

AGENDA - COMMON COUNCIL MEETING – April 21, 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.
  1. Appointing and re-appointing members to the Assessment Review Board and Greater Dunkirk Area Harbor Commission.
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 18<sup>th</sup> thru Sunday June 19<sup>th</sup> 2016, Saturday June 17<sup>th</sup> thru Sunday June 18<sup>th</sup> 2017 and Saturday June 16<sup>th</sup> thru Sunday June 17<sup>th</sup> 2018 for their annual Juneteenth Celebration. Also, requesting the use of picnic tables, electricity, water and portable toilets.
  2. Request from Harvest Chapel Church to use Washington Park on July 10<sup>th</sup> (Rain date July 17<sup>th</sup>) from 5:00 PM until 8:30 PM, permission to bring in grills, coolers and use of electric power for their popcorn machine. Also requesting permission to bring in ponies for pony rides.
  3. Request from Dunkirk Local Development Corporation – Festivals Committee for the City's assistance and use of City facilities for their Summer on the Lake events.
  4. Dunkirk Senior High School for 2 Police Officers on Saturday, May 30<sup>th</sup> 2015 from 7:45 PM until 12:15 AM for their Junior-Senior Prom.
  5. Loudspeaker application from:
    - a) Taqueria Mexicana for loudspeakers at 45 Lake Shore Drive East on July 4<sup>th</sup> from 1:00 PM until 12:00 AM.
    - b) Harvest Chapel Church for audio equipment, speakers, amplifiers and microphones in Washington Park on July 10<sup>th</sup> (Rain date July 17<sup>th</sup>) from 6:00 PM until 7:30 PM.
    - c) Dunkirk Local Development Corporation – Festivals Committee for professional audio equipment and DJ on June 28<sup>th</sup> from 2:00 PM until 6:00 PM, July 3<sup>rd</sup> & 4<sup>th</sup> from 2:00 PM until 6:00 PM, September 6<sup>th</sup> from 1:00 PM until 4:00 PM, and Thursdays June 18<sup>th</sup> thru August 27<sup>th</sup> from 6:30 PM until 8:30 PM.
  6. Notice of claim from:
    - a) Patrick Rojas for damages to his vehicle allegedly due to hitting a pot hole on Central Avenue and Howard Street.

- b) Jason Sebzda for damages to his vehicle allegedly due to a rusted stop sign that fell on vehicle.

7. Reports of Standing Committees, Boards and Commissions.

8. Unfinished Business:

9. Pre-filed Resolutions:

23. Resolution accepting hanging flower basket donation.

24. Resolution establishing policy for use of City facilities.

25. Resolution authorizing budget modifications (April 2015).

26. Resolution authorizing budget modifications (April 2015).

27. Resolution accepting FEMA Assistance Fund Award.

28. Resolution awarding bid for Water Treatment Plant Sedimentation Basin Sludge Collection Systems (Water Treatment Facility – Phase 1 and 2 Continuation).

29. Resolution awarding bid for Benton Water Tank repairs (Water Treatment Facility – Phase 1 and 2 Continuation).

30. Resolution authorizing Agreement for Independent Contractor (N. Waite) (Community Development Block Grant Program).

10. New Business:

11. Adjournment.

Nicole Joiner  
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 16, 2015

Dunkirk Common Council  
City Hall  
Dunkirk, NY 14048

Ladies and Gentlemen:

Please be advised that I hereby appoint Jamie Thompson of 7 Taft Place, Dunkirk, NY to fill the unexpired term of Willie Rosas on the Board of Assessment Review. This appointment is effective May 6, 2015 and will expire September 20, 2017.

Very truly yours,

ANTHONY J. DOLCE  
Mayor

AJD:cao

cc: City Clerk  
Clerk, Board of Assessors  
Personnel  
Payroll

2015 AP 16 PM 1:06

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



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 16, 2015

Dunkirk Common Council  
City Hall  
Dunkirk, NY 14048

Dear Council Members:

Please be advised that I hereby make the following appointments/re-appointments to the Greater Dunkirk Area Harbor Commission:

		<u>Expiration Date</u>
Allan Zurawski	629 Swan Street, Dunkirk	8/31/17
Dennis Wolfe	67 E. Front Street, Dunkirk	8/31/17
Ron Veklotz	134 W. Fourth St., Dunkirk	6/6/16
Kurt Warmbrodt	115 Frasier Street, Dunkirk	6/6/16

Please note that terms are retroactive to the original expiration date and become effective April 22, 2015.

Very truly yours,

ANTHONY J. DOLCE  
Mayor

AJD:cao  
cc: City Clerk  
Personnel  
Harbor Commission

2015 AP 16 PM 1:06  
CITY CLERK'S OFFICE  
DUNKIRK, N.Y.  
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# JUNETEENTH

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



March 17, 2015

Mayor A. J. Dolce  
Councilman-at-Large  
City of Dunkirk Common Council  
City Hall  
Dunkirk, New York 14048

2015 MR 18 PM 3:27

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CITY CLERK'S OFFICE  
DUNKIRK, N.Y.

