

AGENDA - COMMON COUNCIL MEETING – April 07, 2015 - 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. Request from Loretta Slaton Torain on behalf of the Juneteenth Celebration Committee to use Memorial Park on Saturday, June 13th and Sunday, June 14th for their 20th annual Juneteenth Celebration. Also, requesting the use of picnic tables, electricity, water and portable toilets.
 2. Request from National MS Society to use Point Gratiot as a rest stop for its cyclist's on August 8th. Also requesting permission to setup a tent, tables, chairs and a port-a-potty (if necessary).
 3. Request from Northern Chautauqua Soccer Association, Inc. for a donation from the William Cease Fund to purchase soccer goals.
 4. Request from Tim Wdowiasz on behalf of the First Ward Falcons Club to use The Stadium on May 16, 2015 for an Early Bird Fast Pitch Softball Tournament.
 5. Request from Chautauqua County Exceptional Senior All-Star Baseball/Softball Committee to use Promenschenkle Stadium on Monday, June 8th (Tuesday, June 9th rain date) to host the 2015 Chautauqua County Exception Senior All-Star Softball game.
 6. Request from the Dunkirk Joint Veterans Council to hold the Annual Memorial Day Services & Parade on Monday, May 25th at 10:00 AM with parade to follow; reviewing stands & chairs at Memorial Park & City Hall and participation by the Mayor and City Officials.
 7. Request from Sandy George on behalf of the Nathan George Foundation to use Koch's Field and the Stadium for the Seventh Annual Nathan George co-ed slo-pitch tournament on Saturday, August 8th and Sunday, August 9th (Rain date Saturday, August 15th and Sunday, August 16th).
 8. Request from Jay Hall on behalf of Section VI NYS Public High School Athletic Association Inc. to use Promenshenkle Stadium on Friday, June 5th, 2015 at 5:00 PM (Rain date Saturday, June 6th at 3:00 PM) for the Far West Regionals.
 9. Request from Phillip Weiss on behalf of Western New York Chapter of the Alzheimer's Association to use the Large Pavilion at Point Gratiot as well as the neighborhood and accompanying bike path for the annual Walk to End Alzheimer's fundraising event on Saturday, September 12, 2015 from approximately 7:00 AM until 12:00 PM. Also requesting use of pop up tents, vendors and live music.

10. Request from Teresa Bunge to rename Wright Park Drive or Wright Park Drive Connect to Dan Palmer Drive.

Loudspeaker application from:

- a) Clarion Hotel for live bands from May 1st thru October 1st, 2015.
- b) Nathan George Foundation to use loudspeakers on August 8th and 9th (August 15th and 16th Rain date) from 6:00 PM until 10:00 PM for their Annual Softball Tournament at the Stadium.

Notice of claim from:

- a) Cynthia Maslakowski for alleged injuries sustained due to a fall on the sidewalk in front of the Dunkirk Post Office.
- b) Gerri Cenedella for damages to her vehicle allegedly caused by a pothole between Lucas Avenue and Newton Street.
- c) Michael Briggs for alleged damages sustained due to a frozen water line.

7. Reports of Standing Committees, Boards and Commissions.

8. Unfinished Business:

11. Resolution authorizing Local Cable Program Director Agreement (Daniel Riewaldt and Steve Wright, Jr.).

9. Pre-filed Resolutions:

17. Resolution transferring funds from the William Cease Fund.
18. Resolution submitting FY2015 CDBG Annual Action Plan to HUD.
19. Resolution authorizing the City's Citizen Participation Plan.
20. Resolution denying applications for refund and credit of real property taxes for years 2010-2012 submitted by Level 3 Communications LLC.
21. Resolution authorizing terminable revocable license for boat launch operations (Chadwick Bay Marina Holdings, Inc.).
22. Resolution authorizing Local Cable Program Director Agreement (Daniel Riewaldt and Steve Wright, Jr.).

10. New Business:

11. Adjournment.

Nicole Joiner
City Clerk

JUNETEENTH

2015 CELEBRATION COMMITTEE
415 MULLET STREET
DUNKIRK, NEW YORK 14048
(716) 363-1102



February 27, 2015

2015 HR - 2 AM 11:15
CITY CLERK'S OFFICE
DUNKIRK, N.Y.

Mayor A. J. Dolce
City of Dunkirk Common Council
City Hall
Dunkirk, New York 14048

RE: 2015 Juneteenth Celebration

Dear City Officials:

The Juneteenth 2015 Celebration Committee is in the process of planning the twentieth annual Juneteenth Celebration in the City of Dunkirk. As we have done in the past, the Juneteenth Celebration will kick off on Saturday, June 13, 2015, with Opening Ceremonies at 12:00 noon. The Celebration will end following a Gospel Fest on Sunday, June 14, 2015, at 6:00 p.m.

We are requesting the use of Memorial Park, Lake Shore West, Dunkirk, New York, as our venue. Please let us know at your earliest convenience if this request will be honored. We are also requesting picnic tables, loud speaker permit, electricity, water, and portable toilets.

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. As this is the 20th year celebration, we have planned many exciting events.

We hope you will see your way to honoring the above requests.

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,



Loretta Slaton Torain
Chairperson

3-17-15 Councilwoman Szukala moved to table this petition.
Seconded by Councilman Rivera.

Vote to table Resolution:

Ayes: Councilman Michalski, Councilman Rivera, Councilman
Gonzalez, Councilwoman Szukala.

No: Councilman-at-large Rosas.

Carried, 4-1. TABLED.

