

AGENDA - COMMON COUNCIL MEETING – November 5, 2012 - 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. Appointing Margie Dye to the Dunkirk Local Development Corporation board effective November 5, 2012 and expiring February 20, 2014.
6. Communications from the public and petitions:
 1. Request from John T. Murray VFW Post #1017 to use the corner of Central Avenue and Fourth Street on November 10th and November 11th from 10:00 AM until 2:00 PM for their "Annual Poppy Drive".
 2. Request from St. Elizabeth & Seton Youth Organization to use the corners of Central Avenue and Fourth Street, Central Avenue and Fifth Street and Doughty Street near Route 60 on November 24th from 10:00 AM until 1:00 PM for their annual "Fill the Stocking" drive.
 3. Request from Harvest Chapel Church to use Washington Park on December 8th from 2:00 PM until 4:00 PM with an additional hour at each end for set-up and clean up for their "Courtney Street Christmas." Also requesting to erect tents and bring in a lawn tractor for train rides, and horses for horse and carriage rides and or a petting zoo.
 4. Request from the Town of Pomfret for water service at the corner of Division & Fifth Streets in Van Buren for the Soch residence.
7. Reports of Standing Committees, Boards and Commissions.
8. Unfinished Business:
 83. Motion to remove Local Law #1-2012 from the table for vote entitled "Rate Structure".
9. Pre-filed Resolutions:
 88. Resolution awarding bids for year 2013 requirements of treatment chemicals for the Water Pollution Control and Water Treatment Facilities.
 89. Resolution awarding 2013 Sludge and Grit Hauling for the Dunkirk Water Pollution Control Facility.
 90. Resolution authorizing Mayor to sign agreement between the Unified Court System and the City of Dunkirk for court cleaning and minor repairs.

91. Resolution authorizing Boardwalk Lease Agreement (Stephen Millett and Mary Millett d/b/a Brown Bean).
 92. Resolution authorizing Change Order – West End Water Project.
 93. Resolution designating Dunkirk Local Development Corporation as Festival Coordinator.
 94. Resolution authorizing Change Orders #2 and #3 relating to the First Ward Waterline Contract.
 95. Resolution proclaiming November Veterans' Remembrance Month.
 96. Resolution reappointing Commissioners of Deeds for the City of Dunkirk.
 97. Resolution rescinding Resolution #73-2012 and approve revised FY 2012 CDBG Annual Action Plan to HUD.
 98. Resolution authorizing the installation of street lights on East Chestnut Street.
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

October 23, 2012

Dunkirk Common Council
City Hall
Dunkirk, NY 14048

RECEIVED
CLERK'S OFFICE
DUNKIRK, N.Y.
2012 OCT 24 AM 9:32

Dear Council Members:

Due to the resignation of Shannon Solares from the Dunkirk Local Development Corporation (DLDC) board, a vacancy exists for a banking representative.

Therefore, please be advised that I hereby appoint Margie Dye from Lake Shore Savings Bank, 115 E. Fourth Street to fill this unexpired term. This appointment shall become effective November 5, 2012 and will expire February 20, 2014.

Sincerely,

ANTHONY J. DOLCE
Mayor

AJD:cao
cc: City Clerk
Director of Development
Personnel Department

VFW



RECEIVED

OCT 15 2012

MAYOR'S OFFICE

VETERANS OF FOREIGN WARS OF THE U.S.
JOHN T. MURRAY POST NO. 1017
111-113 Deer Street
Dunkirk, New York 14048

716 366-6484

Dear Mayor and City Council:

The John T. Murray VFW post 1017 would like permission to use Central Ave and Fourth St. on Saturday November 10th And Veteran's Day November 11th from 10:00 AM until 2:00 PM for our Annual Poppy drive. Please contact the post during regular business hours with your decision or you may send a letter to the address above. Thank you.

Commander,

Joe Gardner and Officers

RECEIVED
CLERK'S OFFICE
DUNKIRK, N.Y.

2012 OCT 15 PM 2:22

St. Elizabeth Ann Seton Catholic Youth Organization
328 Washington Avenue, Dunkirk, New York, 14048

327 Robin Street
Dunkirk, NY 14048

October 14, 2012

City of Dunkirk Clerk Office
City Hall
Dunkirk, NY 14048

RECEIVED
CLERK'S OFFICE
DUNKIRK, N.Y.
2012 OCT 25 PM 2:37

Dear Mayor Dolce:

I am submitting this letter on behalf of the St. Elizabeth Ann Seton Catholic Youth Organization.