RE: 2016, 2017, and 2018 Juneteenth Celebration

Dear City Officials:

The Juneteenth Celebration Committee will be having Juneteenth 2016 on Saturday and Sunday, June 18<sup>th</sup> and 19<sup>th</sup>; Juneteenth 2017 on Saturday and Sunday, June 17<sup>th</sup> and 18<sup>th</sup>; and Juneteenth 2018 on Saturday and Sunday, June 16<sup>th</sup> and 17<sup>th</sup>.

We are requesting the use of Memorial Park, Lake Shore West, Dunkirk, New York, as our venue on the above dates. 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.

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

Please contact me at 363-1102; 673-3671; or [Loretta.torain@fredonia.edu](mailto:Loretta.torain@fredonia.edu) 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



# Harvest Chapel

39 Matteson Street, Fredonia, NY 14063 Tel: 716-679-0987 Fax: 716-672-3417

April 7, 2015

Nicole Joiner  
City of Dunkirk City Clerk  
342 Central Ave.  
Dunkirk, NY 14048

Dear Nicole,

For the last several years the City of Dunkirk has partnered with us for the benefit of the community by granting us permission to utilize Washington Park for several free, fun, family events. In 2014, we utilized the Park for our annual "5-Day Club Street JAM" closing carnival and block party cook out in July as well as for our "Courtney Street Christmas in the Park" this past December. Our events were well attended and provided a great time of food, fun and festivities with our friends in Dunkirk. We trust that the City and Parks administrators and staff were pleased with the condition in which we left the park after our events and also with the knowledge that the families of Dunkirk were able participate in several fun, safe, and free community events.

I am writing today to once again request the use of Washington Park for one evening this summer. Please consider our request to utilize the park on Friday, July 10th, 2015 (rain date July 17<sup>th</sup>). Our event will run from 6:00-7:30 pm with set-up and clean up requiring another hour at each end. Our time in the park will be less than 4 hours and we will be cleaned up and gone before dark.

Here is what we have planned for the early evening of Friday, July 10, 2015. On that evening we will be holding a closing celebration Community Block Party and Carnival to wrap up our 14<sup>th</sup> annual 5-Day Club Street JAM. The carnival is not just for the children and their families that attended our program during the week, but is for any families living in the neighboring community as well. Our carnival will be fully staffed by Harvest Chapel volunteers and is entirely free to those who come.

Here is a summary of what we have planned:

- ❖ Hamburger and hot dog cookout to include drinks, cookies and chips
- ❖ Face painting
- ❖ Pony rides (as always, the "Party Pony" team cleans up after their ponies!)
- ❖ Carnival games with prizes
- ❖ Door prize drawings

2015 AP 16 AM 10:03  
RECEIVED  
CITY CLERK'S OFFICE  
DUNKIRK, N.Y.

- ❖ We will have live music and will be using a microphone for announcing the arrival of the ponies and the winners of the door prizes. No preaching or teaching will be a part of our event.

For our cookout we will have the need to bring in grills, coolers and so forth and we will also require the use of power for our microphones, sound and our popcorn machine. We will also be setting up a few pop up tents and tables and chairs for facilitating our many activities and will bring along garbage cans, bags, a first aid kit and all that is needed for our event. Lastly, I understand that we will require a permit to be granted for the use of an audio system for us to play music and to utilize a microphone. Again, there will be no preaching or teaching during our carnival but rather the playing of music and the announcing of door prize winners on the microphone that require the use of an audio system. Please grant us this permit in addition to permission for the use of Washington Park.

If you have any questions I may be reached at Harvest Chapel Church at the number above or at my home (934-2417). If you would like to speak with references about our community activities, partnerships or programs I would be happy to provide those references for you upon request. Lastly, I have included both a Loudspeaker Permit request and a copy of our current liability insurance as per years past.

Sincerely,

**Lisa Leavitt**

Children's Ministry Director  
Harvest Chapel Church

Dunkirk Festivals  
338 Central Avenue  
Suite 210  
Dunkirk, NY 14048



Phone: (716)366-9876  
Fax: (716)363-6460  
info@visitdunkirk.com  
www.VisitDunkirk.com

April 10, 2015

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

Dear Common Council:

The Dunkirk Local Development Corporation-Festivals Committee is requesting the City's assistance and use of City facilities for our annual Summer on the Lake events. We are requesting the following:

- **Sunday, June 28** – Beach Bash. We are requesting the use of Wright Park Beach, and to close the roads from Pine and N. Serval to Lake Front Blvd and N. Ocelot for the annual Beach Bash.
- **Thursdays, June 18-August 28** – Music on the Pier. We are requesting the use of the City Pier for the 8<sup>th</sup> year of the Music on the Pier series.
- **Saturday, July 4** – Fourth of July Celebration. We are requesting the use of Memorial Park for the annual Fourth of July celebration. There will be food vendors from Thursday through Saturday. There will also be live entertainment on July 3 & 4.
- **Sunday, Sept 6**– Picnic in the Point. We are requesting the use of Point Gratiot from 12pm-4pm for this annual event.

Thank you for your assistance.

A handwritten signature in black ink, appearing to be "Lacy Lawrence", written over a horizontal line.

