

AGENDA - COMMON COUNCIL MEETING – August 5, 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 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.
 2. Request from The Chautauqua Center to block off three parking spots in the Graf Building Parking Lot on August 15th from 5:00 PM until 7:00 PM for their "Meet the Center Staff." Also requesting the presence of the Mayor, City Clerk and City Hall Staff.
 3. Request from Michael Jabot to hold a "Great Lakes Science Day" at Point Gratiot on September 27th from 9:00 AM until 1:30 PM.
 4. Request from Cassadaga Job Corps Academy for permission to conduct horse and carriage rides at Point Gratiot on August 29th from 7:00 PM until 9:45 PM for their annual prom.
 5. 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 at Washington Park on September 7th from 12:00 PM until 11:00 PM.
 6. Prior Notice from Sue and Jim McDonald informing of dangerous trees in front of 55 N. Martin Street.
 7. Communication from City Clerk Lacy L. Lawrence appointing Grace Tarnowski to the position of Deputy City Clerk and Deputy Registrar of Vital Statistics for the City of Dunkirk effective July 30, 2013.
 8. Notice of Claim from:
 - a) Angel Collazo for damages to a basketball hoop allegedly caused by a City of Dunkirk employee.
 9. Loudspeaker applications from:
 - a) Richard Cain to use amplifiers and speakers at 21 Seel Street on August 3rd from 8:00 PM until 10:00 PM.

- b) Dunkirk Local Development Corporation – Festivals Committee to use loudspeakers, amplifiers and musical equipment in Washington Park on September 7th from 12:00 PM until 11:00 PM.

7. Reports of Standing Committees, Boards and Commissions.

8. Unfinished Business:

42. Resolution authorizing City of Dunkirk Local Share (2013) Chadwick Bay Regional Development Corporation.

50. Resolution authorizing support for Regional Water District.

9. Pre-filed Resolutions:

51. Resolution directing Building Inspector to repair or remove (128 Lincoln Avenue (79.19-3-35)).

52. Resolution directing Building Inspector to repair or remove (79 W. Doughty Street (79.20-8-74)).

53. Resolution authorizing grant application Lake Front Boulevard Seawall Reconstruction.

10. New Business:

11. Adjournment.

Lacy L. Lawrence
City Clerk

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



It will need electrical
- Stage possible depending on study Mineo
& Location
TBD.

Family Medicine
The Chautauqua Center 
Our Family caring for your Family

July 18, 2013

City of Dunkirk Clerk's Office
Att: Lacy Lawrence, City Clerk
342 Central Avenue, 1st Floor
Dunkirk, New York 14048

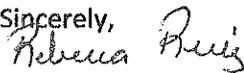
Ms. Lawrence,

I am writing on behalf of The Chautauqua Center, the new federally qualified health center located in Dunkirk. We offer primary care services to individuals of all ages and turn no one away, even if uninsured. We offer programs for uninsured or underinsured individuals by offering a sliding scale fee based on household income. We have been in business since January of this year.

We are planning an event "Meet the Center Staff" on August 15 from 5-7pm during National Health Center Awareness Week and are requesting permission to block off the 3 front parking spots (Graf building lot) to the left of the Graf building for the event. We will be offering hot dogs, drinks, face painting and tours of the Center for potential patients as well as any community member. I have also spoken to Jay Warren, Manager of the Graf building, who was fine with the Center holding the event.

We would also like to invite the Mayor, you and any City Hall staff to the event to take a tour of the Center.

Feel free to contact me at any time to discuss further at 397-7301 and I would be happy to do what is needed to finalize this request.

