

AGENDA - COMMON COUNCIL MEETING – March 21, 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.
  1. Appointment of Larry Napieralski to the City of Dunkirk Plumbing Board effective March 22, 2017 and to expire December 31, 2020.
6. Communications from the public and petitions:
  1. Request from Section VI (NYSPHSAA) to use Promenschenkle Stadium on May 25<sup>th</sup>, 26<sup>th</sup>, 30<sup>th</sup>, 31<sup>st</sup>, June 3<sup>rd</sup> and June 4<sup>th</sup> to host Softball Sectionals as well as requesting the closure of Wright Park Drive at Pine Street cross section and Warsaw Street at the skating park access road cross section.
  2. Request from Sue Chaffee to hold free Zumba classes at the Dunkirk Pier Saturday mornings at 9:00 AM during the months of July and August.
  3. Request from Terry Frazier to have a bounce house at the Lower Pavilion at Point Gratiot on July 23<sup>rd</sup>, 2017.
7. Reports of Standing Committees, Boards and Commissions.
8. Unfinished Business:
9. Pre-filed Resolutions:
  12. Resolution authorizing budget line modifications for Fiscal Year 2017.
  13. Resolution accepting hanging flower basket donation.
  14. Resolution authorizing immediate replacement and repair of public service utilities impacted by the Bridge Rehabilitation Project at Central Avenue over Crooked Brook.
  15. Resolution authorizing Agreement for Engineering/Architecture services Point Gratiot Park Improvements LaBella.
  16. Resolution authorizing Agreement for Engineering/Architecture services Wright Park Improvements Barton & Loguidice.
10. New Business:
11. Adjournment.

Edwin Ramos  
City Clerk



**CITY OF DUNKIRK**  
**OFFICE OF THE MAYOR**  
City Hall, Dunkirk, New York 14048  
[www.dunkirktoday.com](http://www.dunkirktoday.com)

**WILFRED ROSAS**  
Mayor  
716-366-9882  
Fax 716-366-2049

March 16, 2017

Dunkirk Common Council  
City Hall  
Dunkirk, NY 14048

Dear Council Members:

Please be advised that due to the resignation of Mr. Mark Gugino from the City of Dunkirk Plumbing Board, I hereby appoint Mr. Larry Napieralski, of 719 Roosevelt Avenue, Dunkirk. This three (3) year term shall become effective March 22, 2017 and will expire December 31, 2020.

Thank you.

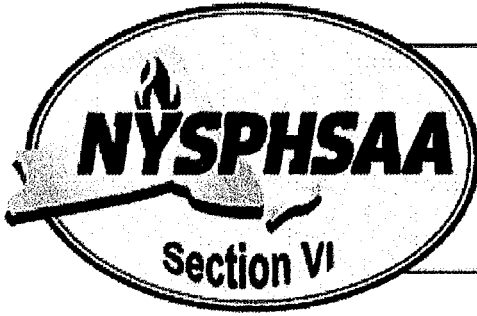
Sincerely,

**CITY OF DUNKIRK**

Wilfred Rosas  
Mayor

WR:co

cc: City Clerk  
Personnel  
Payroll



**SECTION VI**  
**NYS PUBLIC HIGH SCHOOL ATHLETIC ASSOCIATION, INC.**  
355 Harlem Road • West Seneca, NY 14224  
website: [www.section6.e1b.org](http://www.section6.e1b.org) email: [section6@e1b.org](mailto:section6@e1b.org)  
(716) 821-7092 (716) 821-7581 Fax (716) 821-7352

March 1, 2017

City of Dunkirk Common Council::

Section VI (NYSPHSAA, Inc. ) would like to request the usage of Prommenschenkel Stadium, Dunkirk, N.Y. for our **Softball Sectionals** on the following dates:

**Thursday 5/25/17** – Class C1 Final – 4:30 pm Class C2 Final – 7:00pm.

**Friday, 5/26/17** – Rain Date for above.

**Tuesday 5/30/17** – Class D Final – 4:00pm Class C1 v. C2 Final – 5:30pm.

**Wednesday, 5/31/17** – Rain Date for above.

**Saturday, 6/3/17** – Class C Far Western Regional – 2:00pm Class D Far Western Regional – 4:30pm.

**Sunday, 6/4/17** – Rain Date for above.

We would also request, for charging admission to the games, we would be able to block off Wright Park Drive @ Pine Street cross section and Warsaw Street @ the skating park access road cross section.

Enclosed please also find our venue contract for rental expenses that may be related to the usage of your wonderful facility.

John Sliwa (CCAA softball chairman) and Al Gens (DHS Assistant Principal/ President of Section VI) would be your local contacts for further information involving this event.

Please do not hesitate to contact me if you have any questions or concerns.

Respectfully,

Timm Slade, Executive Director

A handwritten signature in cursive script that reads "Timm Slade".