Lacy Lawrence  
Dunkirk Festivals

2015 AP 13 AM 11:34  
RECEIVED  
CITY 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 15, 2015

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

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APR 15 2015

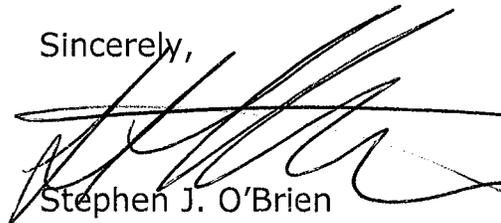
DUNKIRK POLICE DEPT

Dear Chief Ortolano:

The students of Dunkirk Senior High School will be having their Junior-Senior Prom on Saturday, May 30, from 8:00 PM – 12:00 AM, at the Dunkirk Senior High School. 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

cc: Ms. Larivey, Junior Class Advisor  
Ms. Domenico, Junior Class Advisor  
Ms. Donna Kubera, Senior Class Advisor

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CHIEF CLERK'S OFFICE  
DUNKIRK, N.Y.  
2015 APR 15 PM 1:10

# APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO.

(DCC-47-6-C)

**DATE OF APPLICATION (must be 30 days Prior to event):** 4/8/15

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

**DATE:** 7/4/15 **TIME:** 1:00pm-12:00am **LOCATION OF EVENT:** 45 Lake Taqueria Mexicana

**SPONSOR:** Taqueria Mexicana

**NAME:** Taqueria Mexicana **PHONE NO.** 866-4030

**ADDRESS:** 45 Lakeshore Drive Dunkirk ny (907-5815)  
14048

INDIVIDUAL     CORPORATE     CHARITABLE     COMMUNITY

**RESPONSIBLE INDIVIDUAL:**

**NAME:** Pablo Rocha **PHONE:** 366-4030

**ADDRESS:** 45 Lakeshore Drive

**REASON:** 4th of July celebration

**AUDIO DEVICE TO BE USED:** live Band. Speakers, amplifier...

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: Pablo Rocha

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT <u>OK 4/8/15</u>		
DEPT OF PUBLIC WORKS <u>Ag 4/8/15</u>		
DEPT OF LAW <u>ATS 4/8/15</u>		
OTHER		

**COMMON COUNCIL ACTION**

**RECEIPT OF REVIEW**

**APPROVAL**

**CONDITIONS:**

**DISAPPROVED**

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 CITY CLERK'S OFFICE  
 DUNKIRK, N.Y.  
 2015 APR 08 AM 9:35

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

**DATE OF APPLICATION (must be 30 days Prior to event):** April 7, 2015

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

**DATE:** July 10<sup>th</sup> 2015 **TIME:** 4:30-8:30 event 6-7:30 clean-up, set-up **LOCATION OF EVENT:** Washington Park

**SPONSOR:** Harvest Chapel Church

**NAME:** Lisa Leavitt **PHONE NO.** 679-0987

**ADDRESS:** 39 Matteson St. Fredonia, NY 14063

INDIVIDUAL  CORPORATE  CHARITABLE  COMMUNITY

**RESPONSIBLE INDIVIDUAL:**

**NAME:** LISA Leavitt **PHONE:** 679-0987

**ADDRESS:** 39 Matteson St. Fredonia, NY

**REASON:**

**AUDIO DEVICE TO BE USED:** Audio equipment, microphone, speakers for live or pre-recorded music

PUBLIC EVENT  PRIVATE EVENT

2015 APR 10 AM 10:24  
CITY OF FREDONIA  
PARK, N.Y.

**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:** Lisa Leavitt

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT <u>OK 4/10/15</u>		
DEPT OF PUBLIC WORKS <u>OK 4/13/15</u>		
DEPT OF LAW <u>PAS 4/10/15</u>		
OTHER		

**COMMON COUNCIL ACTION**

**RECEIPT OF REVIEW**

**APPROVAL**

**CONDITIONS:**

**DISAPPROVED**

# 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:** June 28 **TIME:** 2-10:00pm **LOCATION OF EVENT:** Wight Park

**SPONSOR:** Dunkin' Donuts Corp.

**NAME:** Summer Festivals **PHONE NO.:** 366 9876

**ADDRESS:** 343 Central Ave  
Hempstead

INDIVIDUAL  CORPORATE  CHARITABLE  COMMUNITY

**RESPONSIBLE INDIVIDUAL:**

**NAME:** [unclear] **PHONE:** 366 9876

**ADDRESS:** 347 Central Ave

**REASON:** Community Festival Beach Bash

**AUDIO DEVICE TO BE USED:** Stage Professional Equipment

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: [Signature]

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT <u>OK 4/13/15</u>		<div style="transform: rotate(-45deg);">                     RECEIVED                      CITY CLERK'S OFFICE                      BIRMINGHAM, N.Y.                      25 AP 13 AM 11:34                 </div>
DEPT OF PUBLIC WORKS <u>OK 4/13/15</u>		
DEPT OF LAW <u>OK 4/13/15</u>		
OTHER		

**COMMON COUNCIL ACTION**

**RECEIPT OF REVIEW**

**APPROVAL**

**CONDITIONS:**

**DISAPPROVED**

# 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:** July 3 **TIME:** 2-6pm **LOCATION OF EVENT:** Memorial Park  
**SPONSOR:** Dunkirk Local Devel. Corp.  
**NAME:** Summer Festivals **PHONE NO.:** 366-9876  
**ADDRESS:** 342 Central Ave  
 Dunkirk NY

