Order:

- Final design engineering for Phase 2, permitting for Phase 2, preliminary design engineering for Phase 3 and permitting for Phase 3 (including all design components) with a cost not to exceed lump sum of \$690,000.00
- Construction administration with a cost not to exceed the lump sum of \$103,000.00
- Resident inspection services (actual time and *per diem* rates) with a total contract amount of \$163,000.00 (\$956,000.00 total); and, be it further

RESOLVED, that the funds for such engineering services be taken from CAPITAL PROJECTS 15 (Engineering Services).