

AGENDA - COMMON COUNCIL MEETING – April 16, 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.
 1. Communication from Mayor Dolce appointing Tom Murphy to the Greater Dunkirk Area Harbor Commission due to the resignation of Shaun Heenan effective April 16, 2013 and will expire June 6, 2014.
6. Communications from the public and petitions:
 1. Request from the Dunkirk Joint Veterans Council to hold the Annual Memorial Day Services & Parade on Monday, May 27th at 10:00 AM with parade to follow; reviewing stands & chairs at Memorial Park & City Hall and participation by the Mayor and City Officials.
 2. Request from Frank Acquavia Memorial Post No. 1344 for permission to hold their annual Memorial Day Activities on Monday, May 27th from Noon until 7:00 PM. Also requesting the use of picnic tables, trash barrels, and snow fencing.
 3. Request from Carmen Lara to use Point Gratiot Beach on June 29th beginning at 10:30 AM for a wedding ceremony.
 4. Request by Stephen O'Brien, Dunkirk High School Principal, for two police officers at the Moose Club for the Junior/Senior Prom on Saturday, April 27th from 7:45 PM to 12:15 AM.
 5. Loudspeaker applications from:
 - a) Rookies Sports Bar on the Lake for live bands from May 1st thru October 31st.
 - b) Frank Acquavia Memorial Post #1344 American Legion for a band on May 27th from 3:00 PM until 7:00 PM.
7. Reports of Standing Committees, Boards and Commissions.
8. Unfinished Business:
9. Pre-filed Resolutions:
 22. Resolution authorizing Boardwalk Lease Agreement (Erika Finamore DBA Yummy's Lakeside).

23. Resolution authorizing 2013 Directors Stipend – Dunkirk Housing Authority.
10. New Business:
11. Adjournment.

Lacy L. Lawrence
City Clerk



CITY OF DUNKIRK
A Chadwick Bay Community

Office of the Mayor
City Hall, Dunkirk, New York 14048

ANTHONY J. DOLCE
MAYOR
(716) 366-9881
FAX (716) 366-2049

April 10, 2013

Dunkirk Common Council
City Hall
Dunkirk, NY 14048

Dear Council Members:

Please be advised that due to the resignation of Mr. Shaun Heenan from the Greater Dunkirk Area Harbor Commission, I hereby appoint Mr. Tom Murphy of 938 Central Avenue, Dunkirk to fill this unexpired term. This appointment is effective April 16, 2013 and will expire June 6, 2014.

Thank you.

Sincerely,

ANTHONY J. DOLCE
Mayor

AJD:cao

cc: City Clerk
Personnel
Harbor Commission



Dunkirk Joint Veterans Council

To: Honorable Mayor Anthony Dolce
Members of the Common Council

April 25, 2013

2013 AP - 5 PM 12:10

RECEIVED
CLEANING SERVICE
DUNKIRK, N.Y.

Subject: 2013 Memorial Day Services & Parade

The Dunkirk Joint Veterans Council is requesting permission to hold the Annual Memorial Day Services & Memorial Parade on Monday, May 27, 2013.

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 2013 our 47th 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.

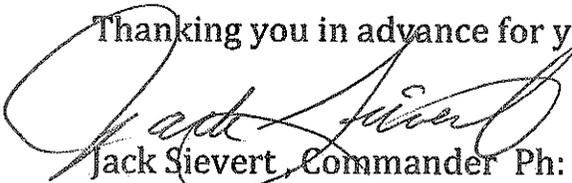
In case of inclement weather, the Parade will be postponed up to one hour. Should the rain continue, Memorial Day Services will be held at the American Legion, Post 62, Central Avenue, Dunkirk, New York.

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.

Thanking you in advance for your continued support and cooperation.



Jack Sievert, Commander Ph: 716-366-4082

Email: sievert5594@roadrunner.com

FRANK ACQUAVIA MEMORIAL POST #1344
AMERICAN LEGION
221 LAKE SHORE DRIVE WEST
DUNKIRK, NEW YORK 14048

April 9, 2013

Common Council
City Of Dunkirk, New York 14048

Re: Memorial Day Activities:

Member of the Common Council:

As in the past, The Frank Acquavia Memorial Post #1344 will be holding our annual Memorial Day Activities on Monday May 27th, 2013. Following the City's Memorial Day Services and Parade.