INDIVIDUAL  CORPORATE  CHARITABLE  COMMUNITY

**RESPONSIBLE INDIVIDUAL:**

**NAME:** L. Lawrence **PHONE:** 366-9876  
**ADDRESS:** 342 Central Ave  
**REASON:** Summer Festival - July 4th Festival

**AUDIO DEVICE TO BE USED:** Stage & Professional DJ Equipment

PUBLIC EVENT  PRIVATE EVENT

**NOTIFICATION OF AFFECTED PERSONS**

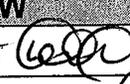
YES **IF YES, PROOF:**

NO

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

Signature: 

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 CITY CLERK'S OFFICE  
 DUNKIRK, N.Y.  
 2015 APR 13 AM 11:34

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT <i>OK 4/13/15</i> 		
DEPT OF PUBLIC WORKS <i>OK 4/13/15</i> 		
DEPT OF LAW <i>AS 4/13/15</i>		
OTHER		

**COMMON COUNCIL ACTION**

**RECEIPT OF REVIEW**

**APPROVAL**

**CONDITIONS:**

**DISAPPROVED**

# 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:** July 4<sup>th</sup> **TIME:** 2-6pm **LOCATION OF EVENT:** Memorial Park

**SPONSOR:** Westerk Local Derel Corp.

**NAME:** Summer Festivals **PHONE NO.** 316-9876

**ADDRESS:** 342 Central Ave  
Bunkie NY

INDIVIDUAL  CORPORATE  CHARITABLE  COMMUNITY

**RESPONSIBLE INDIVIDUAL:**

**NAME:** Lou Laurent **PHONE:** 316-9876

**ADDRESS:** 342 Central Ave

**REASON:** Summer Festivals - July 4<sup>th</sup>

**AUDIO DEVICE TO BE USED:** Stage & professional DJ equipment

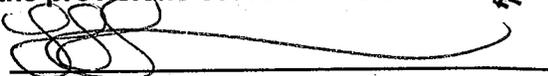
PUBLIC EVENT  PRIVATE EVENT

**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:** 

2015 AP 18 AM 11:34  
 CITY CLERK'S OFFICE  
 BUNKIE, N.Y.

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT <i>OK 4/13/15</i>		
DEPT OF PUBLIC WORKS <i>OK 4/13/15</i>		
DEPT OF LAW		
OTHER <i>OK 4/13/15</i>		

**COMMON COUNCIL ACTION**

**RECEIPT OF REVIEW**

**APPROVAL**

**CONDITIONS:**

**DISAPPROVED**

# 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:** Sept 16 **TIME:** 1-4pm **LOCATION OF EVENT:** Gratiot-Lower Pontiac  
**SPONSOR:** Dunkin' Local. Devel. Corp.  
**NAME:** Summer Festivals **PHONE NO.:** 313-9876  
**ADDRESS:** 347 Central Ave.

INDIVIDUAL  CORPORATE  CHARITABLE  COMMUNITY

**RESPONSIBLE INDIVIDUAL:**

**NAME:** Lory Lawrence **PHONE:** 313-9876  
**ADDRESS:** 347 Central Ave  
**REASON:** Summer Festivals - Picnic in Point

**AUDIO DEVICE TO BE USED:** Stage & Professional D. equipment

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:** *Jay Sawyer*

2015 APR 13 AM 11:34  
 WITH RECEIVED  
 DUNKIN' OFFICE  
 DUNKIN', N.Y.

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT <i>OK 4/13/15</i>		
DEPT OF PUBLIC WORKS <i>OK 4/13/15</i>		
DEPT OF LAW <i>OK 4/13/15</i>		
OTHER		

**COMMON COUNCIL ACTION**

**RECEIPT OF REVIEW**

**APPROVAL**

**CONDITIONS:**

**DISAPPROVED**

# APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO.

(DCC-47-6-C)

*Thursday April 9 - Aug 28*

**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:** *July 18 - Aug 28* **TIME:** *6:30 - 8:30* **LOCATION OF EVENT:** *Dunkirk Pier*

**SPONSOR:** *Dunkirk Local Bar Corp.*

**NAME:** *Summer Festivals* **PHONE NO.:** *315-48710*

**ADDRESS:** *342 Central Ave  
Dunkirk NY*

INDIVIDUAL  CORPORATE  CHARITABLE  COMMUNITY

**RESPONSIBLE INDIVIDUAL:**

**NAME:** *Lacey Lawrence* **PHONE:** *315-48710*

**ADDRESS:** *342 Central Ave*

**REASON:** *Music on Pier Community Festival*

**AUDIO DEVICE TO BE USED:** *Stager-D3 Equipment Professionals*

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: 

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT <i>DL 4/13/15</i>		
DEPT OF PUBLIC WORKS <i>dl 4/13/15</i>		
DEPT OF LAW <i>DL 4/13/15</i>		
OTHER		

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 DUNKIRK, N.Y.  
 2015 APR 13 AM 11:34

**COMMON COUNCIL ACTION**

**RECEIPT OF REVIEW**

**APPROVAL**

**CONDITIONS:**

**DISAPPROVED**

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: Patrick Rojas  
Claimant Address: 20 George Ct., Bellport N.Y.  
11743  
Claimant Telephone Number: (631) 626 2717

2015 APR 13 AM 11:22  
RECEIVED  
CITY CLERK'S OFFICE  
DUNKIRK, N.Y.

This claim is for (injuries/damages alleged): Damage to 1997 BMW  
328is parts and labor for radiator, cooling fan, fan shroud,  
parts shipping.

