

AGENDA - COMMON COUNCIL MEETING – October 18, 2016 - 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. Mayor's Budget Message & Proposed Budget for 2017.
6. Communications from the public and petitions:
 1. Request from Gina Palermo for proper signage in front of City Hall to indicate that the Building has elevator access.
 2. Request from Harvest Chapel Church to use Washington Park on Saturday, December 10th from 2:00 PM until 4:00 PM with an additional hour at each end for set-up and clean up for their "Christmas in Washington Park." Also requesting to set-up tents and a lawn tractor for train rides.
 3. Request from Loretta Slaton Torain on behalf of the Juneteenth Celebration Committee to use Memorial Park on Saturday June 17th thru Sunday June 18th 2017 for their annual Juneteenth Celebration. Also, requesting the use of picnic tables, electricity, water and portable toilets.
 4. Request from Historical Society of Dunkirk to recognize October 30th as Horatio G. Brooks Day in the City of Dunkirk this year and annually.
 5. Request from Lakeshore Humane Society to make the third weekend of June the official weekend for the Pat McGee Memorial Dog Walk starting June 2017 and into future years.
 6. Notice of Claim from Richard Zappie for damages allegedly sustained to his vehicle while driving on Willowbrook Avenue on September 12th, 2016 at approximately 4:30 PM.
7. Reports of Standing Committees, Boards and Commissions.
8. Unfinished Business:
 87. Resolution introducing Local Law No. 1-2016 to override the Tax Levy Limit established in General Municipal Law 3-c.
9. Pre-filed Resolutions:
10. New Business:
11. Adjournment.

Lillian R. Divine
City Clerk



WILFRED ROSAS
Mayor
716-366-9882
Fax 716-366-2049

CITY OF DUNKIRK
OFFICE OF THE MAYOR
City Hall, Dunkirk, New York 14048
www.dunkirktoday.com

2016 OCT 13 PM 3:19
CITY OF DUNKIRK
DUNKIRK, NY

CITY OF DUNKIRK
WILFRED ROSAS
Mayor

2017 Budget Message

Members of the Dunkirk Common Council, Dunkirk Residents, Taxpayers, Industrial and Retail Community I present to you, herewith, the proposed budget for the City of Dunkirk for the fiscal year 2017.

Let me start by thanking the members of my management team who worked tirelessly and gave considerable thought and effort toward the creation of this 2017 budget.

In Accordance with Article V, Section 5.02 of the Charter of the City of Dunkirk, I hereby submit the proposed budget for Fiscal Year 2017 for your consideration and action.

As per the City Charter, this budget message describes the most important features of the proposed budget for 2017, and indicates the changes from the current fiscal year in financial policies, expenditures, and revenues; and summarizes the City's overall financial picture. This budget message contains additional information that I consider important when considering this proposed budget.

It has been recommended by the Government Finance Officers Association that a budget be considered as a living document, one that contains flexibility when needed, yet maintains strength when hard times befall us. That is what I have kept in mind when preparing this document – it is a vital piece of the puzzle that is the City of Dunkirk.

This is my first budget as Mayor, and I have endeavored to stay true to my promise when elected. I have recommended some cuts in areas wherever possible, but none that have or will create an unmanageable negative impact to our operations. In my opinion, with the major investment of Athenex in our area, the City of Dunkirk is, for the first time in a very long time, once again on the move upward. I am planning for the City's team to be ready to embrace, and take advantage of, the positive changes that are going to come our way.

Despite the severe fiscal constraints and substantial challenges facing Dunkirk, I have done my best to maintain our commitment to continue to provide an acceptable level of service to our residents and enhance our visitor experience while preserving our city's long-term financial viability. The fiscal year 2017 proposed budget is balanced and if adopted will help to assure that our community is clean, safe, healthy and a place where the quality of life is maintained for our current citizens and for the future of our City.

With the previously mentioned constraints and concerns, it has not gone without notice that we have one of the most dedicated workforces anywhere in Western New York. Together, with our Human Resources Team, our four bargaining units have come to the table with a desire to collaborate and share ideas on how to improve the efficiency quotient of every operation. Given the strictures that apply to collective bargaining, however, I cannot publicly comment in specific terms on these negotiations. However, I expect a realistic and constructive orientation from our employees that will result in positive outcomes for the unions, as well as the city. These outcomes should also provide additional badly needed savings to the city.

