

AGENDA - COMMON COUNCIL MEETING – June 18, 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 Bob Torrance to the Cable T.V. and Communications Advisory Board to fill an unexpired term due to the resignation of Christa Haynes effective June 18, 2013 and will expire July 2, 2014.
6. Communications from the public and petitions:
 1. Request from Sons of Liberty Motorcycle Riding Club to use Point Gratiot on July 27th for a fundraising event for National Puddle Day. Also requesting permission to erect tents, Chinese auction tables, barbecue, kid's games, bounce houses, 50/50 raffles, selling booths for outside companies, live music, fire department assistance and monetary donation.
 2. Request from Michelle Heenan, School 7 Principal, requesting Pine Street be closed to traffic between Serval Street and Warsaw Street on Thursday, June 20th from 8:00 AM until 2:00 PM for their end of the year picnic.
 3. Request from Crystal Christopher for 20 picnic tables and 5 trash cans for a benefit to be held at the VFW Post #1017 on July 27th from 4:00 PM until 10:00 PM. Also requesting the use of the property on Lake Shore Drive East between the Clarion Hotel and Tim Horton's for parking purposes.
 4. Communication from City Assessor Mleczeko requesting the assessor's stipend be a permanent increase to the Assessor's salary.
 5. Prior Notice from:
 - a) James Muscato informing of potential damage to his automobile allegedly due to the installation of water lines on Lake Shore Drive West.
 6. Loudspeaker applications from:
 - a) Henry Hooten to use a PA system at 212 Webster Street from 8:00 PM until 10:00 PM.
 - b) VFW Post #1017 to use speakers at 111 Deer Street on July 27th from 5:00 PM until 9:00 PM.
 - c) Sons of Liberty to use a speaker and microphone at Point Gratiot on July 27th from 3:00 PM until 7:00 PM.

7. Reports of Standing Committees, Boards and Commissions.
8. Unfinished Business:
9. Pre-filed Resolutions:
 37. Resolution fixing compensation for elective officer.
 38. Resolution authorizing Change Order #1 for the City of Dunkirk Bicycle and Pedestrian Trail Project, Phase II, PIN 5757.54, granting an extension to the original contract completion date.
 39. Resolution authorizing lease-to-purchase one (1) vehicle for Police Department through County contract.
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

June 13, 2012

Dunkirk Common Council
City Hall
Dunkirk, NY 14048

Dear Council Members:

Please be advised that due to the resignation of Christa Haynes from the Dunkirk Cable T.V. and Communications Advisory Board, I hereby appoint Bob Torrance of 35 West Green Street, Dunkirk to fill this unexpired term. This appointment shall be effective June 18, 2013 and will expire July 2, 2014.

Very truly yours,

ANTHONY J. DOLCE
Mayor

AJD:cao

cc: City Clerk
Personnel
Cable TV Advisory Board

To Whom It May Concern,

5/14/2013

On July 27, 2013 the Sons of Liberty motorcycle riding club will be holding a benefit run for National Puddle Day. In addition to the run itself, we would like to hold a fundraising event to raise money for the cause.

We would like to ask permission to set up a tent at Point Gratiot and end the bike run there. We would like to include some(possibly all) of the following in the event: Chinese Auction tables, barbecue, kids games, bounce houses, 50/50, raffles, fire department assistance, selling booths for outside companies, and live music/dj. The event will be open to the public.

I am attaching information about National Puddle Day, as well as the letter from the Sons Of Liberty president asking for donations and such for the event. This is the letter we will be using to approach businesses and private parties to assist us.

This cause is very near and dear to my family, being as the young boy it was made in memory of was my nephew. It has been a very hard road for all of my family, my sister and hers especially. We want nothing more than to be able to help families that are dealing with the loss of loved ones. We will be donating part of the proceeds to the National Puddle Day fund, and the rest to a local place that helps bereaved families.

I appreciate you taking the time to consider this event, as it will be good for this cause. It is a time we can take to celebrate life and remember those we have lost. Thank you so much.

Sincerely,

Kristine Mullen-Thurston

(716)467-5223

3742 E Main Rd Lot 108

Fredonia, NY 14063

RECEIVED
CLERY'S OFFICE
JUN 17 2013
JUN 17 31 PM 12:09

Sons of Liberty

We the Sons of Liberty are a Non-for profit, riding club whose membership is consisted of past and present military service member and military supporters. We are a dedicated and patriotic group of motorcycle riders that hold true to an unwavering respect for our nation, flag, community and our military past present and future.