This claim is alleged to have arisen on the 8 day of March, 2015 at  
approximately 11 a.m./p.m. on that date at Central ave. near Howard.

The injuries and/or damages sustained by the Claimant arose in the following manner:  
Driving down Central Ave, hit large unavoidable pothole under bridge  
near Howard St. (documented in police report) pulled over, called police  
called AAA, lost car for 3 weeks approx.

The amount and type of injuries and/or damages sustained by the Claimant consist of the  
following: \$ 749.89 in repair charges (see attached repair bill)

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

Respectfully yours,  
[Signature] 4/13/15  
Claimant (date)

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

PATRICK ROJAS, 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.

Sworn to before me this  
13 day of April, 2015.

[Signature]  
Notary

JUDY A. KRZYZANOWICZ  
Notary Public, State of New York  
No. 01KP6169268  
Qualified in Chautauqua County  
My Commission Expires June 25, 2015

# MIDAS AUTO SERVICE EXPERTS

4007 VINEYARD DRIVE  
 DUNKIRK, NY 14048  
 Ph:716-366-2275, Fax:(716) 366-2279

## INVOICE

#66517 Page 1 of 1  
 3/24/2015, 6:00 PM  
 Estimate #150309012  
 Facility #: 7089815

ED ROJAS  
 1  
 CHADWICK BAY, NY 14048

CELL: 516-369-4864  
 ACCOUNT #:

1997 BMW 328IS  
 GMR6493 (NY)  
 ODOM IN/OUT: 168443 / 168443  
 WBABG1321VET04257  
 2.8L 6 Cyl.

749.89 MASTERCARD

Sales: 100:PUCCIARELLI, TONY J  
 Tech: 115:PELSEY, JUSTIN D

Qty	Item Number	Loc	Description	ST	Each	Labor	Misc	Extended
1	2488		RADIATOR	RO-	259.60	205.00		464.60
1	64508364093		COOLING FAN ASSY	RO	125.00			125.00
1	FT		PARTS SHIPPING	RO-	45.00			45.00
1	CUSTOM		FAN SHROUD	RO	62.97			62.97

Parts 492.57

Labor 205.00

Sub-Total 697.57

NY STATE Tax 52.32

**Grand Total 749.89**

THANK YOU FOR VISITING YOUR DUNKIRK MIDAS YOUR COMMENTS ARE WELCOME.

MIDAS INTERNATIONAL CORPORATION ISSUES WRITTEN WARRANTIES ON MUFFLERS, CATALYTIC CONVERTERS, SHOCK ABSORBERS, STRUT ASSEMBLIES, STRUT CARTRIDGES, BRAKE SHOES AND PADS, AND VARIABLE RATE SPRINGS. THE WARRANTY TERMS FOR THESE PRODUCTS ARE STATED ON SEPARATE PRINTED WARRANTY CERTIFICATES ISSUED TO YOU, TOGETHER WITH THE INVOICE, UPON THE PURCHASE OF THE APPROPRIATE WARRANTED PRODUCT. THE TERMS OF ALL WARRANTIES ARE IN THE MIDAS WARRANTY BINDER ON DISPLAY IN EACH MIDAS MUFFLER AND BRAKE SHOP. THIS WARRANTY GIVES YOU SPECIFIC LEGAL RIGHTS; YOU MAY ALSO HAVE OTHER RIGHTS WHICH VARY FROM STATE TO STATE. ALL OTHER PRODUCTS AND WORKMANSHIP ARE WARRANTED FOR NINETY (90) DAYS FROM THE DATE OF INSTALLATION. THERE NO OTHER WARRANTIES ISSUED BY MIDAS INTERNATIONAL CORPORATION. WARRANTY WORK WILL BE PERFORMED AT ANY MIDAS SHOP IN THE US OR CANADA OFFERING THE WARRANTED PRODUCT OR SERVICE. FOR THE ADDRESS OF YOUR NEAREST MIDAS SHOP, SEE THE YELLOW PAGES OF THE LOCAL TELEPHONE DIRECTORY OR WRITE MIDAS CONSUMER RELATIONS, 225 NORTH MICHIGAN AVENUE, CHICAGO, IL 60601.

MIDAS SHOP # 6297, NYS FACILITY # 7089815, S.S. VENDER # 122378

I CERTIFY THAT THE REPAIRS HAVE BEEN COMPLETED.

X \_\_\_\_\_

THIS INVOICE DOES NOT PEPLACE YOUR GUARANTEE.

3/24/2015

Notice of Claim  
City of Dunkirk, N.Y.

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

2015 AP 14 PM 2:55

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: Jason Sebza  
Claimant Address: 54 E. Green st  
Dunkirk, ny 14048  
Claimant Telephone Number: (716) 969-6011

This claim is for (injuries/damages alleged): damage to vehicle  
parked in parking lot - corner of Lark  
and 3rd st., stop sign fell on vehicle  
due to rusty damaged pole

This claim is alleged to have arisen on the 10<sup>th</sup> day of April, 2015 at approximately 11:40 a.m./p.m. on that date at corner of Lark & 3rd.