It is through the efforts of our men and women who come to work every day and who see what needs to be done and be willing to do it, that have allowed us to remain under our tax cap; thus, **we will not be raising taxes this year!**

I have been in frequent contact with Albany concerning our challenges. As a result, we are in the process of preparing and submitting an application to the New York State Department of Budget Financial Restructuring Board asking for their help in providing an independent overview of our City's operations. It is expected that there will be funds available in the future to help meet our many needs in infrastructure, equipment, vehicle upgrades and potential consideration for future consolidation and/or shared police and fire facilities. While the Board's actions may not affect our immediate situation, nor address all of our needs in 2017, the long range outlook for our City as a result of working through this process will have long term positive impact on our City.

At this juncture, I must also give my personal thanks to NYS Governor, Andrew Cuomo and our state elected officials for their assistance in providing our City with the "transitional aid" relative to the loss of revenue from NRG Power Plant. It is through their support and financial assistance that we have been able to avoid a tax increase; any tax increase at this time would be devastating to our City and our residents!

The Fiscal Year 2017 proposed budget for the City of Dunkirk totals \$21,901,651. The proposed budget is balanced with respect to revenues and expenditures and does not call for an increase in the property tax levy. The proposed 2017 Budget includes the three major funds, General Fund, Water Fund, and Wastewater Fund.

With the severe constraints imposed by the rapidly deteriorating revenue situation, caused primarily by the closure of the Dunkirk Power Station, these proposed spending plans reflect the several priorities identified by the Common Council and the City's operating departments.

The proposed budget provides for maintaining the property tax rate without an increase, resulting in a millage rate of 17.25 per \$1,000 of assessed value. This "holding the line" on property tax rates has been a real challenge. The maintenance of the tax rate without an increase is achievable in part due a series of proposed expenditure cuts to the budget across a number of areas in Fund 1.

Since I took office, I have reviewed City operations carefully and have analyzed our expenditure budget on a department-by-department basis and from A to Z. The resulting budget cuts I've recommended were made in line-items where I believe cuts should be made (such as overtime).

If adopted by the Common Council, these budget cuts will enable our management team to work more efficiently and to seek to make optimally efficient use of every tax dollar at our disposal.

The budget that I am presenting, herewith, is a very tight budget without the level of contingency funds recommended by accepted municipal finance standards. This means our management team must be extremely careful in managing city operations in 2017. In addition, we must look to future years beyond 2017 as the transition aid provided by NYS will be for a limited period only.

As a result, I look forward to further assistance from the NYS Financial Restructuring Board. This Board will provide our city with independent and objective review and recommendations on how we can make even more positive changes in city operations and structure, resulting in out-year savings for the city of Dunkirk. Additionally, it is a reasonable expectation that some of these savings may be used in contingency situations. I strongly believe that this is a program that can help our city change the way we operate in a more effective manner, and will save money for our taxpayers.

Conclusion

The proposed 2017 Fiscal Year Budget is a dynamic financial plan that will enable the City to adapt to and manage our severe revenue constraints and to continue to provide our residents and visitors with a full scope of municipal services, programs, special events, and safety that enhances life in our City. The budget, as proposed, also provides the required resources for us to maintain and improve our unique parks, facilities, infrastructure, and other amenities that make our community a desirable place to live and work.

Again, I thank the Department Heads and Common Council for their vision and direction through this process. With the hard work of our Fiscal Affairs Officer and that of each Department, the City can continue operating with a clear plan of maintaining fiscal strength and stability. This proposed budget will allow the City of Dunkirk to continue its quality of life as a community rich in diversity and culture and one that cherishes its location on beautiful Chadwick Bay. Facing and overcoming challenges with tenacity and forbearance is what the residents of Dunkirk are about. This proposed budget will make it possible for all of us, both public officials and citizens to work cooperatively to meet and conquer those additional challenges that we all know the future will bring.

As Mayor of Dunkirk, I am proud to present this proposed budget for the City Council's consideration. I understand that as the City Council, and as individuals, you do not take the responsibility of being good fiscal stewards lightly. I appreciate your concerns for those who have put their trust and faith in you to do what is right for the City; thank you.