As you may know, the SEAS CYO sponsors the Christmas Basket Project each year for the past 25+ years. Because of the tremendous hard work and effort put forth by the young people in our group, hundreds of children and adults receive gifts, and thousands of meals are distributed at Christmas. The SEAS CYO distributes the largest number of Christmas baskets to families in this area. We rely completely on the generous donations of money, food and gifts from individuals and organizations. Thousands of dollars are raised annually by the SEAS CYO to give Christmas to so many needy families.

With this in mind, I am asking for permission for the St. Elizabeth Ann Seton Catholic Youth Organization to hold a "Fill the Stocking" drive at the major intersections in the city, on Saturday, November 24, 2012 from 10:00 am – 1:00 pm, to raise money to help fund the Christmas Basket Project. We would like to collect at the same intersections as last year; Central Avenue and Fifth Street, Central Avenue and Fourth Street, and Doughty Street near Rt. 60. Please be assured that proper adult supervision and protective clothing will be provided at each intersection to ensure the safety of everyone involved.

The City of Dunkirk has always been very supportive of the CYO and your generosity is greatly appreciated. I am confident that the City Council will approve our request.

If you have any questions regarding the Christmas Basket Project, please do not hesitate to contact me at 410-0504. Thank you very much for considering our request as we continue to help those in need.

Sincerely,



Carol A. Smith

Coordinator

St. Elizabeth Ann Seton CYO Christmas Basket Project

Harvest Chapel

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

September 25, 2012

Mayor Anthony Dolce
Mayor's office
City Hall
342 Central Ave.
Dunkirk, NY 14048

Dear Mayor Dolce,

Thank you for partnering with us in your granting us permission to utilize Washington Park for our 5-Day Club closing carnival and cook out as well as our Family JAM night in which we distributed free clothing and hosted children's activities this past August. We had a great turn out at both events 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 8th, 2012. 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 "Courtney Street Christmas" in Washington Park on December 8th. Our Christmas celebration is not just for the children and families that live on Courtney St. and attend our programs there, but it is for any families living in the neighboring community as well. Our celebration 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:

- ❖ A Story tent
- ❖ Santa in the gazebo
- ❖ Refreshments to include hot chocolate and cookies

RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.
2012 NO - 1 AM 10:16

Harvest Chapel

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

- ❖ Train rides (pulled behind a lawn tractor) for young children
- ❖ Horse and carriage rides and or a petting zoo
- ❖ 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 and we expect a great fun afternoon for people of all ages just as in the past two years in which we held "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.

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. We may use an audio system for a Christmas carol sing along and also for the announcing of our door prize winners. With this in mind I have attached the required permit application

If you have any questions I may be reached at Harvest Chapel Church at the number above or at my home (934-2417). 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 and have a permit for the use of an audio system. *will not utilize per conversation with Lisa on 11-1-12 @ 10:25 AM. vt*

Sincerely,

Lisa Leavitt
Children's Ministry Director
Harvest Chapel Church

Town of Pomfret
9 Day St
Fredonia, NY 14063
716-672-6446

2012 NOV -1 PM 3:49

RECEIVED
CLERK'S OFFICE
DUNKIRK, N.Y.

11/1/12

Re: Water tap in Van Buren

To Whom It May Concern:

The Town of Pomfret has approved the application for a water service at the corner of Division St and Fifth St in Van Buren for the Soch residence. Since the Town of Pomfret buys water through the City of Dunkirk this is a courteous letter asking the City to supply water for this homeowner. There is no responsibility from the City of Dunkirk in anyway for tapping into the main line, this is the responsibility of the homeowners contractor.

If you have any questions or concerns you may contact me at the number above or you may call my cell phone at 716-673-5669.

Thank you

Dan Bigelow
Town of Pomfret
Highway Superintendent

RESOLUTION #83-2012
OCTOBER 16, 2012

BY THE ENTIRE COUNCIL:

INTRO NO. 1 TO LOCAL LAW NO. 1-2012
CITY OF DUNKIRK

A LOCAL LAW TO AMEND CHAPTER 31, ARTICLE III, WATER RATE SCHEDULE
SECTION 31-19
OF THE DUNKIRK CITY CODE
ENTITLED "RATE STRUCTURE"

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

Section 1 Intent.