Sincerely,

Rebecca Ruiz, Outreach Coordinator
The Chautauqua Center
319 Central Avenue, Basement
Dunkirk, NY 14048
Phone: 397-7301
Email: outreachcc@gmail.com

RECEIVED
CLERK'S OFFICE
DUNKIRK, N.Y.
JUL 19 PM 2:05



College of Education
Department of Curriculum
and Instruction

RECEIVED
CLERK'S OFFICE
DUNKIRK, N.Y.
2013 JUL 11 PM 2:17

July 10, 2013

Mayor Anthony J. Dolce
City of Dunkirk
342 Central Avenue
Dunkirk, NY 14048

Mayor Dolce,

I am writing to request permission to use the facilities at Point Gratiot Park on Friday September 27, 2013. The purpose of this use is to offer a *Great Lakes Science Day*. The preservice teacher candidates enrolled in my courses in the Fall will be partnering with the *Alliance for the Great Lakes*, whose National office is housed in Chicago, IL, around the use of the *Great Lakes in My World* curriculum. The *Great Lakes Science Day* will be the culminating event for their work that week. The event will occur from approximately 9:00 on the morning of September 27th and will conclude around 1:30 that afternoon. We are asking for use of the facilities only in the case of inclement weather.

This event will be offered to elementary schools in the region free of charge with the hope that we can begin to develop an appreciation for the role that the Great Lakes, and Lake Erie in particular, play in their lives and in the life of the region. The preservice teachers will be developing and conducting educational stations for the students to interact with.

Thank you for all the support you have offered around similar initiatives and thank you in advance for your consideration of this request.

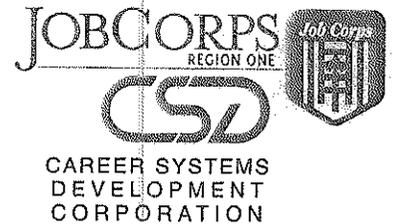
Sincerely,

Michael Jabot, Ph.D.
Professor, Science Education
Director, *Institute for Research in Science Teaching*
State University of New York at Fredonia
E250 Thompson Hall
Fredonia, NY 14063

Where
Success
is a
Tradition

Cassadaga Job Corps Academy

8115 Glasgow Road
Cassadaga, New York 14718
716/595-8760
716/595-4396 Fax



July 23, 2013

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

Dear Common Council Members:

We are writing today to request permission to conduct horse and carriage rides at Point Gratiot on Thursday, August 29, 2013 from 7:00PM-9:45PM during the Cassadaga Job Corps annual prom. The horse and carriage services are obtained by the Academy from Crackerjack Farms of Bemus Point, NY. Groups of students would be shuttled from the prom location, the Dunkirk Moose Lodge, and taken to a loading area at Point Gratiot. The carriage would complete a ride around the City park and the students would return to the Moose with another shuttle departing upon their return. The last ride would be completed by 9:45PM. We invite feedback from City Police and officials regarding the safest, most convenient route to ensure a positive experience for all parties.

The Cassadaga Job Corps Prom has been an annual event conducted in the City of Dunkirk for many years, most years utilizing a horse and carriage ride, which is often the highlight of the evening for many students. We look forward to offering this service again, and appreciate your time and consideration.

For any questions, concerns or comments, please contact Adam Dolce, Business and Community Liaison, at 716-595-4237, by email to dolce.adam@jobcorps.org, or by mail to 8115 Glasgow Rd, Cassadaga NY, 14718.

Respectfully,

A handwritten signature in cursive script that reads "Ann M. Anderson".

Ann M. Anderson
Academy Director

CC: Dunkirk Police Dept.

RECEIVED
CLERK'S OFFICE
DUNKIRK, N.Y.
JUL 24 AM 10:06

Dunkirk Festivals
338 Central Avenue
Suite 210
Dunkirk, NY 14048



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

July 23, 2013

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:

- **Saturday, September 7** – Dunkirk Heritage Festival. We are requesting the use of Washington Park from 12pm-11pm for this first annual event. We are seeking a loud speaker permit, as well as approval to sell and consume alcohol.

Thank you for your assistance.

A handwritten signature in cursive script that reads "Anthony J. Dolce".