Nicole Joiner

From: Deanna Oliveri [deanna.oliveri@nmss.org]
Sent: Monday, March 23, 2015 10:13 AM
To: pbejier@cityofdunkirk.com
Cc: njoiner@cityofdunkirk.com
Subject: Bike MS Rest Stop Application-Point Gratiot Park
Attachments: GLE Rest Stop Agreement.pdf

Pam,

Plans are well underway for Bike MS: Great Lake Escape, hosted by the National MS Society Upstate New York Chapter. This event will take place on Saturday, August 8th. As we plan our cycling route, our goal is to ensure a safe, well supported ride for our participants. Providing rest stops along the way will allow our participants to stop, rest and rehydrate as they accept the challenge to create a world free of MS.

We would like to respectfully request the use of the Point Gratiot Park as a rest stop on Saturday, August 8th. We are anticipating over 100 riders to participate in this event and utilize this rest stop.

To host a rest stop at your location we will need an area for volunteers to serve bottled water and food to our cyclists. We will set up a tent, table and chairs, and a porto-john for the stop provided by our organization. We of course would ensure that the area is returned to its original state after the ride and cleared of any garbage. The National MS Society can provide any insurance certificates needed if necessary.

Thank you in advance for your assistance. I have attached the rest-stop agreement form to this email, which you can scan and email to me or mail to 421 New Karner Rd, Suite 6, Albany, NY 12205. We look forward to hearing from you regarding the use of this property. Please contact me if you have any questions regarding this matter, need additional information, or have questions about Bike MS in general.

Sincerely,

Deanna Oliveri
Campaign Manager

National Multiple Sclerosis Society
Upstate New York Chapter
421 New Karner Road
Albany, NY 12205-3838
Tel +518-464-0850 (x70401)
Email Deanna.oliveri@nmss.org



bike to
create a world
free of MS



RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.
2015 AP - 1 AM 11:24

3/12/2015

Northern Chautauqua Soccer Association, Inc.
PO Box 331
Fredonia, NY 14063

RECEIVED
CLERK'S OFFICE
DUNKIRK, N.Y.
MAR 12 PM 2:05

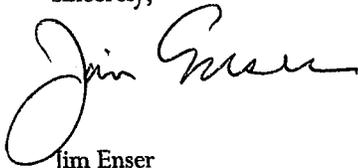
Honorable Anthony J. Dolce
Mr. Willie Rosas
Mr. Michael Michalski
Mr. William J. Rivera
Mr. Andy Gonzalez
Ms. Stacy Szukala
Dunkirk City Hall
Dunkirk, NY 14048

Dear Mayor Dolce and members of the City of Dunkirk Common Council;

At the February 23, 2015 meeting of the Personnel Judicial General Welfare Recreation and Regional Planning meeting I was given the opportunity to discuss the possible use of assets in the William Cease Fund for the purchase of soccer goals. I represent the Northern Chautauqua Soccer Association, Inc (NCSA), a 501(C)(3) not for profit corporation whose primary purpose is "To foster, teach and advance the game of soccer within the area of Northern Chautauqua County by developing, promoting and administering the game of soccer for youth up to and including the age of 19." NCSA was founded in 1988 and regularly serves about 1000 youth annually.

Youth and Recreation Program Coordinator Mr. Tim Gornikiewicz and I have discussed the needs of the soccer community and he has secured quotes for our greatest need, a set of regulation sized (8x24) soccer goals and nets. NCSA does not presently own goals of this size which are needed for ages 13 and older. It is understood that the two quotes which I have herein attached differ significantly in cost. The Concord FC travel soccer committee, on behalf of NCSA, respectfully requests consideration be given to purchasing the higher quality more expensive set of goals. Of course we would be very grateful with whatever decision is made. I would also like to report that since the meeting on the 23rd we have reached agreement to rent the field space behind Holy Trinity R.C. Church which is where this set of goals will be placed. Thank you for considering this request.

Sincerely,



Jim Enser
Vice President
Northern Chautauqua Soccer Association, Inc.

3-17-15 Councilman Gonzalez moved to
table this petition. Seconded
by Councilwoman Szukala. Carried,
all voting aye. TABLED.

March 13, 2015

RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.
2015 MR 13 PM 3:51

**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 on May 16, 2015.

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", written in a cursive style.

Wednesday, March 11, 2015

RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.
2015 MR 19 AM 10:26

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 Prommenschenkle Stadium on the evening of Monday, June 8th, 2015 (rain date: Tuesday, June 9th, 2015) for the purpose of hosting the 2015 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 previous requests, the last three softball games were each a huge success. Dunkirk has been very well represented – as a Marauder student-athlete was selected the North Team's most valuable player – in three of our four games.

With your approval, we would like to continue this great tradition and give the 2015 softball game the proper stage that it deserves. We will be in contact 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 provide proof that our insurance was in place before making this request.

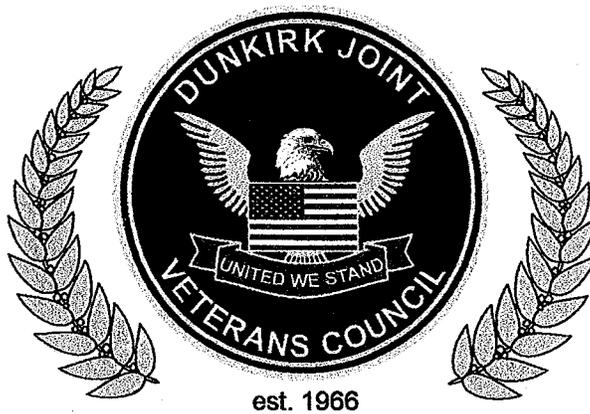
We thank you for your consideration of our request and hope to have the opportunity to continue to share a great event with the City of Dunkirk!