Respectfully submitted,



Wilfred Rosas, Mayor

CITY OF DUNKIRK
DUNKIRK, NEW YORK 14048

UTILITY BILLING RATES

WATER RATES

Effective with the first quarterly bill of 2017

QUARTERLY BILLING	CITY	TOWN
MINIMUM UP TO 5,000 GAL	\$60.00	\$105.00
NEXT 15,000 GALLONS PER M	4.33	7.58
NEXT 23,980,000 GALLONS PER M	2.96	5.18
OVER 24,000,000 GALLONS PER M	1.54	2.70

Effective with the first quarterly bill of 2017

MONTHLY BILLING

MINIMUM UP TO 2,000 GAL	\$20.00	\$35.00
NEXT 5,000 GALLONS PER M	4.33	7.58
NEXT 7,993,000 GALLONS PER M	2.96	5.18
OVER 8,000,000 GALLONS PER M	1.54	2.70

SEWER RATES

Effective with the first bill of 2011

	CITY	TOWN
UP TO 3,999,999 GALLONS PER M	\$4.75	\$9.50
OVER 4,000,000 GALLONS PER M	1.60	3.20

2017 PROPOSED BUDGET

CITY OF DUNKIRK

SUMMARY

ESTIMATED REVENUES, APPROPRIATIONS, AND REAL PROPERTY TAXES

TOTALS(BY FUND)	REVENUES	APPROPRIATIONS
GENERAL	\$ 14,546,341	\$ 14,546,341
WATER	\$ 3,634,506	\$ 3,634,506
WASTE WATER	\$ 3,720,804	\$ 3,720,804
TOTAL	\$ 21,901,651	\$ 21,901,651
REVENUE – REAL PROPERTY TAXES		\$ 4,871,870
TOTAL ASSESSED VALUE		\$ 282,468,370
TAX RATE/\$1,000 ASSESSED VALUATION		\$ 17.247488

36 Summer Street
Fredonia, NY 14063
September 29, 2016

Dunkirk City Council
Clerk's Office
342 Central Avenue
Dunkirk, NY 14048

On September 16, 2016, I made my first visit to the City Clerk's Office. I found it very difficult having to climb all the steps to the office. There is no sign in front of the building indicating that there is an elevator to the right of the building. Might it be possible to have a sign at the foot of the outside of the building with an arrow indicating that there is an elevator? This might be helpful to the next person making a first visit.

Thank you for your consideration.

Sincerely,



Gina M. Palermo

gmp

2016 OCT -3 PM 12:25

CITY CLERK'S OFFICE
DUNKIRK, N.Y.

Harvest Chapel

39 Matteson Street, Fredonia, NY 14063 716-679-0987 www.harvestfmc.com

September 22, 2016

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

2016 OCT - 5 AM 10:03
CITY CLERK'S OFFICE
DUNKIRK, N.Y.

Dear Nicole,

We send our appreciation and gratitude to the City of Dunkirk Common Council for partnering with us in granting us permission to utilize Washington Park for our 5-Day Club closing carnival and cook out this past July. We had a great turn out at our event and we were able to bless our community with a great time of food, fun, friendship and the meeting of practical needs for our friends in Dunkirk. We trust that you were pleased with the condition in which we left the park and also with the knowledge that the families of Dunkirk were able participate in positive, fun, safe, and free community activities.

As we plan ahead for this coming Christmas season I am writing to request the use of Washington Park once again for a free community event. Please consider our request to utilize the park on Saturday, December 10th, 2016. Our event will run from 2:00-4:00 pm with set-up and clean up requiring another hour at each end. Below you will find an overview of what we have planned.

Here is what we have planned for our Christmas in Washington Park on December 10th. Our Christmas celebration is for the children and families that live in and throughout the Dunkirk community. Our celebration will be fully staffed by Harvest Chapel and community volunteers and is entirely free to those who come.

Where God is Seen ... Love is Felt ... and Lives are Changed.

Harvest Chapel

39 Matteson Street, Fredonia, NY 14063 716-679-0987 www.harvestfmc.com

Here is a summary of what we have planned:

- ❖ A Story tent
- ❖ Santa in the gazebo
- ❖ Refreshments to include hot chocolate and cookies
- ❖ Train rides (pulled behind a lawn tractor) for young children
- ❖ Gifts for all children and young people

To do all of this we will be setting up tents, tables and bales of hay for sitting on under the tents. There will also be some "elves" joining us as Santa's helpers as well as Christmas carolers adding to the festivities. We expect a great fun afternoon for people of all ages just as in years past at "Christmas in Washington Park."