This year on July 27th 2013 we will be sponsoring a Motorcycle Benefit Run with all proceeds going towards the National Puddle Day Foundation. The National Puddle Day was founded in Memory of Matthew Chatelain to honor those children whose lives were cut short and to raise funds to assist community resources provide grief support. For more information and to read more on their mission please go to <http://www.kinderseeds.com/puddleday.htm>.

We are requesting your support for this worthy cause through the donation of items for the Chinese Auction Gift Baskets or cash. All donations and contributions are tax deductible. If donating a check, please make checks payable to the Sons of Liberty or the National Puddle Day.

Thank you for your continued support. If you have any questions or concerns please feel free to contact, The Sons of Liberty President P. "Junior" Ortiz at 785-1346 , Vice President Clyde Price at 785--9038 or Kristine Mullen at 467-5223 at any time.

Sincerely,

Prudencio (Junior) Ortiz, President

Sons of Liberty

"A Veteran Support Riders Club Riding for those who can't and supporting our community"



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

Dunkirk Police Department
City Hall
Central Avenue
Dunkirk, New York 14048

RECEIVED

JUN 05 2013

DUNKIRK POLICE DEPT

Dear Chief Ortolano:

On Thursday, June 20, 2013 we are requesting that the road between Serval Street and Warsaw Street by the Dunkirk Little League Field be closed to traffic from 8 a.m. - 2 p.m. to accommodate our end of the picnic day at School 7.

For the safety of our students, we would appreciate your assistance in this matter.

Thank you for your help!

Sincerely,

Mrs. Michele Heenan

Michele Heenan,
Building Administrator

RECEIVED
CLERK'S OFFICE
DUNKIRK, N.Y.
JUN 10 AM 8:16

To whom it concerns,

June 11, 2013

I am requesting the use of 20 picnic tables and 5 trash cans. The reason for this request is family and friends are having a public benefit for Nick Christopher. The benefit will be held Saturday July 27, 2013 from 4pm til 10pm at the VFW Post 1017 at 111 Deer St. The use of these items would be greatly appreciated. Thank you for your consideration.

Sincerely,
Crystal L. Christopher
716-785-2103

In addition to the items mentioned above I am requesting the use of property on Lake Shore Dr. Between Clarion and Tim Hortons for parking purposes.

Thank You.

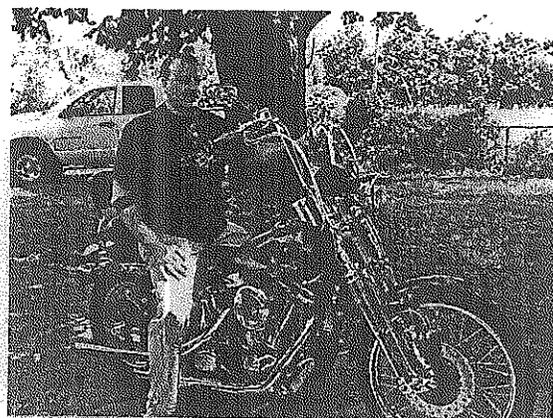
RECEIVED
CLERK'S OFFICE
DUNKIRK, NY

JUN 11 PM 1:36

RECEIVED
CLERK'S OFFICE
JUNKIRK, N.Y.

JUN 11 AM 11:34

I am writing on behalf of Nick Christopher who was diagnosed in May of 2013 with Follicular Lymphoma cancer. He's just learned he will be undergoing chemotherapy for the next six months. Nick has been a life long resident of the community and is well known by many. He's also known for his work ethic and dedication he's had to the steel industry since 1975. In the 38 years of their life together Nick and his wife Crystal have raised four children (Nick, Johnny, Matt, Kimberly) and have two grandsons (Michael and Nicholas IV).



To help the family ease the financial burden of the medical bills approaching them along with daily needs; Nick's friends and family are having a benefit in his honor. Donations would be greatly appreciated for our Chinese auction which will make this benefit a huge success.

Thank you in advance for any contribution or support that will help the Christopher Family and this benefit.