Sincerely,



Timothy Cowan, Senior All-Star Game Coordinator

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



Dunkirk Joint Veterans Council

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

2015 HR 23 AM 11:42

March 15, 2015

To: Honorable Mayor Anthony Dolce
Chief of Police David Ortolano
Members of the Common Council

Subject: 2015 Memorial Day Services & Parade

The Dunkirk Joint Veterans Council is requesting permission to hold the Annual Memorial Day Services & Memorial Parade on Monday, May 25, 2015.

The Services will begin at 10:00 a.m. in Memorial Park with the Parade to follow immediately.

The DJVC has been proudly hosting the Services & Parade since 1966, making 2015 our 49th year.

The Parade will start at approximately 11:00 a.m. and proceed East on Lake Shore Drive West to Central Avenue. Parade will turn right onto Central Avenue and proceed South to Fifth Street. Parade turns East on Fifth Street and disbands at Washington Park.

In case of inclement weather, the Parade will be postponed up to one hour. Should the rain continue, Memorial Day Services will be held at the American Legion, Post 62, Central Avenue, Dunkirk, New York.

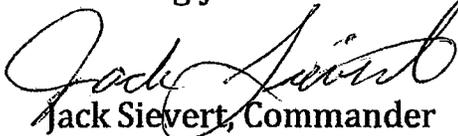
We are requesting that the Street/Parks Department set up reviewing stands and chairs at Memorial Park and in front of City Hall. Respectfully requesting the assistance of Mr. Anthony Gugino and Mr. Thomas Mleczko.

The Joint Veterans Council is also requesting participation by the Mayor, Common Council and City Officials during the services at Memorial Park and the viewing of the parade from the reviewing stand at City Hall.

Respectfully requesting the Mayor, Police Chief and Common Council assist the DJVC in leading this year's Parade.

The DJVC will utilize monies from their fundraiser to cover the cost of chairs for Memorial Park and on the Reviewing Stand. G & E did an outstanding job last year and we are requesting to meet with Mr. Gugino and Mr. Mleczko to discuss the number of chairs needed at both locations and the number of reviewing stands needed at City Hall.

Thanking you in advance for your continued support and cooperation.



Jack Sievert, Commander

Ph: 716-366-4082

Email: sievert5594@roadrunner.com



Honor, Remember, Celebrate

The Nathan George Foundation, Inc.
PO Box 1315
Dunkirk, NY 14048

March 22, 2015

Dear Members of the Dunkirk City Council:

On Saturday, August 8 and Sunday, August 9, 2015, the Nathan George Foundation would like to hold the ~~Sixth~~^{Seventh} Annual Nathan George Co-Ed slo-pitch softball tournament in the City of Dunkirk. The tournament would take place at the Stadium and Koch's Fields as well as School 7 and the girls high school softball fields. A field request has already been submitted to the Dunkirk School System for the use of School 7, and the girls high school softball field.

The tournament had an amazing turnout last year with 27 teams participating, and over 600 people in attendance. The tournament continues to grow every year, and in an effort to better accommodate the number of teams, the foundation is considering a 2-day tournament. Therefore we are requesting the field for 2 days. We would also like to confirm rain dates for Saturday, August 15 and Sunday, August 16, 2015.

Our event offers a family fun-filled day for our community with food, beverages, music, children's activities and some very exciting ball games.

All of the proceeds will benefit the foundations mission in awarding scholarships and supporting local youth sports organizations in Nathan's memory. Last year the foundation awarded scholarships to Fredonia, Dunkirk, Silver Creek, Brocton and Forestville High Schools. In addition, donations were made to the Dunkirk and Fredonia little leagues, NCSA, midget league and hockey league organizations.

I understand that we will need to provide a certificate of insurance for \$1,000,000.00 naming the city as an additional insured, along with liquor liability insurance and a list of vendors providing appropriate certificates of insurance naming the city as an additional insured as well. Coverage will be obtained within 30 days of the event and a copy will be submitted to the City of Dunkirk as soon as it is secured.

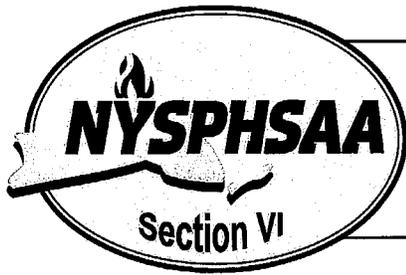
Please consider allowing the foundation to hold this tournament so we may continue our mission to raise funds for an extremely good cause while honoring Nate's memory. In addition, we are hoping the City of Dunkirk would consider waiving any field use fees as a donation to the foundation.

If you have any questions or need further information, please do not hesitate to contact me at 716-672-9855

Thank You,

Sandy George
Sandy George
Vice President

2015 MAR 24 PM 1:26
RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.



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

March 24, 2015

Tim Gornikiewicz, Park Dept.
City of Dunkirk
342 Central Avenue
Dunkirk, NY 14048

Tim Gornikiewicz,

Section VI, NYSPHSAA would like to have the following reserved:
We will follow with insurance and venue contract in the near future.