Section VI

2017 MAR 13 AM 11:22

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

Dear Mayor and Council Members:

Hello, my name is Susan Chaffee. I am a 4<sup>th</sup> grade teacher at Dunkirk School 7 and have been a lifelong resident of Dunkirk. I am a licensed Zumba instructor and have been teaching Zumba Fitness classes for over 8 years in the area. I was the first instructor to bring this wonderful fitness program to Dunkirk/Fredonia. This program has changed my life as well as the lives of many people. In addition, I have led several Zumba demonstrations for several groups in our area, the Relay for Life, St Jude's, and Hospice of Chautauqua to name a few.

I would like to hold FREE Zumba classes at the Dunkirk Pier Saturday mornings at 9:00am during the months of July and August. I have quite a following and we love to do Zumba outdoors whenever possible in the summer months. I also have some participants who are from outlying villages and towns that attend Zumba classes regularly. I believe holding these free classes will bring people to our boardwalk area. Dunkirk has a lot to offer on the waterfront and I would like to help draw people to our beautiful resource, Lake Erie.

Last summer, I had the opportunity to hold my Zumba class during the Beach Bash on that Saturday morning. I received permission from the mayor to use the stage that was set up. It was a great success and the response was very positive.

I am fully licensed and insured up to one million dollars. I have my own sound system and would only need a power source.

Thank you for your consideration and I look forward to hearing from you.

Sincerely,

Susan Chaffee

2017 MR 13 PM 4:19  
DUNKIRK, N.Y.  
CITY CLERK'S OFFICE

3/16/17

I Terry Frazier RENTED LOWER  
PAVILION ON 7-23-17 AND WOULD  
LIKE TO REQUEST PERMISSION  
TO HAVE A BOUNCE HOUSE ON SITE

THANK-YOU

*Terry Frazier*  
36 W Point Ave

Dunkirk NY

2017 APR 16 AM 11:02  
DUNKIRK, N.Y.  
CITY CLERK'S OFFICE

**RESOLUTION # 12 -2017**  
**March 21, 2017**

**BY: COUNCILMEN WILLIAMS AND GONZALEZ:**

**AUTHORIZING BUDGET LINE MODIFICATIONS**  
**For Fiscal Year 2017**

**WHEREAS**, it is anticipated that some expenses will exceed their entire budgetary essentials, and it is anticipated that some appropriations will have surpluses for Fiscal Year 2017, ending December 31, 2017; now, therefore, be it

**RESOLVED**, that the Fiscal Affairs Officer is hereby authorized and directed to make the following modifications to the Fiscal Year 2017 budget:

**Fund 1 - General Fund**

<b>Account Number</b>	<b>Department</b>	<b>Line</b>	<b>Change</b>
001.8020.4010	Development	Subscription/memberships	\$ 1,600
001.8020.1003	Development	Pers Serv CDBG Reimb	\$ (1,600)
<b>TOTAL</b>			\$ -

**Fund 1 - General Fund**

<b>Account Number</b>	<b>Department</b>	<b>Line</b>	<b>Change</b>
001.3410.2000	Fire Dept	Equipment	\$ 34,000
001.3410.1000	Fire Dept	Personal Services	\$ (34,000)
<b>TOTAL</b>			\$ -

**Fund 1 - General Fund**

<b>Account Number</b>	<b>Department</b>	<b>Line</b>	<b>Change</b>
001.1010.4002	Legislative Board	Supplies	\$ 200
001.1620.4004	Building City Hall	Supplies	\$ (200)
<b>TOTAL</b>			\$ -

**RESOLUTION #13-2017**  
**MARCH 21, 2017**

**BY: THE ENTIRE COUNCIL**

**ACCEPTING HANGING FLOWER BASKET DONATION**

**WHEREAS**, the *Beautification Committee of Revitalize Dunkirk* has generously initiated a Central Avenue Hanging Basket Project, has solicited donations and has purchased thirty-one (31) hanging flower baskets; and

**WHEREAS**, *Revitalize Dunkirk* has donated, and the City has by resolution accepted the donation, of hanging baskets in order to help beautify Central Avenue; and

**WHEREAS**, the City is desirous of continuing the program in order to facilitate the beautification of Central Avenue; and

**WHEREAS**, *Revitalize Dunkirk* is now offering a donation of \$2000.00 to offset the labor cost of Parks Department personnel for watering the baskets through the summer of 2017, in four payments of \$500 to be made at the end of May, June, July, and August; now, therefore, be it

**RESOLVED**, that the City hereby gratefully appreciates and accepts the donation from the *Beautification Committee of Revitalize Dunkirk*.