Anyone wishing to make a donation please contact Crystal at 716-785-2103 by no later than Sunday July 14, 2013

May 15, 2013

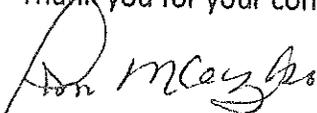
Members of the Dunkirk Common Council,

As you are aware approximately two years ago the voters of the City of Dunkirk abolished the two part time Assessor positions. At that time the Assessors position was awarded a "stipend" of \$4000 because the duties of the part time Assessors would be assumed by the solely elect "Assessor". I am hereby requesting that council make that stipend a permanent increase to the Assessor's salary.

The added duties the full-time assessor must perform are primarily inspection of all work associated with every building permit issued by the City. For the year 2012, there were approximately 369 permits. The majority of the permits issued require on-site inspection of the premises two to three times prior to the completion of the intended project. The time required to perform these inspections and complete the related paperwork translates to an additional eight to ten hours per week.

Another duty inherited by the Assessor is that of maintaining the tax roll for public inspection. When a copy of the tentative roll is received from the Chautauqua Department of Taxation, NYS mandates that this information is available for public inspection, one evening and one Saturday, for four hours at each session.

Thank you for your consideration in this matter.



Tom Mleczo
Assessor

RECEIVED
CLERK'S OFFICE
DUNKIRK, N.Y.
MAY 11 PM 1:37

RECEIVED
CLERK'S OFFICE
DUNKIRK, N.Y.

JUN 12 AM 9:35

June 12, 2013

City Clerk
City Of Dunkirk
City Hall Central Ave.
Dunkirk, N. Y. 14048

To whom it may concern:

This is a letter of notice to inform the City of Dunkirk NY that the procedure that is being done by the company working on the water lines on Lake Shore Drive West in the City of Dunkirk may cause damage to the under carriage of my automobile because of the above pipe lines and temporary fill that they are using in my drive way.

Scraping the bottom of the vehicle accrues when entering and exiting my drive way. If there is any damage I will be filling a claim with the City,



James A. Muscato
280 Lake Shore Drive West
Dunkirk, NY 14048

cc: Common-Council
City Attorney

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

DATE OF APPLICATION (must be 30 days Prior to event): 6-7-13

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

DATE: 7/3/2013 TIME: ~~3 P.M.~~ LOCATION OF EVENT:

SPONSOR: 8 P.M. to 10 P.M.

NAME: _____ PHONE NO. _____
ADDRESS: _____

INDIVIDUAL CORPORATE CHARITABLE COMMUNITY

RESPONSIBLE INDIVIDUAL:
NAME: Henry Hooten PHONE: 716-467-0065
ADDRESS: 212 Webster St

REASON: my son, Jimmy and my Birthday

AUDIO DEVICE TO BE USED: PA system

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: Henry Hooten Sr.

RECEIVED
 CLERK'S OFFICE
 HARBOR, N.Y.
 JUN 11 7 41:08 PM '13

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT <u>016/10/13</u>		
DEPT OF PUBLIC WORKS <u>026/10/13</u>		
DEPT OF LAW <u>025/06/13</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):

6-10-13

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

EVENT SPECIFICS

* EXCLUDES HARBORFRONT AREA

DATE: 7/27/2013 TIME: 5pm-9pm. LOCATION OF EVENT: 111 Deer St. Dunk.

SPONSOR: VFW LOCAL 1017

NAME: EDDIE ROMAN

PHONE NO. 467-1869

ADDRESS: Second St. Dunkirk, NY

INDIVIDUAL CORPORATE CHARITABLE COMMUNITY

RESPONSIBLE INDIVIDUAL:

NAME: Nick Christopher

PHONE: 785-2574

ADDRESS: 14 Tenney St. Dunkirk, N.Y.