Venue: Promenshenkle Stadium at Wright Park
Sporting Event: Far West Regionals
Date(s)/ Time (s): Friday June 5, 2015 5 pm & 7 pm
(Rain date Sat. June 6, 2015 3pm & 5 pm)

Jay Hall , Softball Chairperson
halljohn4545@yahoo.com
716-481-15872 (c)

2015 MR 24 PM 3:28

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CITY CLERK'S OFFICE
DUNKIRK, N.Y.

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

March 23, 2015

2015 MR 25 AM 9:57

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



To whom it may concern,

I am writing to you on behalf of the Alzheimer's Association, Western New York Chapter. I am looking to secure your approval to utilize space at Point Gratiot Park for our annual Walk to End Alzheimer's fundraising event on Saturday, September 12th, 2015. We also would like to use the surrounding neighborhood and accompanying bike path for the actual walk portion of the event.

We have hosted the event at the Chautauqua Institution for the last 5 years and we are looking to secure a new and fresh space in Chautauqua County. Point Gratiot Park would fit our needs perfectly and we would love to bring our event to your community. We have supporters for this walk that come from all parts of Chautauqua County and the surrounding region. Last year the walk in Chautauqua raised over \$25,000 and all six walks across Western New York, raised over \$506,000.

This event is looking to have 400 people in attendance to participate in the 2 mile walk. Our event day begins with set up at 7am, then 9am registration/participant arrival, 10am opening ceremony followed by the walk start, then some post walk activities and wrap up/clean up to be out of the park by 12pm. During the event we have different activities for our participants including raffles, kid's area, food, vendor area and live music. We noticed that you have charcoal grills on site, and would like to request the use of those for our hot dog cookout portion of the event.

Pavilion A, was a perfectly sized shelter to use with the restrooms and surrounding space. We would like to request use of this shelter for that morning. For additional coverage, we have in the past used 10'x10' pop up tents and a 20'x40' fair tent depending on weather. We can provide insurance for any and all structures used and activities happening throughout the event.

All proceeds from all six Walk to End Alzheimer's events stay directly in the community to fund all of the programs and services we provide to Chautauqua and the other seven counties. These programs and services include advocacy, education, support group services, in-home care consultations and respite services for more than 12,000 individuals annually. There are more than 55,000 individuals in Western New York living with Alzheimer's disease or other dementias. On average, each individual has 3-4 caregivers bringing the number of local individuals impacted by this disease to well over 220,000.

We hope you will consider allowing us to host our event at Point Gratiot Park. If you have any questions, I can be reached at 716.626.0600 or pweiss@alz.org. Thank you for your time.

Sincerely,

Phillip Weiss

To whom it may concern:

3/17/15

Dan Palmer

Who doesn't recognize this name?

He has been and is the staple of WDOE radio broadcasting and their Sports Director for near 40 years. 2013 Inductee to the Chautauqua Sports Hall of Fame!!

General stats (and things you probably already know):

- Born and raised in Dunkirk and a local resident all his life.
- Devotion to local athletes, coaches, teams, fans, and community alike.
- Supportive beyond all job expectations.
- Daily, weekly and event recognition of our special athletes and community members.
- All around good guy.

Some of the broadcasting stats:

- Sports Play by Play for over **2,000** local high school, college, and youth broadcasts including
 - Hundreds of Section Six High School Championship Games
 - More than 50 Far West Regional Championships
 - More than 40 NYSPHSAA State Tournament Final 4 games
 - 13 NYSPHSAA State Tournament CHAMPIONSHIP GAMES!!
 - 10 NYSPHSAA STATE CHAMPIONS!!!
 - Fredonia and Chautauqua Lake girls Basketball Games

Even after 30 years and because of Dan Palmer, local athletes and their family and friends wait to hear if they were chosen for the WDOE High School Athlete of the Day, Player of the Week, or Player of the Game. These honors have been and still are prestigious and precious to both them personally and their families. It is this excitement and his enthusiasm for these athletes and this area, and his devotion to sports and community events that makes Dan Palmer a name that everyone recognizes and admires.

It is for this reason (and many others that I haven't mentioned) that I and those in the petition attached ask you to recognize Dan Palmer for all of his commitment to Dunkirk. We respectfully request that you rename, Wright Park Drive or Wright Park Drive Connect, to Dan Palmer Drive. This location in Wright Park (see attached map attached for clarification) is perfect for highlighting the involvement that he has had in the last 40 years in baseball and local sports and would be an excellent location to showcase his loyalty to this community.

Please consider this opportunity to illustrate the significance that Dan has brought to the area and his involvement and promotion of its residents and youth.

RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.
2015 MAR 23 AM 10:36

We have a Facebook page already set up in support of this well-deserved proposal. We have more than 450 likes to date. If appropriate, I am willing to attend your next board meeting to get this important initiative on the agenda.

Thank you for your consideration in this matter. I can be reached for further questions at 672-6006 or via email tbunge1970@gmail.com

Sincerely,

A handwritten signature in cursive script that reads "Teresa Bunge".

Teresa Bunge

Dan Palmer has been a broadcast personality for WDOE in Dunkirk, New York for almost 40 years. He was born and raised in Dunkirk and continues to live locally and support all.