Anthony J Dolce
Dunkirk Festivals

RECEIVED
DUNKIRK'S OFFICE
DUNKIRK, N.Y.
JUL 23 PM 4:09

July 22, 2013

Honorable Mayor and
Common Council Members

Please let this serve as prior notice of a dangerous treesituation in front of 55
North Martin Street.

The treesis rotting and some branches have already snapped and fallen. There are
currently more branches that are hanging down and are a dangerous situation to
drivers and walking pedestrians as well.

Thank you for your time, and hopefully this will be resolved to avoid any future
claims against the city.

Sincerely,

Sue McDonald
Jim McDonald

Sue & Jim McDonald
55 N. Martin Street
Dunkirk, NY
366-6811

RECEIVED
CLERK'S OFFICE
DUNKIRK, N.Y.
JUL 22 AM 9:45



CITY OF DUNKIRK
OFFICE OF THE CITY CLERK
CITY HALL, DUNKIRK, NY 14048

ANTHONY J. DOLCE
MAYOR
(716) 366-9882
FAX (716) 366-2049

LACY L. LAWRENCE
CITY CLERK
(716) 366-9766
FAX (716) 363-0058

CHRISTINE MCGRAW
DEPUTY CLERK
(716) 366-9766
FAX (716) 363-0058

July 30, 2013

Mayor Anthony Dolce
Common Council Members
City Hall
Dunkirk, New York 14048

Dear Mayor and Council:

I hereby appoint Grace Tarnowski to the position of Deputy City Clerk and Deputy Registrar of Vital Statistics for the City of Dunkirk, effective July 30, 2013.

Respectfully submitted,

Lacy L. Lawrence
City Clerk

LLL:gat

RECEIVED
CLERK'S OFFICE
DUNKIRK, N.Y.
JUL 30 PM 12:54

Notice of Claim
City of Dunkirk, N.Y.

RECEIVED
CLERK'S OFFICE
DUNKIRK, N.Y.

PLEASE TAKE NOTICE, that the undersigned, pursuant to the applicable NY State: 30 statutes, hereby makes claim against the CITY OF DUNKIRK, NEW YORK for injuries and/or damages sustained by me as hereinbelow detailed:

Claimant Name: Angel Collazo
Claimant Address: 5110 Deer St.
Dunkirk, N.Y
Claimant Telephone Number: (716) 867-0197

This claim is for (injuries/damages alleged): damages to an
NBA Basketball hoop

This claim is alleged to have arisen on the 29 day of July, 2013 at approximately 10 a.m./p.m. on that date at _____

The injuries and/or damages sustained by the Claimant arose in the following manner:
The man got off the Street cleaning machine and grab the basketball hoop and slammed it on the concrete it was severely damaged.

The amount and type of injuries and/or damages sustained by the Claimant consist of the following: 350 total damages

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

Respectfully yours,

L. Collazo 7/30/13
Claimant (date)

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

L. Angel Collazo, 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.

Stanley A. Saeli III
Notary

Sworn to before me this
30th day of July, 2013.

STANLEY A. SAELI III
Notary Public, State of New York
NO. 01SA6075508
Qualified in Chautauqua County
Commission Expires June 10, 2014

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

DATE OF APPLICATION (must be 30 days Prior to event): 7.15.2013

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

DATE: Aug 3, 13 TIME: 8:00 pm LOCATION OF EVENT: 21 Seel St

SPONSOR: [Signature]

NAME: Richard Cain PHONE NO. (716) 604-6071

ADDRESS: 21 Seel St Dunkirk

INDIVIDUAL CORPORATE CHARITABLE COMMUNITY

RESPONSIBLE INDIVIDUAL:

NAME: Richard Cain PHONE: (716) 604-6071

ADDRESS: 21 Seel St

REASON: Wedding

AUDIO DEVICE TO BE USED: DJ Amplifiers + Speakers

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: Richard Cain

| DEPARTMENTAL REVIEW | DATE SENT | REPORT BACK |
|---|----------------|-------------|
| POLICE DEPT <u>OK 7/18/13</u> | | |
| DEPT OF PUBLIC WORKS <u>[Signature]</u> | <u>7/21/13</u> | |
| DEPT OF LAW <u>243 7/18/13</u> | | |
| OTHER | | |

COMMON COUNCIL ACTION

RECEIPT OF REVIEW

APPROVAL

CONDITIONS:

DISAPPROVED

RECEIVED
 CLERK'S OFFICE
 DUNKIRK, N.Y.
 JUL 15 AM 10:55

Tuesday, July 16, 2013

We, the local neighbors, give Laura Karin and Rick Cain permission to have music and karaoke for their wedding celebration on August 3rd, 2013 from ~~6:00~~^{8:00}pm until 10:00pm.

Mr. Mrs Jim Gennuso 12 Seel St Dunkirk

Ray + Cathy A Land 33 Seel St. Dunkirk

Karen Henderson 19 Seel St. Dunkirk

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

DATE OF APPLICATION (must be 30 days Prior to event): 7-23-13

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

DATE: 9-7-13 TIME: 12pm-11pm LOCATION OF EVENT: Washington Park

SPONSOR: Dunkirk Local Redevelopment Corp

NAME: Anthony J. Dolce PHONE NO. 366-9876

ADDRESS: 338 Central Ave

INDIVIDUAL CORPORATE CHARITABLE COMMUNITY

RESPONSIBLE INDIVIDUAL:

NAME: Anthony J. Dolce - Tim Guraniewicz PHONE: 366-9876

ADDRESS: 338 Central Ave

REASON: First annual Heritage Festival, Dunkirk Festival has added another event to its 2013 festival + event season

AUDIO DEVICE TO BE USED: loud speaker, amps, musical 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: Tim Guraniewicz

| DEPARTMENTAL REVIEW | DATE SENT | REPORT BACK |
|--|-----------|-------------|
| POLICE DEPT <u>OK 7/29/13</u> | | |
| DEPT OF PUBLIC WORKS <u>OK 7/30/13</u> | | |
| DEPT OF LAW <u>OK 7/29/13</u> | | |
| OTHER | | |

COMMON COUNCIL ACTION

RECEIPT OF REVIEW

APPROVAL

CONDITIONS:

60:4 Wd 83

DISAPPROVED

RECEIVED
DUNKIRK'S OFFICE
DUNKIRK, N.Y.

UNFINISHED BUSINESS:

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.

Councilman Rivera moved to table this Resolution to the next Common Council meeting to be held on July 16, 2013. Seconded by Councilwoman Szukala.

Carried, all voting aye. TABLED.

7-16-13 Councilman Rivera made motion to remove from table. No one seconded. Councilwoman-at-large Kiyak advised that this resolution remains on table.

UNFINISHED BUSINESS:

RESOLUTION #50-2013
JULY 16, 2013

BY COUNCILMEN MICHALSKI, RIVERA, GONZALEZ:

SUPPORT FOR REGIONAL WATER DISTRICT

WHEREAS, Governor Andrew Cuomo, as part of his strategy to jumpstart New York State's economy and create jobs, has created ten Regional Economic Development Councils; and

WHEREAS, as part of the Regional Economic Development strategy, a unified funding process, the Consolidated Funding Application, has been developed and made available to distribute grant funds for job creation and regionally significant economic development projects; and

WHEREAS, in 2008 a comprehensive municipal water supply needs assessment was conducted by the Chautauqua County Department of Health for all the northern Chautauqua County communities (except for the Village of Silver Creek and the Town of Hanover), which found that immediate improvements are needed at the water filtration plants and storage and distribution facilities in every one of the region's communities; and