It is the intent of this Local Law to amend Chapter 31, Article III, Section 31-19 "Rate Structure" to amend the Quarterly and Monthly Water Rates, in order to generate income necessary to retire the capital debt incurred as a result of the construction and improvements necessitated by compliance with certain regulatory agency mandates arising out of a Consent Order (October 2009) between the City of Dunkirk and the Chautauqua County Department of Health.

Section 2 Amendment of City Code.

Chapter 31, Article III, Section 31-19 of the Dunkirk City Code is hereby amended as follows:

ARTICLE III

Water Rate Schedule
[Adopted 6-18-1992 as L.L. #6-1992]

§ 31-19. Rate structure.

The following constitutes the rate structure for water services provided by the City of Dunkirk.

DELETE

EFFECTIVE FOR THOSE ACCOUNTS BILLED ON A QUARTERLY BASIS, THE FOLLOWING RATES WILL TAKE EFFECT NOVEMBER 1, 2009 AND WILL BE FULLY REFLECTED IN THE THREE (3) MONTH BILLING CYCLE ENDING JANUARY 31, 2010. [Amended 12-14-2009 as L.L. #3 (Intro No. 4) 2009]

QUARTERLY

	<u>CITY RATE</u>	<u>SUBURBAN RATE</u>
Minimum up to 5,000 gallons	\$22.50	\$39.38
Next 15,000 gallons	\$ 3.14 per 1,000 gal.	\$ 5.50 per 1,000 gal.
Next 180,000 gallons	\$ 2.44 per 1,000 gal.	\$ 4.27 per 1,000 gal.
Next 11,800,000 gallons	\$ 2.27 per 1,000 gal.	\$ 3.97 per 1,000 gal.
All over 12,000,000 gallons	\$ 1.27 per 1,000 gal.	\$ 2.22 per 1,000 gal.

and DELETE

MONTHLY

	<u>CITY RATE</u>	<u>SUBURBAN RATE</u>
Minimum up to 2,000 gallons	\$ 7.50	\$13.13
Next 5,000 gallons	\$ 3.14 per 1,000 gal.	\$ 5.50 per 1,000 gal.
Next 60,000 gallons	\$ 2.44 per 1,000 gal.	\$ 4.27 per 1,000 gal.
Next 3,933,000 gallons	\$ 2.27 per 1,000 gal.	\$ 3.97 per 1,000 gal.
All over 4,000,000 gallons	\$ 1.27 per 1,000 gal.	\$ 2.22 per 1,000 gal.

ADD

EFFECTIVE JANUARY 1, 2013

FOR ACCOUNTS BILLED QUARTERLY (fully-reflected in the three-month billing cycle ending March 31, 2013):

QUARTERLY

	<u>CITY RATE</u>	<u>SUBURBAN RATE</u>
Minimum up to 5,000 gallons	\$33.75	\$59.07
Next 15,000 gallons	\$ 3.14 per 1,000 gal.	\$ 5.50 per 1,000 gal.
Next 23,980,000 gallons	\$ 2.44 per 1,000 gal.	\$ 4.27 per 1,000 gal.
All over 24,000,000 gallons	\$ 1.27 per 1,000 gal.	\$ 2.22 per 1,000 gal.

and ADD

FOR ACCOUNTS BILLED MONTHLY (fully-reflected in the one-month billing cycle ending January 31, 2013):

MONTHLY

	<u>CITY RATE</u>	<u>SUBURBAN RATE</u>
Minimum up to 2,000 gallons	\$11.25	\$19.69
Next 5,000 gallons	\$ 3.14 per 1,000 gal.	\$ 5.50 per 1,000 gal.
Next 7,993,000 gallons	\$ 2.44 per 1,000 gal.	\$ 4.27 per 1,000 gal.
All over 8,000,000 gallons	\$ 1.27 per 1,000 gal.	\$ 2.22 per 1,000 gal.