Starting at Noon, the event will consist of a Chicken Bar-B-Q and live music out doors from 3PM to 7PM. All doings will be on Post #1344 property and security will be provided by Post Officers and it's members as in the past.

We are requesting the following items from the City:

1. Twenty (20) picnic tables.
2. Eight (8) trash barrels
3. 150 feet of snow fence with post and the post tool.

Payment for the picnic tables will follow as in the past.

Please contact Jim Muscato Sr. Post Treasurer for delivery arrangements by calling 680-0676.

For God and Country, I remain,

James A. Muscato

2013 APR 10 AM 10:10

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

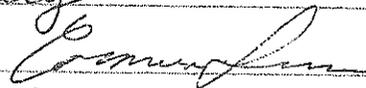
March 31, 2013

Mayor A.J. Dolce & Council,

RECEIVED
CLERK'S OFFICE
DUNKIRK, N.Y.

My name is Carmen Lara. I am writing you this letter seeking the city's permission for my special day. I will be getting married on June 29th 2013, and would like to have my ceremony on the Beach at Point Bariatist Park. It would be a small, short ceremony with approximately 50 people. I would like to start the ceremony by 10:30 very latest 11:00, we shouldn't be there more than an hour tops. The church I attend Iglesia Varija De Honra (Vessel of Honor) located at the back part of Ceino's Music store is way to small. I picked the beach because I have many memories there with my father and it's become a part of me. He passed away 2 years ago in the hospital after getting hit by a pickup truck here in Dunkirk. It will mean the world to me if my wedding day would be surrounded by his memory and spirit being that he is not here to share this moment in life to walk me down the aisle and give me away. You can contact me at (716) 410-3726 or write me to 30 west 4th st. Dunkirk NY 14048. I would greatly appreciate it. Thank you

Sincerely,



Carmen Lara

RECEIVED
CLERK'S OFFICE
DUNKIRK, N.Y.



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

April 9, 2013

RECEIVED

APR 10 2013

DUNKIRK POLICE DEPT

RECEIVED
DUNKIRK POLICE DEPT
DUNKIRK, N.Y.
APR 10 AM 9:19

Chief David Ortolano
Dunkirk Police Department
342 Central Avenue
Dunkirk, New York 14048

Dear Chief Ortolano:

The students of Dunkirk Senior High School will be having their Junior-Senior Prom on Saturday, April 27, from 8:00 PM – 12:00 AM, at the Moose Club, located on Lake Shore Drive West, in Dunkirk. We are requesting 2 police officers be present at our dance from 7:45 PM – 12:15 AM. We will be doing breathalyzer tests of each student attending the dance.

Please feel free to contact me at 366-9300, extension 2071, should you have any questions. As always, thank you for your on-going support.

Sincerely,

Stephen J. O'Brien
High School Principal

c: Ms. Saye, Junior Class Advisor
Ms. Michael, Junior Class Advisor

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

DATE OF APPLICATION (must be 30 days Prior to event): 4/1/13

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

DATE: ^{MAY 01 2013} OCT. 31 2013 TIME: 9PM to 1AM LOCATION OF EVENT: 19-21 L.S.D.E. Dunkirk NY

SPONSOR: Rookies Sports Bar on the Lake

NAME: Rookies Sports Bar on the Lake PHONE NO.

ADDRESS: 19-21 L.S.D.E

INDIVIDUAL CORPORATE CHARITABLE COMMUNITY

RESPONSIBLE INDIVIDUAL:

NAME: Deborah Zappie PHONE: 716-366-8173

ADDRESS: 712 Deer St Dunkirk NY 14048

REASON: To provide entertainment for customers of Rookies Sports Bar

AUDIO DEVICE TO BE USED: speaker / amplifier and associated equipment for live entertainment as well as mechanical music

PUBLIC EVENT PRIVATE EVENT

NOTIFICATION OF AFFECTED PERSONS

YES IF YES, PROOF:

NO

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

Signature: Deborah A Zappie

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT OLC 4/8/13		
DEPT OF PUBLIC WORKS 4/6/13		
DEPT OF LAW RAS 4/4/13		
OTHER		

