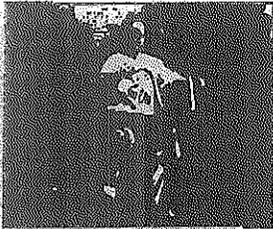


AGENDA - COMMON COUNCIL MEETING – July 2, 2013 - 5:30 P.M.
REGULAR MEETING

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.
6. Communications from the public and petitions:
 1. Request from The Resource Center and Filling the Gap, Inc. for permission to sell newspapers at various Dunkirk intersections on July 10th from 6:00 AM until 10:00 AM. Also, requesting Police assistance from the Dunkirk/Fredonia line from Central Avenue to Washington Park and to use Washington Park to host their Victory Celebration on Friday, July 19th for their "Annual Laurel Run."
 2. Request from Ana Pacheco to use a bounce house at Point Gratiot on July 4th from 11:00 AM until 6:00 PM.
 3. Request from Naomi Gonzalez for permission to erect a tent at Wright Park on July 27th from Noon until closing.
 4. Request from Pillar of Fire Fellowship to host a Christian Hip-hop and R&B concert in Washington Park on August 17th from 3:00 PM until 6:00 PM.
 5. Loudspeaker applications from:
 - a) ALS Association Upstate New York for loudspeakers and sound system at Point Gratiot on July 20th from 9:00 AM until 1:00 PM.
 - b) Taqueria Mexicana for loudspeakers at 45 Lake Shore Drive East on July 4th from 3:00 PM until 10:30 PM.
 - c) George Rivera to use a radio/CD player at 58 E. Front Street on July 4, 2013 from 3:00 PM until 5:00 PM.
 - d) Pillar of Fire Fellowship to use a sound system in Washington Park on August 17th from 3:00 PM until 6:00 PM.
7. Reports of Standing Committees, Boards and Commissions.
 1. Independent Audit of City Finances – FY 2012.
8. Unfinished Business:
9. Pre-filed Resolutions:

40. Resolution authorizing agreement for Independent Contractor (Animal Control Officer).
 41. Resolution authorizing agreement for Independent Contractor (Housing, Building & Zoning Enforcement Department).
 42. Resolution authorizing City of Dunkirk Local Share (2013) Chadwick Bay Regional Development Corporation.
 43. Resolution authorizing Budget Line Transfers.
10. New Business:
 11. Adjournment.

Lacy L. Lawrence
City Clerk

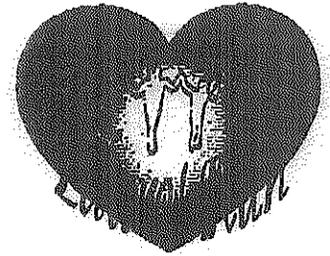


LAUREL HOTELLING



Filling The Gap

92 Fairmount Avenue ♦ Jamestown, NY 14701 ♦ 716-661-4735



June 13, 2012

Mayor Anthony Dolce and the Dunkirk City Council
342 Central Avenue
Dunkirk, NY, 14048

TRC Foundation, Inc.
Board of Directors

OFFICERS
Randy Ordines
Chair

Mark Olson
Vice Chair

Marcia Bliss, CPA
Secretary

Michele Compton
Treasurer

DIRECTORS

William Brothers

Randy Brown

Marie Carrubba, Esq.

Michael Felice

Harry Glatz, DDS

Gregory Krouza

Thomas McCannon

Gregory Peterson, Esq.

Dear Mayor Dolce and Council Members:

On behalf of the Hotelling family, the Laurel Run Planning Committee and everyone here at The Resource Center and Filling the Gap, Inc., I want to thank you for the City's past support of Laurel Run. The 17th annual Laurel Run takes place next month, and I'm willing to seek the City's support for several initiatives connected with this event.

On Wednesday, July 10, we will be conducting our Laurel Run newspaper sale in conjunction with the Observer. As in past years, we would like to have volunteers sell papers between 6:00 and 10:00 a.m. at locations that have been approved by the City. If our request is granted, please let me know if any of the approved locations have changed since last year.