EFFECTIVE JANUARY 1, 2014

FOR ACCOUNTS BILLED QUARTERLY (fully-reflected in the three-month billing cycle ending March 31, 2014:

QUARTERLY

	<u>CITY RATE</u>	<u>SUBURBAN RATE</u>
Minimum up to 5,000 gallons	\$45.00	\$78.75
Next 15,000 gallons	\$ 3.14 per 1,000 gal.	\$ 5.50 per 1,000 gal.
Next 23,980,000 gallons	\$ 2.44 per 1,000 gal.	\$ 4.27 per 1,000 gal.
All over 24,000,000 gallons	\$ 1.27 per 1,000 gal.	\$ 2.22 per 1,000 gal.

and **ADD**

FOR ACCOUNTS BILLED MONTHLY (fully-reflected in the one-month billing cycle ending January 31, 2014):

MONTHLY

	<u>CITY RATE</u>	<u>SUBURBAN RATE</u>
Minimum up to 2,000 gallons	\$15.00	\$26.25
Next 5,000 gallons	\$ 3.14 per 1,000 gal.	\$ 5.50 per 1,000 gal.
Next 7,993,000 gallons	\$ 2.44 per 1,000 gal.	\$ 4.27 per 1,000 gal.
All over 8,000,000 gallons	\$ 1.27 per 1,000 gal.	\$ 2.22 per 1,000 gal.

Section 3 Effective Date.

This Local Law shall take effect immediately upon filing with the Secretary of State.

10/16/12 - Councilwoman Szukala moved to set a Public Hearing on November 5th at 5:20 PM. Seconded by Councilman Gonzalez. Carried, all voting aye.

Councilman Michalski moved to table Local Law #1-2012. Seconded by Councilman Rivera. Carried, all voting aye. Tabled.

RESOLUTION #88-2012
NOVEMBER 5, 2012

BY: COUNCILMAN MICHALSKI

**AWARDING BIDS FOR YEAR 2013 REQUIREMENTS OF TREATMENT CHEMICALS FOR THE
WATER POLLUTION CONTROL AND WATER TREATMENT FACILITIES**

WHEREAS, sealed bids for the furnishing of water and wastewater treatment chemicals were opened and read aloud in the Dunkirk City Clerk's Office at 10:00 a.m. on October 23, 2012, now, therefore, be it hereby

RESOLVED, that the following bids be accepted for furnishing 2013 water and wastewater treatment chemicals:

<u>Bidder</u>	<u>Item</u>	<u>Cost</u>
Kemira Water Solutions, Inc. 3211 Clinton Parkway Court Lawrence, Kansas 66047	Ferric Chloride Solution	\$397.00 per dry ton
Univar USA, Inc. 328 Bunola River Road P.O. Box 303 Bunola, PA 15020	Liquid Chlorine (WPCF) Liquid Chlorine (WTP)	\$424.00 per ton \$424.00 per ton
Mercer Lime and Stone Company 560 Branchton Road Slippery Rock, PA. 16057	Hydrated Lime (Bulk)	\$187.23 per net dry ton
JCI Jones Chemicals, Inc. 100 Sunny Sol Blvd. Caledonia, NY 14423	Sulfur Dioxide (150# cylinders)	\$1.00 per gross pound

and, be it further

RESOLVED, that the Mayor is authorized and directed to execute any and all documents, on behalf of the City of Dunkirk, with each of the above-named vendors, for the purchase of such treatment chemicals for the Water Pollution Control and Water Treatment Facilities, and that the City Clerk is hereby authorized to return the bid deposits of the bidders, in accordance with the contract specifications, and, be it finally

RESOLVED, that the bids for poly-aluminum chloride, aqua ammonia and phosphoric acid be rejected and that the Public Works Department is authorized to re-bid those chemicals.

RESOLUTION #89-2012
NOVEMBER 5, 2012

BY: COUNCILMAN MICHALSKI

**AWARDING 2013 SLUDGE AND GRIT HAULING FOR THE
DUNKIRK WATER POLLUTION CONTROL FACILITY**

WHEREAS, sealed bids for 2013 hauling of sludge and grit from the City Water Pollution Control Facility, were opened and read aloud in the Dunkirk City Clerk's Office at 10:00 a.m. on October 23, 2012, with two (2) bids being received, now, therefore, be it

RESOLVED, that the low bid of Bestway Container Service, 202 East Main Street, Fredonia, New York 14063, be accepted for 2013 Sludge & Grit Hauling at the following unit costs:

Item 1 – Sludge Hauled to Ellery \$ 10.98 per ton

Item 2 – Grit Hauled to Ellery \$ 32.00 per ton

and, be it further

RESOLVED, that the Mayor is authorized and directed to execute any and all documents, on behalf of the City of Dunkirk, for the Year 2013 Sludge and Grit Hauling, and, be it finally

RESOLVED, that the City Clerk is hereby authorized to return the bid deposits of the bidders in accordance with the contract specifications.