**RESOLUTION # 14-2017**  
**MARCH 21, 2017**

**BY: ENTIRE COUNCIL**

**AUTHORIZING IMMEDIATE REPLACEMENT AND REPAIR OF PUBLIC  
SEWER UTILITIES IMPACTED BY THE BRIDGE REHABILITATION  
PROJECT AT CENTRAL AVENUE OVER CROOKED BROOK**

**WHEREAS**, it was identified by County bridge engineers that the old stone bridge culvert on Central Avenue over Crooked Brook has failing stones in its arch that adversely affect the integrity of City sewer mains embedded in the old stone bridge culvert; and

**WHEREAS**, the Department of Public Works has observed and reported that there is imminent potential of complete failure of some stones in the bridge culvert that support and encase public sewer utilities, and that such failure could allow unsafe and unpermitted sewage discharge; and

**WHEREAS**, the County bridge engineers have agreed through shared services to perform needed repairs to the stones in the old bridge/culvert, but that the City is responsible for the public sewer utilities impacted by this bridge rehabilitation project; and

**WHEREAS**, potential failure of public sewer utilities impacted by the required bridge rehabilitation project constitutes a public emergency as defined by GML §103-4 requiring immediate action that could not await competitive bidding procedures; and

**WHEREAS**, Pipe-Eye Sewer Services, Inc., 75 Holley Avenue, Bradford PA, has camera-investigated the interior of the two sanitary sewer pipes that require their interiors to be replaced because of the failing stone bridge culvert and can do the replacement work quickly at a cost of \$68,309; and

**WHEREAS** NYSDOT guidelines specify: "Eligible CHIPS Project Activities [include] Replacement of public utilities impacted by a bridge rehabilitation project (in-kind replacement costs);" and

**WHEREAS** due to recent extra allocations of CHIPS funding, there are sufficient CHIPS funds to cover the cost of the repair without use of funds earmarked for other essential CHIPS projects; now therefore be it

**RESOLVED**, that the Director of Public Works is hereby authorized to replace and rehabilitate the public sewer utilities impacted by the required bridge rehabilitation project on an emergency basis, pursuant to General Municipal Law §103-4, and in the manner described and specified above; and be it finally

**RESOLVED**, that the appropriations for this repair shall be paid from the CHIPS fund.



**RESOLUTION #15-2017**  
**MARCH 21, 2017**

**BY: COUNCILMAN BAMONTO**

**AUTHORIZING AGREEMENT FOR ENGINEERING/ARCHITECTURE SERVICES  
POINT GRATIOT PARK IMPROVEMENTS  
LABELLA**

**WHEREAS**, the City of Dunkirk proposes to build, repair, or renovate certain structures located in Point Gratiot Park, including picnic shelters, restrooms and pavilions; and

**WHEREAS**, professional engineering and architecture services are required to complete these key components, and LaBella Associates, D.P.C., is ready, willing and able to provide such services for the City in a good and workmanlike manner as determined by the Director of Planning and Development under her responsibility and authority by the City Code, and with further consideration that LaBella Associates has an abundant amount of experience in municipal park improvement projects, and comes highly recommended from the nearby communities that have produced similar projects; now, therefore be it

**RESOLVED**, that the Mayor is authorized and directed to execute an agreement of services, on behalf of the City of Dunkirk, with LaBella Associates, D.P.C., 500 East Sixth Street, Jamestown, NY, to design, provide engineering and architecture services, and construction administration with a cost not to exceed a total of forty two thousand and five hundred dollars (\$42,500); and be it further

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

**RESOLUTION #16-2017**  
**MARCH 21, 2017**

**BY: COUNCILMAN BAMONTO**

**AUTHORIZING AGREEMENT FOR ENGINEERING/ARCHITECTURE SERVICES  
WRIGHT PARK IMPROVEMENTS  
BARTON & LOGUIDICE**

**WHEREAS**, the City of Dunkirk proposes to build, repair, or renovate certain structures located in Wright Park, including the addition of a Splash Pad, Playground, ADA Compliant Restrooms, Pickleball Court, Baseball Field Improvements, and Pine Street Reconstruction; and

**WHEREAS**, professional engineering and architecture services are required to complete these key components, and Barton & Loguidice, is ready, willing and able to provide such services for the City in a good and workmanlike manner as determined by the Director of Planning and Development under her responsibility and authority by the City Code, and with further consideration through an RFP process that has narrowed down 6 firms to Barton & Loguidice, which has an abundant amount of experience in municipal park improvement projects, and comes highly recommended from the nearby communities that have produced similar projects; now, therefore be it

**RESOLVED**, that the Mayor is authorized and directed to execute an agreement of services, on behalf of the City of Dunkirk, with Barton & Loguidice, 11 Centre Park, Suite 203 Rochester, NY 14614 to design, provide engineering and architecture services, and construction administration with a cost not to exceed a total of seventy five thousand dollars (\$75,000) ); and be it further

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