As we seek your support and permission to utilize Washington Park this Christmas we want to assure you that our intention is to bring a fun, positive, supervised activity for children and their families to attend. As always, there will be no fee associated with participating in our event.

If you have any questions I may be reached at Harvest Chapel Church at the number above or on my mobile phone at 716-785-3578. Lastly, I have included a copy of our liability insurance in hopes that it will assist you in making your decision to grant us permission to utilize Washington Park.

Sincerely,



Lisa Leavitt
Children's Ministry Director
Harvest Chapel Church

JUNETEENTH

2017 CELEBRATION COMMITTEE
415 MULLET STREET
DUNKIRK, NEW YORK 14048
(716) 363-1102



October 3, 2016

Mayor Willie Rosas
City of Dunkirk Common Council
City Clerk
City Hall
Dunkirk, New York 14048

RE: 2017 Juneteenth Celebration

Dear City Officials:

The Juneteenth 2017 Celebration Committee is in the process of planning the twenty-second annual Juneteenth Celebration in the City of Dunkirk. As we have done in the past, the Juneteenth Celebration will kick off on Saturday, June 17, 2017, with Opening Ceremonies at 12:00 noon. The Celebration will end following a Gospel Fest on Sunday, June 18, 2017, at 6:00 p.m.

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

2016 OCT 11 PM 1:28

JUNETEENTH
COMMITTEE
DUNKIRK, N.Y.

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 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

Historical Society of Dunkirk, New York



513 Washington Avenue - Dunkirk, New York 14048

October 12, 2016

Mayor Rosas and Common Council
City of Dunkirk

Dear Mayor Rosas and Common Council:

I would like to request the date of October 30th be recognized as Horatio G. Brooks Day in the City of Dunkirk this year and annually.

Horatio G. Brooks, founder of the Brooks Locomotive Works and First Mayor of Dunkirk, was born on the 30th day of October, 1828 in the old historic City of Portsmouth, NH.

At the age of 18, Horatio G. Brooks entered employment at the locomotive shop of the Boston and Maine Railroad at Andover, MA. The Historical Society of Dunkirk maintains the ALCO-Brooks steam locomotive # 444 at the Chautauqua County Fairgrounds Display that was constructed for the Boston and Maine Railroad in 1916.

In 1850 Horatio G. Brooks was employed by the New York and Erie Railroad. He supervised the conveyance of the first steam locomotive to its planned western terminus of Dunkirk, NY. The railroad line was constructed eastward from Dunkirk, opening May 15, 1851.

Horatio G. Brooks became Master Mechanic, then Superintendent of the New York and Erie Railroad shop at Dunkirk. In 1865 he was promoted to Superintendent of Motive Power and Machinery for the entire railroad.

In 1869 the Erie Railroad was expanding and decided to close the Dunkirk Shops. Horatio G. Brooks along with financial associates reached an agreement with the Erie Railroad to lease the Dunkirk Shops for the construction of new steam locomotives.

The Brooks Locomotive Works of Horatio G. Brooks was official on November 13, 1869. Horatio G. Brooks was elected Dunkirk's first Mayor in 1880. He died on April 20, 1887.

Thank you very much for your consideration.

Sincerely,

Roy A. Davis – Vice President
Curator – Railroads & Industry

2016 OCT 11
PM 3:23
CITY OF DUNKIRK, N.Y.



LAKESHORE HUMANE SOCIETY, INC.

431 E. Chestnut St.
Dunkirk, NY 14048

October 13, 2016

City of Dunkirk Mayor- Wilfred Rosas

City Council Members -Andy Woloszyn, Don Williams, Jr., Marty Bamonto, Andy Gonzalez, Stacy Szukala

Festivals/Special Events Coordinator- Hector Rosas

The Lakeshore Humane Society is proud to be located within the city of Dunkirk. While we serve many of the communities located within the Northern Chautauqua area, we feel a special relationship with the city in which our Adoption Center is located. It is our annual **PAT MC GEE MEMORIAL Dog Walk** - held each June in recent years- that is the focus of this letter.