WHEREAS, in a 2010 Regional Water Feasibility Report and subsequent updates, funded by the Chadwick Bay Regional Development Corporation and contributions from the seven participating municipalities (not including the Village of Silver Creek and the Town of Hanover), it was determined that future upgrades to the region's water treatment plants and major storage and transmission lines to be in excess of \$70 million, if pursued separately by each community; and

WHEREAS, the 2010 Regional Water Feasibility Report estimated a regional water approach to delivering water service to the area, including expanded service to the Village of Silver Creek and the Town of Hanover, could reduce the costs of needed improvements, by an estimated \$32 million to \$35 million; and

WHEREAS, the combined northern Chautauqua municipalities supply water to approximately 43,000 residential users and a unique cluster of commercial tourist related industries, major Western New York food processors, and colleges, all whom are large water users with a combined direct labor workforce of over 5,000 employees, and who have repeatedly stressed the critical need for a stable, cost effective and reliable supply of water to ensure their continued presence and, in some cases, possible expansion in the area in the future; and

WHEREAS, the delivery of safe, dependable, good quality water is vital to the economy of northern Chautauqua County, and will support agricultural producers and agricultural-related and supporting industries throughout Western New York; and

WHEREAS, after much deliberation, the City of Dunkirk Common Council has determined it is advantageous to join together, with the assistance of Chautauqua County, to seek to create a northern Chautauqua County regional county water district; now, therefore, be it

RESOLVED, that the City of Dunkirk hereby supports the County of Chautauqua as the lead applicant to submit a grant application, on behalf of the County of Chautauqua and the northern Chautauqua County communities, in the amount of \$38 million to the New York State Consolidated Funding Application of the Western New York Regional Economic Development Council for the purpose of exploring the establishment of a northern Chautauqua County regional water district, and it is further

RESOLVED, that the City Clerk is hereby authorized and directed to forward a certified copy of this adopted resolution to the Office of the Chautauqua County Executive and the Clerk of the Chautauqua County Legislature.

Councilwoman Szukala moved to table this Resolution to the next Common Council meeting to be held on August 5, 2013. Seconded by Councilman Rivera.

Carried, all voting aye. TABLED.

RESOLUTION #51-2013

August 5, 2013

BY COUNCILWOMAN SZUKALA:

**DIRECTING BUILDING INSPECTOR TO REPAIR OR REMOVE
(128 Lincoln Avenue (79.19-3-35))**

WHEREAS, by Resolution No. 28-2013, the Building Inspector was directed to inspect the building or structure situate at premises designated as 128 Lincoln Avenue, Dunkirk, NY 14048 (79.1-3-35) and to report the results of such inspection to this Common Council in accordance with the provisions of Chapter 18 of the City of Dunkirk Code; and,

WHEREAS, the Building Inspector provided to Council an inspection report (dated May 30, 2013), which this Council has received and reviewed; and,

WHEREAS, the Building Inspector reported that, in his opinion, the building or structure at premises designated as 79 West Doughty Street, Dunkirk, NY 14048 (79.20-8-74) is a danger to the health, safety or welfare of the public and should be repaired or removed; and

WHEREAS, by Resolution No. 35-2013, the Building Inspector was directed to service a notice to repair or remove upon the owner and all other persons having an interest in the building or structure situate at premises designated as 128 Lincoln Avenue, Dunkirk, NY 14048 (79.1-3-35), either personally or by registered mail, addressed to his/their last known address(es) as such appears on the current tax roll of the City of Dunkirk, in compliance with the conditions of Chapter 18 of the City of Dunkirk Code; and, the Building Inspector was further directed to report his determination and recommendation within five (5) days of any hearing held in accordance with the provisions of Chapter 18 of the City of Dunkirk Code; and

WHEREAS, the Building Inspector provided to the owner an opportunity to be heard as to whether a reasonable basis exists for the owner (or other interested parties) to be relieved of an order to repair or remove the building or structure under consideration; and,

WHEREAS, the owner (or other interested parties) failed to utilize the opportunity to be heard and did not appear at such opportunity to be heard, and the owner failed to comply with the notice to repair or remove within the time provided or any extension thereof; and,