COMMON COUNCIL ACTION

RECEIPT OF REVIEW

APPROVAL

CONDITIONS:

DISAPPROVED

RECEIVED
 1. CLERK'S OFFICE
 DUNKIRK, N.Y.
 4/13/13 3:52 AM

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

DATE OF APPLICATION (must be 30 days Prior to event): APRIL 9, 2013

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

DATE: MAY 27-2013 **TIME:** 3PM-7PM **LOCATION OF EVENT:** 221 LAKE SHORE DR. W. DUNKIRK, N.Y. 14048

SPONSOR: FRANK AGUIRRE MEMORIAL POST 1344 AMERICAN LEGION

NAME: SAME **PHONE NO.** 716-363-7344
680-0676

ADDRESS: SAME

INDIVIDUAL CORPORATE CHARITABLE COMMUNITY

RESPONSIBLE INDIVIDUAL:

NAME: JAMES A. MUSCATO **PHONE:** 680-0676

ADDRESS: 280 LAKE SHORE DR. WEST DUNKIRK N.Y. 14048

REASON: ANNUAL MEMORIAL DAY B-B-Q.

AUDIO DEVICE TO BE USED: AMPS FOR BAND

PUBLIC EVENT PRIVATE EVENT

NOTIFICATION OF AFFECTED PERSONS

YES **IF YES, PROOF:**

NO

RECEIVED
CLERK'S OFFICE
DUNKIRK, N.Y.
MAY 10 AM 10:10

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

Signature: James A. Muscato

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT <u>OK 4/10/13</u>		
DEPT OF PUBLIC WORKS <u>AS 4/14/13</u>		
DEPT OF LAW <u>AS 4/10/13</u>		
OTHER		

COMMON COUNCIL ACTION

RECEIPT OF REVIEW

APPROVAL

CONDITIONS:

DISAPPROVED

RESOLUTION #22-2013

APRIL 16, 2013

BY: THE ENTIRE COUNCIL

**AUTHORIZING BOARDWALK LEASE AGREEMENT
(Erika Finamore DBA Yummy's Lakeside)**

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

WHEREAS, the City of Dunkirk has available space in the Boardwalk and desires to enter into an agreement with **Erika Finamore DBA Yummy's Lakeside**, to lease a portion of the Boardwalk for retail sales of ice cream and frozen confections to the general public; now, therefore, be it

RESOLVED, that the Mayor, Anthony J. Dolce, is hereby authorized to execute a lease agreement with **Erika Finamore DBA Yummy's Lakeside**, 7257 Autumn Lane, Fairview, PA 16415, for rental of 16 Central Avenue, Dunkirk, New York 14048, for a one (1) year period (May 1, 2013 and terminating on April 30, 2014) at an annual rental of Three Thousand Nine Hundred Dollars and Zero Cents (\$3,900.00).

RESOLUTION #23-2013

APRIL 16, 2013

BY: COUNCILMEN MICHALSKI, RIVERA and GONZALEZ

AUTHORIZING 2013 DIRECTORS STIPEND – DUNKIRK HOUSING AUTHORITY

WHEREAS, the City of Dunkirk has in the past provided to the Members of the Board of the Dunkirk Housing Authority a monthly meeting stipend; and

WHEREAS, such stipend was not funded in the 2013 City Budget which was ratified on November 20, 2012 (Resolution No. 102-2012); now, therefore, be it

RESOLVED, that the Dunkirk Common Council hereby approves a monthly meeting stipend to Members of the Board of the Dunkirk Housing Authority for Fiscal Year 2013, in the amount of Thirty Dollars and Zero Cents (\$30.00) per Member per monthly meeting, and Forty Dollars and Zero Cents (\$40.00) to the Chairman of the Board and Treasurer per monthly meeting, with the total annual amount of such stipends not to exceed the appropriated amount of Two Thousand Seven Hundred Sixty Dollars and Zero Cents (\$2,760.00); and, be it finally

RESOLVED, that the Fiscal Affairs Officer and/or City Treasurer make the following budgetary adjustments:

Decrease

Acct. 001-1900-1990-0000 CONTINGENCIES	\$2,760.00
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Increase

Acct. 001-8612-4036-0000 CONTRACTED SERVICES	\$2,760.00
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