On Friday, July 19, we would like to hold our annual Jamestown-to-Dunkirk relay run. As in past years, we would like to have police cruisers escort the last group of runners as they make their way up Central Avenue. We anticipate that again this year, representatives from the Lakewood Shock Incarceration Facility will be leading the last group of runners, and having marked patrol cars lead the procession helps ensure the runners' safety.

Finally, we are wondering if the City is willing to again hold a Victory Celebration to mark the end of the relay run. That celebration has been held in Washington Park the past few years, and that has been a great location. The individuals with disabilities supported by our agencies, as well as the runners themselves, appreciate the City's generosity in hosting the Victory Celebration every year.

I believe our Risk Administrator may already have forwarded to the Clerk's Office a certificate of liability regarding the newspaper sale and the relay, but if not, let me know and I'll make sure we get the certificate to you.

Thanks again for your past support of Laurel Run. Proceeds from the event support disability awareness and prevention efforts in Chautauqua County; money raised through Laurel Run also is used to provide employment and work training opportunities for adults with disabilities.

Thanks for considering my request. Please let me know if you have any questions or require additional information.

Sincerely,

Steve Waterson
Community Relations Director

RECEIVED
CLERK'S OFFICE
DUNKIRK, NY
2012 JUN 14 AM 11:00

6/25/13

Dear Common Council

My name is Ana Pacheco, I'm wondering if you would give me permission to set up a bounce house at the free pavilion not rented (small) on the 4th of July 2013 for a family get together, there will be a estimate of 40 people. If you have any more question please call me at 716-413-9625. Thank you

att
Ana Pacheco
153 King St
Dunkirk NY

RECEIVED
CLERK'S OFFICE
DUNKIRK, N.Y.
6/25 AM 10:41

* Bounce House

Bounce about inflatable

716-366-2907

Event from 11:00am - 6:00pm

*Naomi Gonzalez
427 Deer Street
Dunkirk, New York 14048
(716) 366-0954
Ngalbucla@yahoo.com*

RECEIVED
CLERK'S OFFICE
DUNKIRK, N.Y.
2013 JUN 26 PM 4:32

June 26, 2013

Dear Member of Common Council

*I Naomi Gonzalez of 427 Deer St Dunkirk N.Y. 14048
am writing this letter to ask for your permission to put
up a Tent at the WRIGHT PARK on July 27, 2013 for
a Family Reunion .*

*Tents size will be 20 X 30
Time around 12:00pm - till closing*

*Our family member will be about 75 - 100 people
including children. I try to make reservation for the
pavilion but was unable to because I waited to late and it
was book up but I need to make sure that my family was
able to make it. Please except my letter into your
meeting for approval. Thank you*

Sincerely,

Naomi Gonzalez

To Whom It May Concern,

6-26-2013

On August 17, 2013 it is our hope to host a Christian Hip-hop and R&B Concert in Washington Park from 3:00pm to 6:00pm. This concert would be open to the public, and local church groups will be invited. This music performed has a positive message and is meant to appeal to the younger generations of our City. It would provide an opportunity for teens to come and congregate in a safe environment and to enjoy some clean fun.

The groups performing at this event would be artists from Rochester, NY including the group Remade from Elim Bible Institute, David D-Will Williams, artist Aidan Davies, artist Andy Mineo, and artist John Stiles a former American Idol contestant. All of these men are passionate about working with young men to encourage them to make positive choices in their lives. They all bring a powerful message in their music, and I believe it is a message worth hearing by the young people in Dunkirk.

The event will be sponsored by Pillar of Fire Fellowship and we have local businesses that are willing to sponsor the event as well.

Thank you for your time and consideration on this matter.

We look forward to hearing from you.

Sincerely,



Hannah Wentz
Event Coordinator
Pillar of Fire Fellowship
10880 S Roberts Rd.
Dunkirk, NY 14048



* will need electrical
- Stage possible depending on Andy Mineo
& Location
TBD.