WHEREAS, the Building Inspector has reported to the Common Council his determination, dated July 24, 2013, and this Common Council has received and reviewed such determination; now, therefore be it

RESOLVED, that the Building Inspector is hereby to take all appropriate steps and procedures as directed by Chapter 18 of the Dunkirk City Code to repair or remove the building or structure at premises designated as 128 Lincoln Avenue, Dunkirk, NY 14048 (79.19-3-35) in that such is a danger to the health, safety or welfare of the public and should be repaired or removed.

RESOLUTION #52-2013
August 5, 2013

BY COUNCILWOMAN SZUKALA:

**DIRECTING BUILDING INSPECTOR TO REPAIR OR REMOVE
(79 West Doughty Street (79.20-8-74))**

WHEREAS, by Resolution No. 27-2013, the Building Inspector was directed to inspect the building or structure situate at premises designated as 79 West Doughty Street, Dunkirk, NY 14048 (79.20-8-74) and to report the results of such inspection to this Common Council in accordance with the provisions of Chapter 18 of the City of Dunkirk Code; and,

WHEREAS, the Building Inspector provided to Council an inspection report (dated May 30, 2013), which this Council has received and reviewed; and,

WHEREAS, the Building Inspector reported that, in his opinion, the building or structure at premises designated as 79 West Doughty Street, Dunkirk, NY 14048 (79.20-8-74) is a danger to the health, safety or welfare of the public and should be repaired or removed; and

WHEREAS, by Resolution No. 34-2013, the Building Inspector was directed to service a notice to repair or remove upon the owner and all other persons having an interest in the building or structure situate at premises designated as 79 West Doughty Street, Dunkirk, NY 14048 (79.20-8-74), either personally or by registered mail, addressed to his/their last known address(es) as such appears on the current tax roll of the City of Dunkirk, in compliance with the conditions of Chapter 18 of the City of Dunkirk Code; and, the Building Inspector was further directed to report his determination and recommendation within five (5) days of any hearing held in accordance with the provisions of Chapter 18 of the City of Dunkirk Code; and

WHEREAS, the Building Inspector provided to the owner an opportunity to be heard as to whether a reasonable basis exists for the owner (or other interested parties) to be relieved of an order to repair or remove the building or structure under consideration; and,

WHEREAS, the owner (or other interested parties) failed to utilize the opportunity to be heard and did not appear at such opportunity to be heard, and the owner failed to comply with the notice to repair or remove within the time provided or any extension thereof; and,

WHEREAS, the Building Inspector has reported to the Common Council his determination, dated July 24, 2013, and this Common Council has received and reviewed such determination; now, therefore be it

RESOLVED, that the Building Inspector is hereby to take all appropriate steps and procedures as directed by Chapter 18 of the Dunkirk City Code to repair or remove the building or structure at premises designated as 79 West Doughty Street, Dunkirk, NY 14048 (79.20-8-74) in that such is a danger to the health, safety or welfare of the public and should be repaired or removed.

RESOLUTION # 53-2013
AUGUST 5, 2013

BY THE ENTIRE COUNCIL:

**AUTHORIZING GRANT APPLICATION
LAKE FRONT BOULEVARD SEAWALL RECONSTRUCTION**

WHEREAS, the City of Dunkirk is applying for funding for the reconstruction and redevelopment of the "seawall" along Lake Front Boulevard through the New York State Consolidated Funding Application of the Western New York Regional Economic Development Council; and

WHEREAS, as a requirement of these programs, the City must obtain approval and endorsement of the governing body of the municipality in which the project will be located; now, therefore, be it

RESOLVED, that the Dunkirk Common Council does hereby approve and endorse the City's application for a grant under the Consolidated Funding Application for the Lake Front Boulevard "seawall" project and authorizes the application be made to the Western New York Regional Economic Development Council.