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

DATE OF APPLICATION (must be 30 days Prior to event):	
EVENT SPECIFICS	
DATE: 5-1 thru 10-1	TIME:
LOCATION OF EVENT: Clarion Hotel	
SPONSOR: 2015	
NAME: Clarion Hotel	PHONE NO. 366-8350
ADDRESS: 30 Lakeshore Dr. East	
<input type="checkbox"/> INDIVIDUAL <input checked="" type="checkbox"/> CORPORATE <input type="checkbox"/> CHARITABLE <input type="checkbox"/> COMMUNITY	
RESPONSIBLE INDIVIDUAL: Vic Singh	
NAME:	PHONE:
ADDRESS: As Above	
REASON:	
AUDIO DEVICE TO BE USED: outside music	
<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>Manna Singh</u>	
DEPARTMENTAL REVIEW	
POLICE DEPT OIC 3/17/15	DATE SENT
DEPT OF PUBLIC WORKS 3/17/15	
DEPT OF LAW 3/17/15	
OTHER	
COMMON COUNCIL ACTION	
RECEIPT OF REVIEW	
APPROVAL	
CONDITIONS:	
DISAPPROVED	

RECEIVED
 CITY CLERK'S OFFICE
 DUNKIRK, N.Y.
 2015 MAR 16 PM 1:15

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

DATE OF APPLICATION (must be 30 days Prior to event):		
* No more than 3 days TOTAL per Individual or Group - per year EVENT SPECIFICS * EXCLUDES HARBORFRONT AREA		
DATE: Aug 8 th 9 th TIME: 6:00 - 10pm LOCATION OF EVENT: Franceschenkel Stadium		
SPONSOR: Nathan George Foundation		
NAME: Sandy George		PHONE NO. 672-9855
ADDRESS: 124 Prospect St, Fredonia, NY 14063		
<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> CORPORATE <input checked="" type="checkbox"/> CHARITABLE <input type="checkbox"/> COMMUNITY		
RESPONSIBLE INDIVIDUAL:		
NAME: Sandy George		PHONE: 672-9855
ADDRESS: 124 Prospect St, Fredonia, NY 14063		
REASON: Softball tournament		
AUDIO DEVICE TO BE USED: DJ, microphone, speakers, possible band also		
<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>Sandy George</u>		
DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT <i>OK 3/24/15</i>		
DEPT OF PUBLIC WORKS <i>in Ag 3/25/15</i>		
DEPT OF LAW <i>let Suk 3/24/15</i>		
OTHER		
COMMON COUNCIL ACTION		
RECEIPT OF REVIEW		
APPROVAL		
CONDITIONS:		
DISAPPROVED		

RECEIVED
 CITY CLERK'S OFFICE
 FREDONIA, N.Y.
 2015 APR 24 PM 1:26

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: Cynthia Maslakowski
Claimant Address: 130 Frazier St
Dunkirk, NY 14048
Claimant Telephone Number: (716) 366-1090

This claim is for (injuries/damages alleged): swollen knees
hands, wrists, neck all are sore hurting
knee right is bruised

This claim is alleged to have arisen on the 16 day of March, 2015 at approximately 10:15 a.m./p.m. on that date at _____.

The injuries and/or damages sustained by the Claimant arose in the following manner: Fell in front of Dunkirk Post Office
sidewalk is partly raised and fell flat
on stomach - knees hands, jacked body from
sudden fall

The amount and type of injuries and/or damages sustained by the Claimant consist of the following: _____

RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.
2015 MAR 17 AM 9:39

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

Respectfully yours,
Cynthia Maslakowski 3/17/15
Claimant (date)

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

Cynthia Maslakowski 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.

Cathleen Gatto
Notary

Sworn to before me this
17 day of March, 2015.

CATHLEEN GATTO
Notary Public, State of New York
Qualified in Chautauqua County
Commission Expires Sept. 22, 2015

3/19/15

City of Dunkirk

I would like to inform you that I was seen by the physician assistant at Medica Associates at Chaut. on Wednesday March 18 for the fall I occurred on Monday March 16, 2015 which I filed an accident report with City on Tuesday March 17, 2015.

I am going for X-ray Thursday at Brooks Memorial Hospital.

Please attach to my accident report

Sincerely,

Cynthia Maslow

366-1090

630 Tupper St

Dunkirk, NY 14048

2015 MR 19 PM 1:35

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

RECEIVED

MAR 12 2015

MAYOR'S OFFICE

To: Mayor Anthony Dolce
City of Dunkirk Village Hall
400 Central Ave.
Dunkirk, New York 14048

From: Mrs. Gerri Cenedella
Fredonia, N. Y. 14063

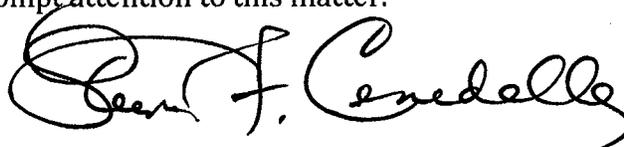
Date: March 10th, 2015

On Thursday morning, driving on Central Avenue-Dunkirk between Lucas Avenue and Newton Street, I hit a very large pothole with my two-year old Nissan Altima car. In addition to replacing the tire, the rim was also bent. It is an alloy wheel that now will have to be replaced by Nissan. I am asking for a claim for this expense.

The rim cannot be straightened out, as it is an alloy wheel and I am enclosing their price to order a new rim for me, and the labor that will be involved. So, I am requesting the claim payment for \$544.99 to have this work done at Nissan.

Thanking you for your prompt attention to this matter.

Mrs. Gerri Cenedella
29 Sahle Place
Fredonia, N. Y. 14063



CC: Matthew J. Cenedella
Marc C. Cenedella

2015 MR 13 AM 9:17

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

Good morning,
Here is an attached price for the rim

One new alloy rim from Nissan

\$488.00 - part

\$56.99 - labor (mount and balance one new rim and transfer over tpms sensor)

The rim is 2-3 days away special order.