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

DATE OF APPLICATION (must be 30 days Prior to event): 6/17/13

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

DATE: 7/20/13 TIME: 9:00 AM - 1:00 PM LOCATION OF EVENT: POINT GRATON PARK

SPONSOR: THE ALS ASSOCIATION UPSTATE NEW YORK

NAME: ROBERT PATTERSON PHONE NO. 366-8825

ADDRESS: 428 WOODROW AVE. DUNKIRK, NEW YORK 14048

INDIVIDUAL CORPORATE CHARITABLE COMMUNITY

RESPONSIBLE INDIVIDUAL:

NAME: ROBERT PATTERSON PHONE: 366-8825

ADDRESS: 428 WOODROW AVE

REASON: EVENT COORDINATOR

AUDIO DEVICE TO BE USED: SOUND SYSTEM - LOUDSPEAKERS

PUBLIC EVENT PRIVATE EVENT

NOTIFICATION OF AFFECTED PERSONS

YES IF YES, PROOF:

NO

RECEIVED
CLERK'S OFFICE
DUNKIRK, N.Y.
JUN 17 AM 10:31

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

Signature: Robert Patterson

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT OK <u>6/18/13</u>		
DEPT OF PUBLIC WORKS <u>6/16/13</u>		
DEPT OF LAW <u>6/18/13</u>		
OTHER		

COMMON COUNCIL ACTION

RECEIPT OF REVIEW

APPROVAL

CONDITIONS:

DISAPPROVED

THE ALS ASSOCIATION UPSTATE NEW YORK

890 7TH NORTH STREET, suite 10

LIVERPOOL, NEW YORK 13088

Honorable Mayor Anthony Dolce &

Members of the Common Council

City of Dunkirk

City Hall

Central Avenue

Dunkirk, NY 14048

Dear Mayor Dolce & Members of the Common Council

The ALS Association Upstate New York Chapter requests permission for loudspeakers and amplifiers on July 20, 2013 from 9:00am until 1:00pm at the Large Pavilion at Point Gratiot. It is the sight of the 1st Annual ALS Dunkirk Walk.

The event will showcase beautiful Point Gratiot Park and the City of Dunkirk to many visitors and will help fund the ALS Association's very critical battle to help those living with Lou Gehrig's disease.

Sincerely,

Robert Patterson

Robert O. Patterson

Event Coordinator

RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.
JUL 17 AM 10:31

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

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

6-17-13

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

DATE: 7-4-13 TIME: 3:00PM-10:30PM LOCATION OF EVENT: 45E Lake Shore Dr.

SPONSOR: TAQUERIA MEXICANA

NAME: 45 E Lake Shore Dr.

PHONE NO: 716-413-6211

ADDRESS: Dunkirk N.Y. 14008

INDIVIDUAL CORPORATE CHARITABLE COMMUNITY

RESPONSIBLE INDIVIDUAL:

NAME: PABLO A. MARTINEZ

PHONE: 716-413-6211

ADDRESS: 45 E Lake Shore Dr.

REASON: Fourth of July Fest.

AUDIO DEVICE TO BE USED: Tawl Speaker

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 A. Martinez

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT OK 6/24/13		
DEPT OF PUBLIC WORKS 6/24/13		
DEPT OF LAW 6/24/13		
OTHER		

COMMON COUNCIL ACTION

RECEIPT OF REVIEW

APPROVAL

CONDITIONS:

DISAPPROVED

RECEIVED
 SPEAKER'S OFFICE
 DUNKIRK, N.Y.
 JUN 17 PM 3 15

APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO.