The injuries and/or damages sustained by the Claimant arose in the following manner:  
stop sign (rusty pole & damaged at base) fell  
onto vehicle parked in parking lot

The amount and type of injuries and/or damages sustained by the Claimant consist of the following: damage to vehicle above rear window

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

Respectfully yours,  
Jason Sebza 4-13-15  
Claimant (date)

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

Jason Sebza 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.

Sworn to before me this  
13<sup>th</sup> day of April, 2015.

Kim M. Robbins  
Notary  
KIM M. ROBBINS #01R05060886  
Notary Public, State of New York  
Qualified in Chautauqua County  
My Commission Expires May 28, 2018

**RESOLUTION #23-2015**  
**APRIL 21, 2015**

**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 twenty-one (21) hanging flower baskets; and

**WHEREAS**, *Revitalize Dunkirk* wishes to donate such hanging baskets in order to help beautify Central Avenue; and

**WHEREAS**, the City is desirous of accepting such a donation in order to facilitate the beautification of Central Avenue; now, therefore, be it

**RESOLVED**, that the City hereby gratefully appreciates and accepts the donation from the *Beautification Committee of Revitalize Dunkirk* and ownership of twenty-one (21) hanging flower baskets (22" diameter, black welded steel) for use by the City.

**RESOLUTION #24-2015**  
**APRIL 21, 2015**

**BY: ENTIRE COUNCIL**

**ESTABLISHING POLICY FOR USE OF CITY FACILITIES**

**WHEREAS**, the City of Dunkirk, from time-to-time, receives requests from various groups and organizations to utilize certain facilities of the City, including City parks and recreational fields; and

**WHEREAS**, in order to balance a fair administration of and planning for the approval for such requests, it would be appropriate for a formal policy to be enacted to accommodate such requests; now, therefore, be it

**RESOLVED**, that this Common Council declares that no request for the use of any City facilities, including but not necessarily limited to City parks and recreational fields, shall be considered more than nine (9) months prior to the date(s) of the proposed event; reservations for pavilions at Point Gratiot shall be pursuant to the customary schedule, with requests not accepted prior to the 1<sup>st</sup> Monday in April.

**RESOLUTION #25-2015**

**April 21, 2015**

**BY: THE ENTIRE COUNCIL**

**AUTHORIZING BUDGET MODIFICATIONS  
(April 2015)**

**WHEREAS**, the City of Dunkirk Fire Department has been awarded an Assistance to Firefighters Grant to purchase a mobile Live Burn Simulator; and

**WHEREAS**, such Live Burn Simulator will cost \$400,000, along with a five year maintenance agreement at a cost of \$49,500; and

**WHEREAS**, such purchase will be funded by FEMA, through an Assistance to Firefighter's Grant, and the 10% required match will be provided by Chautauqua County, per County Legislator Resolution 267-14; now, therefore, be it

**RESOLVED**, that the Fiscal Affairs Officer is hereby authorized and directed to make the following modifications to the Fiscal Year 2015 budget:

**FUND 1**

<b><u>Account No.</u></b>	<b><u>Department</u></b>	<b><u>Line</u></b>	<b><u>Change</u></b>
<b>Revenue</b>			
001.0001.4000	General Fund	FEMA Grant	\$ 449,500
<b>Appropriation</b>			
001.0001.2000	Fire Department	Equipment	\$ 449,500

**RESOLUTION #26-2015**

**APRIL 21, 2015**

**BY THE ENTIRE COUNCIL:**

**AUTHORIZING BUDGET MODIFICATIONS  
(April 2015)**

**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 2015, ending December 31, 2015; now, therefore, be it

**RESOLVED**, that the Fiscal Affairs Officer is hereby authorized and directed to make the following modifications to the Fiscal Year 2015 budget:

**Fund 1**

<b>Account No.</b>	<b>Department</b>	<b>Line</b>	<b>Change</b>
001.1490.4008	Public Works Admin	Safety Supplies	\$ 50
001.1490.4023	Public Works Admin	Repair & Maint Vehicles	\$ (50)
		<b>TOTAL</b>	\$ -

**Fund 1**

<b>Account No.</b>	<b>Department</b>	<b>Line</b>	<b>Change</b>
001.1620.1001	Building City Hall	Overtime	\$ 250
001.1620.4013	Building City Hall	Electric	\$ (250)
		<b>TOTAL</b>	\$ -

**Fund 1**

<b>Account No.</b>	<b>Department</b>	<b>Line</b>	<b>Change</b>
001.5110.4052	Maint of Streets	Repair to Imp Streets	\$ 25,000
001.5110.1000	Maintenance of Streets	Personal Services	\$ 25,000)
		<b>TOTAL</b>	\$ -

**Fund 1**

<b>Account No.</b>	<b>Department</b>	<b>Line</b>	<b>Change</b>
001.5142.1001	Snow Removal	Overtime	\$ 1,200
001.5142.4022	Snow Removal	Repair to Equipment	\$ (1,200)
		<b>TOTAL</b>	\$ -