You can either e-mail me back or call me at 202-3234m anytime you want to order the rim

Have a great day

PS Go Green! Print this email only when necessary. Thank you for helping West Herr be environmentally responsible. **This E-mail and any of its attachments may contain West Herr Automotive Group proprietary information, which is privileged, confidential, or subject to copyright belonging to West Herr Automotive Group. This E-mail is intended solely for the use of the individual or entity to which it is addressed. If you are not the intended recipient of this E-mail, you are hereby notified that any dissemination, distribution, copying, or action taken in relation to the contents of and attachments to this E-mail is strictly prohibited and may be unlawful. If you have received this E-mail in error, please notify the sender immediately and permanently delete the original and any copy of this E-mail and any printout.**

CLAIM AGAINST
THE
CITY OF DUNKIRK

On Friday February 27th, 2015, my nephew, Michael Briggs came home from work to find out he had no water in his house. According to Mike, he called Gugino Plumbing and they came to 55 Middle Rd. to see what the problem was. Gugino servicemen disconnected the water line before the meter and installed a camera in the line and found out the water line coming into the house was fine. They said the city water line was frozen but there was nothing they could do that day, Friday. They would come back on Monday. Mike said he called someone (doesn't know who he talked to) at the city barn or water department and told that person his problem and whoever he talked to told Mike that there was nothing they could do. All weekend Mike could not use the toilet, wash dishes or do his laundry because of the no water problem.

On Monday March 2nd, 2015, Gugino Plumbing came back to 55 Middle Rd. and tapped into the neighbors curb box at 51 Middle Rd. and to the curb box at 55 Middle Rd. with a welder and thawed the city water line. Mike Briggs left the water trickling at 55 Middle Rd. so the lines would not freeze again. On Tuesday March 3rd, 2015 the city water line froze again. Gugino Plumbing came back and again tapped into the neighbors curb box at 51 Middle Rd. and the curb box at 55 Middle Rd. and thawed the city water line again. The problem was NOT with the water line going into the house. The problem was with the CITY WATER LINE that froze.

That is why I am submitting this claim to the City Of Dunkirk because it was the City Of Dunkirk's water line that froze and my nephew Mike Briggs was told by someone that works for the City there was nothing they could do.

The bill, enclosed is from Gugino Plumbing for \$1,483.50 that will be paid by Mike Briggs and due to the problem was with the City Water Line hope the City Of Dunkirk will reimburse me for the bill.

Michael Briggs

Don Gorka, owner of the house at 55 Middle Rd.

Don Gorka

Michael Briggs

2015 MR 26 PM 1:19

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

GUGINO PLUMBING & HEATING,
 INC
 160 CUSHING STREET
 FREDONIA, NY 14063

Invoice

Date	Invoice #
3/5/2015	10522

Bill To
MICHAEL BRIGGS 55 MIDDLE RD. DUNKIRK, NY 14048

JOB SITE
MICHAEL BRIGGS 55 MIDDLE RD. DUNKIRK, NY 14048

P.O. No.	Terms	Due Date
	DUE UPON RECE...	4/4/2015

Item	Description	Qty	Rate	Serviced	Amount
	LOCATED CURB BOX AND CONNECTED WELDER FROM CURB TO HOUSE-HAD TO CONNECT FROM NEIGHBOR'S HOUSE TO CUSTOMER'S CURB TO THAW WATER SERVICE, LEFT WATER RUNNING, TESTED, OK				
WELDERREN...	WELDER RENTAL	1	500.00		500.00T
RLMPS	TECH RLM PLUMBING SERVICE LABOR	5.5	80.00		440.00T
SMRPS	TECHNICIAN SMR PLUMBING SERVICE LABOR	5.5	80.00		440.00T
	Sales Tax		7.50%		103.50
Total					\$1,483.50

Phone #	Fax #
716-679-0080	716-679-0090

Web Site
WWW.GUGINOPH.COM

RESOLUTION #11-2015
MARCH 17, 2015

BY: THE ENTIRE COUNCIL

**AUTHORIZE LOCAL CABLE PROGRAM DIRECTOR AGREEMENT
(Daniel Riewaldt and Steve Wright, Jr.)**

WHEREAS, it would be in the best interests of the City to revitalize the local access programming opportunities on the City's local cable access channel; and

WHEREAS, Daniel Riewaldt and Steve Wright, Jr., provide a unique prospect for such revitalized opportunities and has agreed to provide the primary production oversight and operational management for the City's local access channel; and

WHEREAS, it would be in the best interest of the City to contract for such program director services; and

WHEREAS, Daniel Riewaldt and Steve Wright, Jr., are ready, willing and able to provide such services to and on behalf of the City in a good and workmanlike manner; and

WHEREAS, there is a need on occasion for the on-site production of access programming; now, therefore, be it

RESOLVED, that the Mayor is directed and authorized to execute any and all agreements necessary to engage the services of Daniel Riewaldt, 188 Liberty Street, Fredonia, New York 14063, to provide primary production oversight and operational management for the City's local access channel for the period March 18, 2015 through December 31, 2015, at the cost of Four Hundred Twenty-Five Dollars and Zero Cents (\$425.00) per month, *pro rata*; and, be it further

RESOLVED, that the Mayor is directed and authorized to execute any and all agreements necessary to engage the services of Steve Wright Jr., 6999 McKay Road, Mayville NY 14757, to provide primary production oversight and operational management for the City's local access channel for the period March 18, 2015 through December 31, 2015, at the cost of Four Hundred Dollars and Zero Cents (\$400.00) per month, *pro rata*; and, be it further

RESOLVED, that the Mayor is directed and authorized to engage such individuals as may be trained and qualified to provide on-site production of access programming at the cost of Twenty Dollars and Zero Cents (\$20.00) per event, on an as-needed basis; and, be it finally

RESOLVED, that the payments for such services be made from Account No. 001-8050-4036-0000 (Contracted Services).