(DCC-47-6-G)

unknown - spoke on phone 6/27/13

DATE OF APPLICATION (must be 30 days prior to event): *6-4-13*

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

EVENT SPECIFICS * EXCLUDES HARBORFRONT AREA

DATE: *6-4-13* TIME: *5:05 PM* LOCATION OF EVENT: *58 E FROOT ST Apt 2*

SPONSOR: *Self Family Picnic*

NAME: *GEORGE RIVERA* PHONE NO: *716-679-6620*

ADDRESS: *58 E FROOT ST Apt 2 Dunkirk N.Y. 14048*

INDIVIDUAL CORPORATE CHARITABLE COMMUNITY

RESPONSIBLE INDIVIDUAL:

NAME: *GEORGE RIVERA* PHONE: *679-6620*

ADDRESS: *58 E FROOT ST, Dunkirk, N.Y. 14048*

REASON: *Family Picnic*

AUDIO DEVICE TO BE USED: *RADIO CD player*

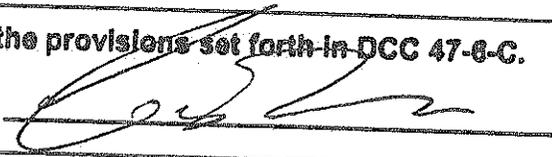
PUBLIC EVENT PRIVATE EVENT

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-G.

Signature: 

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT <i>ok 6/27/13</i>		<div style="border: 1px solid black; padding: 5px; display: inline-block;"> RECEIVED CLERK'S OFFICE DUNKIRK, N.Y. 7 PM 1:25 </div>
DEPT OF PUBLIC WORKS		
DEPT OF LAW <i>RAS 6/27/13 ok</i>		
OTHER		

COMMON COUNCIL ACTION

RECEIPT OF REVIEW

APPROVAL

CONDITIONS:

DISAPPROVED

CITY CLERK & OTHERS
CITY HALL, CENTRAL AVE
DUNKIRK N.Y. 14048

MR. GEORGE RIVERA
58 E FRONT ST Apt 2
Dunkirk, N.Y. 14048
(716)-699-6620

THE PURPOSE OF THIS LETTER IS
TO ASK PERMISSION FOR A HOUSEHOLDER PERMIT
FOR THE RIVERA FAMILY PICNIC HELD ON THE 4TH
OF JULY. THE HOURS OF THE EVENT WILL BE FROM
12⁰⁰ PM TO 4⁰⁰ PM JUST BEFORE THE FIREWORKS.
THE FOLLOWING NEIGHBORS NEXT TO US HAVE
NO PROBLEM WITH THIS PICNIC. THEY ARE
MR. & MRS BILL LARSON & MRS SANDRA TAPASTO.
20 WEBSTER ST 60 E FRONT ST

William Larson
Margann Larson

Sandra Tapasto

FOR ADDRESSING THIS MATTER!! AND SUCH A SHORT
NOTICE.

Georgette Rivera
THE RIVERA FAMILY.

20 ppl

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

DATE OF APPLICATION (must be 30 days Prior to event): 6/27/13

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

EVENT SPECIFICS * EXCLUDES HARBORFRONT AREA

DATE: 8/17/2013 TIME: 3-6pm

LOCATION OF EVENT: Washington Park

SPONSOR: Pittsford Fire Fellowship - Pillar of Fire Fellowship

NAME: Hannah Wentz

PHONE NO. 716-679-8490

ADDRESS: 10880 S Roberts Rd

Dunkirk NY 14048

INDIVIDUAL CORPORATE CHARITABLE COMMUNITY

RESPONSIBLE INDIVIDUAL:

NAME: Hannah Wentz

PHONE: 716-679-8490

ADDRESS: 10880 S Roberts Rd Dunkirk

REASON: public concert for young people around Washington Park

AUDIO DEVICE TO BE USED: Sound 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: Hannah Wentz

RECEIVED
CLERK'S OFFICE
DUNKIRK, N.Y.
JUN 27 AM 1:58

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT <u>oic 6/27/13</u>		
DEPT OF PUBLIC WORKS		
DEPT OF LAW <u>PTS 6/27/13 ok</u>		
OTHER		