REASON: FUND RAISER BENEFIT

AUDIO DEVICE TO BE USED: LOUD SPEAKERS FOR 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: Nicholas Christopher Jr

DEPARTMENTAL REVIEW

DATE SENT

REPORT BACK

POLICE DEPT OK 6/10/13 DD

DEPT OF PUBLIC WORKS OK 6/11/13

DEPT OF LAW OK 6/11/13

OTHER:

COMMON COUNCIL ACTION

RECEIPT OF REVIEW

APPROVAL

CONDITIONS:

DISAPPROVED

RECEIVED
CLERK'S OFFICE
DUNKIRK, N.Y.
JUN 10 AM 9:51

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

DATE OF APPLICATION (must be 30 days Prior to event): 6-13-13

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

DATE: 7-27-13 TIME: 3-7 pm LOCATION OF EVENT: Point Gratiot

SPONSOR: Sons of Liberty

NAME: Clude

PHONE NO. 785-9038

ADDRESS: 10807 Roberts Rd Dunkirk NY

INDIVIDUAL CORPORATE CHARITABLE COMMUNITY

RESPONSIBLE INDIVIDUAL:

NAME: Kristine Mullen-Thurston

PHONE: 467-5223

ADDRESS: 3742 E Main Rd Lot 108 Fredonia NY 14063

REASON: Raising money to help bereaved families that have lost loved ones (specifically children)

AUDIO DEVICE TO BE USED: Speaker and microphone

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: Kristine Mullen-Thurston

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT OK <u>6/13/13</u> <u>(initials)</u>		
DEPT OF PUBLIC WORKS		
DEPT OF LAW		
OTHER		

JUL 13 PM 12:15
LEADER'S OFFICE
DUNKIRK, N.Y.

COMMON COUNCIL ACTION

RECEIPT OF REVIEW

APPROVAL

CONDITIONS:

DISAPPROVED

RESOLUTION #37-2013
June 18, 2013

By Council Members Michalski, Rivera, Gonzalez, Szukala

**FIXING COMPENSATION FOR ELECTIVE OFFICER
(CITY ASSESSOR)**

WHEREAS, pursuant to the Dunkirk City Charter, Section 4.02, the compensation of each elective officer shall be fixed by resolution at meeting held in June prior to the election for such elective officer; now, therefore, be it

RESOLVED, that the salary for the City of Dunkirk Assessor shall be \$36,720.00 *per annum* commencing in fiscal year 2014.

RESOLUTION #38-2013
June 18, 2013

By Councilman Michalski:

**AUTHORIZING CHANGE ORDER #1 FOR THE CITY OF DUNKIRK BICYCLE
AND PEDESTRIAN TRAIL PROJECT, PHASE II, PIN 5757.54, GRANTING AN
EXTENSION TO THE ORIGINAL CONTRACT COMPLETION DATE**

WHEREAS, the City of Dunkirk has entered into a contract with ERW Enterprises for the construction of the City of Dunkirk Bicycle and Pedestrian Trail Project, Phase II, PIN 5757.54 which contract had a completion date of June 14, 2013; and,

WHEREAS, ERW Enterprises has requested a contract extension from June 14, 2013 to June 30, 2013, citing weather-related issues and delays in utility pole relocations as the reasons for the extension; now, therefore, be it hereby

RESOLVED, that the Mayor is hereby authorized to execute a contract modification on behalf of the City of Dunkirk with ERW Enterprises extending the completion date for the original contract for the Bicycle and Pedestrian Trail Project, Phase II, PIN 5757.54 from June 14, 2013 to June 30, 2013, with no additional costs to the City of Dunkirk.

RESOLUTION #39-2013
JUNE 18, 2013

BY: COUNCILWOMAN SZUKALA

**AUTHORIZING LEASE-TO-PURCHASE ONE (1) VEHICLE
FOR POLICE DEPARTMENT THROUGH COUNTY CONTRACT**

WHEREAS, the City of Dunkirk Police Department is in need of one (1) new automobile for use by the Police Department, and

WHEREAS, one (1) suitable vehicle is available for purchase on County Contract Number GC2012-01, and

WHEREAS, sufficient funds are available in the Police Department's Budget [Rent/Lease Account 001-3120-4150], and

WHEREAS, the cost of one (1) vehicle is \$27,190.90, from DeLacy Ford, Inc. (including financing charges), now, therefore, be it

RESOLVED, that the Mayor is authorized and empowered to execute a two-year lease-to-purchase agreement, on behalf of the City of Dunkirk, with DeLacy Ford, Inc., 10361 Transit Road, Elma, New York 14059-0437, and/or First Niagara Leasing, Inc., for the purchase of one (1) Year 2013 Ford Police Interceptor for the sum of Twenty-Seven Thousand, One Hundred and Ninety Dollars and Ninety Cents (\$27,190.90) (including financing charges), with such funds to come from Account 001-3120-4150.