3-17-15 Councilman Gonzalez moved to table this Resolution.
Seconded by Councilwoman Szukala.

Vote to table:

Ayes: Councilman Gonzalez, Councilwoman Szukala,
Councilman-at-large Rosas.

No: Councilman Michalski, Councilman Rivera.

Carried, 3-2, TABLED.

RESOLUTION #17-2015
APRIL 7, 2015

BY: THE ENTIRE COUNCIL

TRANSFERRING FUNDS FROM THE WILLIAM CEASE FUND

WHEREAS, the William Cease Fund (the "Fund") was created to support youth activities within the City of Dunkirk; and

WHEREAS, the Fund currently has the funds available and designated for youth use in a reserve account; and

WHEREAS, the Northern Chautauqua Soccer Association, which provides positive recreational opportunities for many City youth, has requested financial assistance from the City through the Fund in order to purchase soccer goals for use by its youth program; now, therefore, be it

RESOLVED, that a transfer not exceeding Two Thousand Two Hundred Twelve Dollars and Ninety-Seven Cents (\$2,212.97) be withdrawn from the William Cease Fund account in accordance with the terms of the reserve fund to contribute toward the Northern Chautauqua Soccer Association; and, be it finally

RESOLVED, that the Fiscal Affairs Officer and the Treasurer's office make the following entries on the ledger of this City, to accommodate the City's share of this project:

<u>ACCOUNT NO.</u>	<u>LINE</u>	<u>INCREASE</u>	<u>DECREASE</u>
001-7140-4003	Recreation – Supplies	\$2,212.97	
001-0001-5031	Inter-fund Transfer	\$2,212.97	
070-0070-2403	Reserve/Youth Programs	\$2,212.97	
070-0070-9901-9000	Transfer to General Fund	\$2,212.97	

The following journal entries will be recorded upon approval:

070-0070-0200-2016	Cash		\$2,212.97
070-0070-9901-9000	Transfer to General Fund	\$2,212.97	
001-0001-0200-0216	Cash	\$2,212.97	
001-0001-5031	Inter-fund Transfer		\$2,212.97

RESOLUTION #18-2015
APRIL 7, 2015

BY: THE ENTIRE COUNCIL

SUBMISSION OF FY2015 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 (3) public meetings, one (1) technical assistance session, and a thirty-day public review and comment period has been afforded to City residents; now, therefore, be it

RESOLVED, that the following activities have been included in the 2015 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.

2015 CDBG ALLOCATIONS

Administration and Planning <ul style="list-style-type: none">• General Administration• Planning/Studies	\$40,000.00 \$10,000.00	\$ 50,000.00
Public Facilities and Infrastructure Improvements <ul style="list-style-type: none">• Street Improvements• Water Line Reconstruction• Park Development	\$89,447.00 \$15,000.00 \$10,000.00	\$114,447.00
Public Services <ul style="list-style-type: none">• Career Explorers – Boys & Girls Club• Meals on Wheels• Rural Ministries Food Bank	\$15,000.00 \$ 7,000.00 \$25,800.00	\$ 47,800.00
Housing <ul style="list-style-type: none">• Rental Rehabilitation• Emergency Repairs	\$50,200.00 \$50,000.00	\$100,200.00
Acquisition, Disposition, Clearance, Relocation <ul style="list-style-type: none">• Demolition	\$75,600.00	\$ 75,600.00
Total 2015 Allocation		\$388,047.00

RESOLUTION #19-2015

APRIL 7, 2015

BY: THE ENTIRE COUNCIL

AUTHORIZING THE CITY'S CITIZEN PARTICIPATION PLAN

WHEREAS, the City of Dunkirk is a recipient of US Department of Housing & Urban Development Community Development Block Grant (CDBG) funds, and, as such, the City is required to have a Citizen Participation Plan which serves as a guide for how the City will involve citizens in the process of developing a five-year Consolidated Plan, Annual Action Plans and Consolidated Annual Performance and Evaluation Reports; and

WHEREAS, the City is required to follow a detailed Citizen Participation Plan that describes the City's policies and procedures for public involvement in the Consolidated Plan process, and the use of Community Development Block Grant (CDBG) funds; and

WHEREAS, the City's proposed Citizen Participation Plan was presented at a public hearing on March 12, 2015, and City residents have been afforded a thirty-day (30) comment period in which they could submit their comments to the City regarding this proposed Citizen Participation Plan; and, now, therefore, be it

RESOLVED, that the Common Council hereby authorizes the Mayor to submit the City's Citizen Participation Plan and the public comments received to HUD for its review, comments and final approval.