COMMON COUNCIL ACTION

RECEIPT OF REVIEW

APPROVAL

CONDITIONS:

DISAPPROVED

CITY OF DUNKIRK, NEW YORK
BASIC FINANCIAL STATEMENTS
AND SUPPLEMENTARY INFORMATION
FOR THE YEAR ENDED DECEMBER 31, 2012

Available for inspection:

Office of the City Clerk
342 Central Avenue
Dunkirk, New York 14048

RESOLUTION #40-2013
JULY 2, 2013

BY THE ENTIRE COUNCIL:

**AUTHORIZING AGREEMENT FOR INDEPENDENT CONTRACTOR
(ANIMAL CONTROL OFFICER)**

WHEREAS, the City of Dunkirk requires from time to time the services of an Animal Control Officer, and

WHEREAS, Steven A. Purol has been providing such services for the City and is ready, willing and able to continue providing such services on an Independent Contractor basis, in a good and workmanlike manner, now, therefore, be it

RESOLVED, that the Mayor is hereby directed and authorized to execute an independent contractor agreement with **Steven A. Purol, 17 University Park, Fredonia, New York 14063**, for Animal Control Officer and certain parking enforcement services, effective July 1, 2013 through June 30, 2014, for Twenty-Four Thousand Dollars and Zero Cents (\$24,000.00), payable at the rate of Two Thousand Dollars and Zero Cents (\$2,000.00) per month, with fuel reimbursement up to Eight Hundred Dollars and Zero Cents (\$800.00) per year.

RESOLUTION #41-2013

JULY 2, 2013

BY COUNCILWOMAN SZUKALA:

**AUTHORIZE AGREEMENT FOR INDEPENDENT CONTRACTOR
(Housing, Building & Zoning Enforcement Department)**

WHEREAS, the City of Dunkirk, through its Housing, Building & Zoning Enforcement Department (the "Department") has a need for assistance with various projects; and

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

WHEREAS, Wendy Spinuzza 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 **WENDY SPINUZZA**, 175 Eagle Street, Fredonia, New York 14063, as an independent contractor to provide independent contracting services and assistance with various projects commencing July 1, 2013, and for a period of up to one (1) month, with payment of Seventeen Dollars and Fifty Cents (\$17.50) per hour up to thirty-five (35) hours per week, contingent upon such being made available, with such funds drawn from Account No. 001-3620-4440.

RESOLUTION #42-2013
JULY 2, 2013

BY COUNCILMEN MICHALSKI and RIVERA

**AUTHORIZING CITY OF DUNKIRK LOCAL SHARE (2013)
CHADWICK BAY REGIONAL DEVELOPMENT CORPORATION**

WHEREAS, the City of Dunkirk has been a participant in the Chadwick Bay Regional Development Corporation (the "C BRDC"); and

WHEREAS, each participating municipality is levied an annual *per capita* local share (\$.50 *per capita*) for membership in the CBRDC; now, therefore, be it

RESOLVED, that the Mayor is hereby authorized and directed to release the City of Dunkirk' s local share (2013) for the Chadwick Bay Regional Development Corporation in the amount of \$6,281.50.

RESOLUTION #43-2013
JULY 2, 2013

BY COUNCILMEN MICHALSKI, RIVERA and GONZALEZ:

AUTHORIZING BUDGET LINE TRANSFERS
(Tree Trimming – Repair to Equipment)

WHEREAS, the tree-trimming "bucket truck" is inoperative and requires unexpected emergency repairs; and,

WHEREAS, the Tree Trimming – Repair To Equipment budget line has insufficient funds for this unexpected expense, and the Central Garage – Vehicle Fuel budget line has available funds; now, therefore, be it

RESOLVED, that the Fiscal Affairs Officer is hereby authorized and directed to make the following budgetary changes:

001-1640-4061 Central Garage – Vehicle Fuel	Decrease \$20,000.00
001-8560-4022 Tree Trimming – Repair To Equipment	Increase \$20,000.00