2016 marked the 12th consecutive year that this Dog Walk has been held . However, the actual weekend dates that LHS has secured the Koch Pavilion have varied from year to year. The purpose of this letter is to request the **third weekend of June be made the official weekend - held in reserve each June from 2017 into the future-for this event to take place**. Just like the annual sporting events in the City of Dunkirk that are held on particular week-ends, by making a resolution to dedicate the Koch Pavilion for the Lakeshore Humane Society's Annual Dog Walk on the third weekend of each June, LHS will be better able to advertise and establish with our participants that the **third weekend of each June** will always be the Dog Walk. LHS has paid for and will always expect to pay for the use of the pavilion and is only asking that the third weekend (Saturday for the Dog Walk /Sunday as the rain date) be reserved to eliminate changing weekends from year to year. Again, it gives our loyal participants a better way to reserve time on their calendars, makes our advertising consistent and especially helps our local business sponsors know in advance when we will need their help.

The City of Dunkirk benefits by having a standing source of income and by establishing another annual event within the city, with more and more tourists (we attract many out-of-towners through our social media advertising) able to experience our beautiful Pt. Gratiot and views of Lake Erie.

Thank you for your consideration,

Rock Vallone, President Lakeshore Humane Society

Website: www.lakeshorehumanesociety.org Phone: 716-672-9892

Facebook: lakeshorehumane

2016 OCT 13 PM 2:43
DUNKIRK, NY

Notice of Claim
City of Dunkirk, N.Y.

CITY OF DUNKIRK, N.Y.
DUNKIRK, N.Y.

2016 OCT 11 AM 11:47

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: Richard Zappie
Claimant Address: 18 Crooke's Brook Dr
Dunkirk NY 14048
Claimant Telephone Number: (716) 679-8852

This claim is for (injuries/damages) alleged: Drivers side front Tire

This claim is alleged to have arisen on the 12 day of September, 2016 at approximately 4³⁰ a.m./p.m. on that date at Willowbrook Dr.

The injuries and/or (damages) sustained by the Claimant arose in the following manner:
Blowin Tire

The amount and type of injuries and/or (damages) sustained by the Claimant consist of the following: \$ 103.45

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

Respectfully yours,
[Signature] 10-11-16
Claimant (date)

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

Richard D. Zappie, 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 11th day of Oct., 2016.
Lillian R. Divine
Notary
LILLIAN R. DIVINE
Notary Public, State of New York
No. 01D16347757
Appointed in Chautauqua County
My Commission Expires Sept. 12, 2020

RESOLUTION # 87-2016

October 4, 2016

BY THE ENTIRE COUNCIL:

**INTRO NO. 1 TO LOCAL LAW NO. 1-2016
CITY OF DUNKIRK****A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT
ESTABLISHED IN GENERAL MUNICIPAL LAW 3-c**

BE IT ENACTED by the City Council of the City of Dunkirk, New York, as follows:

Section 1 Purpose. It is the purpose of this Local Law to override the limit on the amount of real property taxes that may be levied by the City of Dunkirk, County of Chautauqua, pursuant to General Municipal Law, Section 3-c, and to allow the City of Dunkirk, County of Chautauqua, to adopt a budget for general city purposes and any other special or improvement district governed by the Common Council for the fiscal year 2017 that requires a real property tax levy in excess of the tax levy limit as defined in General Municipal Law, Section 3-c.

Section 2 Authority. This Local Law is adopted pursuant to subdivision five of General Municipal Law, Section 3-c, which authorizes the Common Council to override the tax levy limit set forth in the statute by adoption of a local law approved by a vote of sixty percent (60%) of the Common Council, adopted prior to the adoption of the budget by the Common Council.

Section 3 Override. The Common Council of the City of Dunkirk, County of Chautauqua, is hereby authorized to adopt a budget for the fiscal year 2017 that requires a real property tax levy in excess of the limit specified in General Municipal Law, Section 3-c. That said override applies to all special districts in the City of Dunkirk, for which the Common Council is the governing body, as the same has been interpreted and determined by the Office of the State Comptroller of the State of New York.

Section 4 Severability. If any clause, sentence, paragraph, subdivision, or part of this Local Law, and the application thereof, to any person, firm, corporation, or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not effect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or its application directly involved in the controversy in which such judgment or order shall be rendered by a court of competent jurisdiction.

Section 5 Effective Date. This local law shall take effect immediately upon filing with the Secretary of State of the State of New York.

10/4/16: Councilwoman Szukala made a motion to Table Resoultuion #87-2016 until a Public Hearing scheduled for Tuesday, October 18, 2016 at 5:20 PM. Seconded by Councilman Williams.
Carried, all voting aye. TABLED.