**Fund 1**

<b>Account No.</b>	<b>Department</b>	<b>Line</b>	<b>Change</b>
001.5142.4007	Snow Removal	Salt	\$ 36,000
001.1640.4061	Central Garage	Vehicle Fuel	\$(36,000)
		<b>TOTAL</b>	\$ -

**Fund 1**

<b>Account No.</b>	<b>Department</b>	<b>Line</b>	<b>Change</b>
001.8120.4025	Sanitary Sewer	Sewer Repair	\$ 2,000
001.8120.1000	Sanitary Sewer	Personnel Services	\$ (2,000)
		<b>TOTAL</b>	\$ -

**Fund 2**

<b>Account No.</b>	<b>Department</b>	<b>Line</b>	<b>Change</b>
002.8320.4016	Water Purification	Electrical Supplies	\$ 200
002.8320.4015	Water Purification	Chemicals	\$ (200)
		<b>TOTAL</b>	\$ -

**Fund 2**

<b>Account No.</b>	<b>Department</b>	<b>Line</b>	<b>Change</b>
002.8320.4021	Water Purification	Repair Maintenance	\$ 5,000
002.8320.4015	Water Purification	Chemicals	\$ (5,000)
		<b>TOTAL</b>	\$ -

**Fund 2**

<b>Account No.</b>	<b>Department</b>	<b>Line</b>	<b>Change</b>
002.8320.4022	Water Purification	Repair to Equipment	\$ 2,000
002.8320.4013	Water Purification	Electric	\$ (2,000)
		<b>TOTAL</b>	\$ -

**Fund 2**

<b>Account No.</b>	<b>Department</b>	<b>Line</b>	<b>Change</b>
002.8330.4009	Water Laboratory	Advertising/ Fees	\$ 600
002.8330.2005	Water Laboratory	Equipment Non-Capital	\$ (600)
		<b>TOTAL</b>	\$ -

**Fund 2**

<b>Account No.</b>	<b>Department</b>	<b>Line</b>	<b>Change</b>
002.8340.4001	Water Distribution	Travel & Training	\$ 350
002.8340.4150	Water Distribution	Rent / Lease	\$ (350)
		<b>TOTAL</b>	\$ -

**Fund 3**

<b>Account No.</b>	<b>Department</b>	<b>Line</b>	<b>Change</b>
003.8130.2000	Wastewater Treatment	Equipment	\$ 10,000
003.1900.1990	Wastewater Treatment	Contingencies Allowance	\$(10,000)
		<b>TOTAL</b>	\$ -

**RESOLUTON #27-2015**

**APRIL 21, 2015**

**BY: THE ENTIRE COUNCIL**

**ACCEPTING FEMA ASSISTANCE FUND AWARD**

**WHEREAS**, the City of Dunkirk, through its Department of Public Works, applied for public assistance relative to the disaster-declared severe winter events that began on November 17, 2014, and tabulated damages which included extra expenses for road-work labor and road-work material and related damage to DPW road-work equipment totaling \$97,625.35; and

**WHEREAS**, this application for assistance was reviewed by the New York State Division of Homeland Security and Emergency Services and by the United States Federal Emergency Management Agency, who recommended the full award to the City of Dunkirk by communication of April 2, 2015, which award of up to \$97,625.35 would be paid by 75 percent (75%) federal emergency funds and by up to 25 percent (25%) state emergency funds in about sixty (60) days following City of Dunkirk acceptance of the recommended award; now, therefore, be it

**RESOLVED**, that upon review and recommendation of the Director of Public Works, the Mayor is authorized and directed to execute any appropriate FEMA document(s) to accept these severe winter assistance funds; and, be it further

**RESOLVED**, that the Fiscal Affairs Officer and City Treasurer are hereby authorized and directed to make the following line item budget modifications:

<b>Account Number</b>	<b>Department</b>	<b>Line</b>	<b>Change</b>
<b>Revenue</b>			
001.0001.4000	General Fund	FEMA Grant	\$ 97,625.35

**RESOLUTON #28-2015**

**APRIL 21, 2015**

**BY: THE ENTIRE COUNCIL**

**AWARDING BID FOR WATER TREATMENT PLANT SEDIMENTATION  
BASIN SLUDGE COLLECTION SYSTEMS  
(WATER TREATMENT FACILITY – Phase 1 and 2 Continuation)**

**WHEREAS**, the City of Dunkirk, in 2009, entered into a Consent Order with the Chautauqua County Department of Health (CCDOH) and has received subsequent deficiency reports from CCDOH to address inadequacies related to the City's water systems; and

**WHEREAS**, the Common Council, through Resolutions authorized bonding for Phase 1 and Phase 2 of the reconstruction of and construction of improvements to the City's water system with the stated specific purpose to reconstruct and construct improvements to the City water system including, but not limited to, improvements to the water treatment plant and all preliminary work and necessary equipment, materials and site work; and

**WHEREAS**, following published Legal Notice, sealed bids for the furnishing of portions of this work were opened and read aloud in the Dunkirk City Clerk's Office at 2:00 p.m. on April 13, 2015; and

**WHEREAS**, the bids were reviewed by the Department of Public Works which recommends that the Sedimentation Basin Sludge Collection Systems lowest responsible bidder be awarded work for such sludge collection system; now, therefore, be it hereby

**RESOLVED**, that upon review and recommendation of the Director of Public Works, the following lowest responsible bidders be accepted and awarded:

<b><u>Bidder</u></b>	<b><u>Item and Funding Line</u></b>	<b><u>Cost</u></b>
H & K Services 1205 Leon Road Leon, NY 14751	Sedimentation Basin Sludge Collection Systems Fund 015-8320-5043-8069	\$674,600.00

and, be it further

**RESOLVED**, that – after contractors provide satisfactory insurance certificates to the City Law Department, and contractors provide performance bonds and payment bonds reviewed and approved by the design engineer, and having contractors show compliance with Contract Requirements of the New York State Revolving Fund, including but not limited to MWBE procedures – the Mayor is authorized and directed to execute any and all documents, on behalf of the City of Dunkirk, with the above-named contractor(s), for the Sedimentation Basin Sludge Collection Systems and that the City Clerk is hereby authorized to return the bid deposits of the bidders, after contract execution or non-awarded bid, in accordance with the contract specifications, and that the City Clerk shall return unaccepted and unsealed, any and all bids, received after the date and time of the published bid opening.

**RESOLUTON #29-2015**

**APRIL 21, 2015**

**BY: THE ENTIRE COUNCIL**

**AWARDING BID FOR BENTON WATER TANK REPAIRS  
(WATER TREATMENT FACILITY – Phase 1 and 2 Continuation)**

**WHEREAS**, the City of Dunkirk, in 2009, entered into a Consent Order with the Chautauqua County Department of Health (CCDOH) and has received subsequent deficiency reports from CCDOH to address inadequacies related to the City's water systems; and

**WHEREAS**, the Common Council, through Resolutions authorized bonding for Phase 1 and Phase 2 of the reconstruction of and construction of improvements to the City's water system with the stated specific purpose to reconstruct and construct improvements to the City water system including, but not limited to, improvements to the water treatment plant and all preliminary work and necessary equipment, materials and site work; and

**WHEREAS**, following published Legal Notice, sealed bids for the furnishing of portions of this work were opened and read aloud in the Dunkirk City Clerk's Office at 2:00 p.m. on April 13, 2015; and

**WHEREAS**, the bids were reviewed by the Department of Public Works which recommends that the Benton Tank lowest responsible bidder for work be awarded for such Benton Tank work so the work can be started quickly, so the tank can be internally inspected for the required internal corrosion-resistant coating by subsequent bid and fully improved and repaired to correctly operate in tandem with the new Willowbrook Tank and resume providing fullest fire protection for the Fourth Ward and for many large industries served and protected by the Willowbrook-Benton-Sheridan operationally-linked network of elevated tanks; now, therefore, be it hereby

**RESOLVED**, that upon review and recommendation of the Director of Public Works, the following lowest responsible bidder be accepted and awarded:

<b><u>Bidder</u></b>	<b><u>Item and Funding Line</u></b>	<b><u>Cost</u></b>
H & K Services 1205 Leon Road Leon, NY 14751	Benton Water Tank Repairs Fund 015-8320-5043-8068	\$388,700.00

and, be it further

**RESOLVED**, that – after contractors provide satisfactory insurance certificates to the City Law Department, and contractors provide performance bonds and payment bonds reviewed and approved by the design engineer, and having contractors show compliance with Contract Requirements of the New York State Revolving Fund, including but not limited to MWBE procedures – the Mayor is authorized and directed to execute any and all documents, on behalf of the City of Dunkirk, with the above-named contractor(s), for the Benton Water Tank Repairs, and that the City Clerk is hereby authorized to return the bid deposits of the bidders, after contract execution or non-awarded bid, in accordance with the contract specifications, and that the City Clerk shall return unaccepted and unsealed, any and all bids, received after the date and time of the published bid opening.

**RESOLUTION #30-2015**  
**APRIL 21, 2015**

**BY: THE ENTIRE COUNCIL**

**AUTHORIZE AGREEMENT FOR INDEPENDENT CONTRACTOR (N. Waite)**  
**(Community Development Block Grant Program)**

**WHEREAS**, the City of Dunkirk has a need for independent consulting services to provide assistance in order for the City to administer and to maintain certain requirements for the City's participation with the U.S. Department of Housing & Urban Development ("HUD") Community Development Block Grant ("CDBG") program, including but not necessarily limited to the provision of technical and compliance assistance necessary for the administration of the CDBG program; and

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

**WHEREAS**, Nicole M. Waite ("WAITE"), 723 Washington Avenue, Dunkirk, New York 14048, is ready, willing and able to provide such services as an independent contractor for the City, and in a good and workmanlike manner; now, therefore, be it

**RESOLVED**, that the Mayor is directed and authorized to execute any and all agreements necessary to engage the services of **NICOLE M. WAITE**, 723 Washington Avenue, Dunkirk, New York 14048, as an independent contractor to provide independent contracting services and assistance with various projects, particularly with regard to the administration of the City's Community Development Block Grant program, **commencing April 22, 2015 and extending through September 30, 2015**, with payment of Twenty Dollars and Zero Cents (\$20.00) per hour, as services may be needed by the City, up to ten (10) hours per week, with such funds drawn from the Department of Development Contracted Services Account No. 001-8020-4036, with reimbursement drawn from CDBG Administrative funding, contingent upon such funds being made available.