RESOLUTION #20-2015

APRIL 7, 2015

BY: THE ENTIRE COUNCIL

DENIAL OF APPLICATIONS FOR REFUND AND CREDIT OF REAL PROPERTY TAXES FOR YEARS 2010-12 SUBMITTED BY LEVEL 3 COMMUNICATIONS LLC

WHEREAS, Level 3 Communications LLC (Level 3) filed applications for refunds and credits of real property taxes for years 2010, 2011 and 2012, pursuant to Real Property Tax Law Section 556 for each of the parcels set forth below; and

WHEREAS, the County Director of Real Property Tax denied said applications for refunds and credits on form RP-556, dated August 18, 2014; and

WHEREAS, the Director of Real Property Tax has recommended that the aforesaid applications be denied for the following reasons:

- (1) Applicant's property constitutes real property under Real Property Tax Law (RPTL) Section 102(12)(f) and (i);
- (2) The application fails to establish a clerical error, an unlawful entry or an error in essential fact as defined in Article 5 and Section 550 of the RPTL;
- (3) Applicant's proper remedy is to bring a tax certiorari proceeding under Article 7 of the RPTL. Applicant failed to follow those procedures and the time period in which to do so under Article 7 has expired;
- (4) No administrative grievance or complaint was filed pursuant to Section 524 of the RPTL;
- (5) The applications contain conclusory allegations with respect to fiber optic cables and fails to contain detailed and sufficient evidence and proof with respect to the identity, location, composition and usage of its property and lines;
- (6) The RCN case, which Applicant relies upon, is factually and legally distinguishable from the circumstances involving the Level 3 property located in Chautauqua County and, in any event, is in a different department and not binding on the courts in the Appellate Division, Fourth Department;
- (7) Level 3 has no right to a refund or credit because it paid the taxes without an appropriate written protest;
- (8) The applications should be denied on public policy grounds because the applicant voluntarily deferred its challenge to the public assessments and exposed the municipalities and school districts to retroactive disruption of their budgets; and
- (9) The applications are untimely and barred by the applicable statute of limitations; now, therefore, be it

RESOLVED, that the applications for refunds and credits submitted by Level 3 Communications LLC for the following parcel are hereby denied for the reasons set forth in numbered paragraphs 1-9 above:

Dunkirk 060300-55.00-5.55..PS4

RESOLUTION #21-2014
APRIL 7, 2015

BY: THE ENTIRE COUNCIL

**AUTHORIZING TERMINABLE REVOCABLE LICENSE
FOR BOAT LAUNCH OPERATIONS
(Chadwick Bay Marina Holdings, Inc.)**

WHEREAS, the City of Dunkirk is the owner of certain improved real property located at and designated as the City Pier, which includes a municipal boat launch, harbormaster building (including restrooms) and fish-cleaning station (collectively the "Premises"); and

WHEREAS, the City had a successful 2014 summer season utilizing a vendor selected after seeking proposals from qualified and interested vendors capable of operating the Premises on a contract basis; and

WHEREAS, Chadwick Bay Marina Holdings, Inc. (Chadwick Bay) has again expressed a desire to continue to operate and maintain the Premises; and

WHEREAS, Chadwick Bay is ready, willing and able to provide such services in a good and workmanlike manner on behalf of the City, and it would be in the best interest of the City to contract for such services with Chadwick Bay; now, therefore, be it

RESOLVED, that the Mayor is hereby authorized to execute any necessary documents, including a terminable revocable license agreement with **Chadwick Bay Marina Holdings, Inc.**, 30 Central Avenue, P.O. Box 263, Dunkirk, New York 14048, for the operation of the municipal boat launch, harbormaster building (including restrooms) and fish-cleaning station for a period from April 15, 2015 through October 31, 2015 (daily 7:00 a.m. to 7:00 p.m.) at a fee of Two Hundred Seventy-Five Dollars and Zero Cents (\$275.00) per month, *pro rata* in advance; and, be it finally

RESOLVED, that the revenue received is to be allocated to Lease of City Property Account Number 001-0001-2410-4112.

RESOLUTION #22-2015

APRIL 7, 2015

BY: THE ENTIRE COUNCIL

**AUTHORIZE LOCAL CABLE PROGRAM DIRECTOR AGREEMENT
(Daniel Riewaldt and Steve Wright, Jr.)**

WHEREAS, it would be in the best interests of the City to revitalize the local access programming opportunities on the City's local cable access channel; and

WHEREAS, Daniel Riewaldt and Steve Wright, Jr., provide a unique prospect for such revitalized opportunities and has agreed to provide the primary production oversight and operational management for the City's local access channel; and

WHEREAS, it would be in the best interest of the City to contract for such program director services; and

WHEREAS, Daniel Riewaldt and Steve Wright, Jr., are ready, willing and able to provide such services to and on behalf of the City in a good and workmanlike manner; and

WHEREAS, there is a need on occasion for the on-site production of access programming; now, therefore, be it

RESOLVED, that the Mayor is directed and authorized to execute any and all agreements necessary to engage the services of Daniel Riewaldt, 188 Liberty Street, Fredonia, New York 14063, to provide primary production oversight and operational management for the City's local access channel for the period April 8, 2015 through October 31, 2015, at the cost not to exceed Four Hundred Twenty-Five Dollars and Zero Cents (\$425.00) per month, *pro rata*, for any access channel-related services; and, be it further

RESOLVED, that the Mayor is directed and authorized to execute any and all agreements necessary to engage the services of Steve Wright Jr., 6999 McKay Road, Mayville, NY 14757, to provide primary production oversight and operational management for the City's local access channel for the period April 8, 2015 through October 31, 2015, at the cost not to exceed Four Hundred Dollars and Zero Cents (\$400.00) per month, *pro rata*, for any access channel-related services; and, be it further

RESOLVED, that the Mayor is directed and authorized to engage such individuals as may be trained and qualified to provide on-site production of access programming at the cost of Twenty Dollars and Zero Cents (\$20.00) per event, on an as-needed basis; and, be it finally

RESOLVED, that the payments for such services be made from Account No. 001-8050-4036-0000 (Contracted Services).