RESOLUTION #90-2012
NOVEMBER 5, 2012

BY: COUNCILWOMAN SZUKALA:

**AUTHORIZING MAYOR TO SIGN AGREEMENT
BETWEEN THE UNIFIED COURT SYSTEM AND THE CITY OF DUNKIRK
FOR COURT CLEANING AND MINOR REPAIRS
(CONTRACT #300226)
(APRIL 1, 2012 TO MARCH 31, 2013)**

WHEREAS, the State of New York Unified Court System reimburses the City for expenses associated with the maintenance and operation of the court facilities which includes, but is not limited to cleaning, building and grounds maintenance and capital improvements requested by the Court, through a maintenance agreement, and

WHEREAS, the State 2012-2013 fiscal year (April 1, 2012 - March 31, 2013) reimbursement amount under the operations and maintenance agreement budget is estimated to be \$29,836, now, therefore, be it

RESOLVED, that the Mayor is hereby authorized to execute a contract renewal for maintenance and operations of City court facilities for State fiscal year 2012 – 2013 with an estimated reimbursement in the amount of \$29,836, which said funds to be allocated to revenue account #001-0001-3330 - Court Operations & Maintenance, for reimbursement of funds expended with respect to this agreement.

RESOLUTION #91-2012
NOVEMBER 5, 2012

BY: THE ENTIRE COUNCIL

AUTHORIZING BOARDWALK LEASE AGREEMENT
(Stephen Millett and Mary Millett d/b/a Brown Bean)

WHEREAS, the City of Dunkirk has developed and marketed the **Dunkirk Boardwalk Project** (the "Board walk") 8-22 Central Avenue, Dunkirk, New York, to help create and to encourage the vibrancy of the City's harb or district; and

WHEREAS, the City of Dunkirk has available space in the Boardwalk and desires to enter into an agreement with **Stephen Millett and Mary Millett d/b/a Brown Bean**, to lease a portion of the Boardwalk for retail sales of specialty coffees to the general public; now, therefore, be it

RESOLVED, that the Mayor, Anthony J. Dolce, is hereby authorized to execute a lease agreement with **Stephen Millett and Mary Millett d/b/a Brown Bean**, 7762 Cummings Road, Stockton, New York 14784 for rental of **20 Central Avenue**, Dunkirk, New York 14048, for a two (2) year period (December 1, 2012 through November 30, 2014) at an annual rental of Three Thousand Nine Hundred Dollars and Zero Cents (\$3,900.00).

RESOLUTION #92-2012
NOVEMBER 5, 2012

BY: THE ENTIRE COUNCIL

AUTHORIZING CHANGE ORDER – WEST END WATER PROJECT

WHEREAS, by Resolution No. 35-2012, certain improvements to the City of Dunkirk's water distribution system, specifically in the area of Lake Shore Drive West (the "West End Water Project"), were authorized; and

WHEREAS, the City's project engineers, Nussbaumer & Clarke, Inc., have requested a proposed amendment required to address the absence of as-built records or recent survey and mapping along the project length, and also to address the City's request that the project scope include: adjustment, repair or removal/replacement of water service components, sideline valves and boxes and fire hydrants, branch valves and boxes; and

WHEREAS, the estimated cost of such change orders is \$8,800.00 for Planning & Preliminary Engineering and \$10,500.00 for Design; and

WHEREAS, the proposed change order has been reviewed and recommended by the Director of Public Works; now, therefore, be it

RESOLVED, that the Mayor, Anthony J. Dolce, is hereby authorized to execute contracts and agreements to approve Amendment No. 1 for the "West End Water Project" to provide an additional \$8,800.00 for Planning & Preliminary Engineering and in the amount of \$10,500.00 for Design, to the City's project engineers, Nussbaumer & Clarke, Inc.

RESOLUTION #93-2012
NOVEMBER 5, 2012

BY: ENTIRE COUNCIL

**DESIGNATING DUNKIRK LOCAL DEVELOPMENT CORPORATION
AS FESTIVAL COORDINATOR**

WHEREAS, the City of Dunkirk (the "City") from time-to-time has undertaken to present various festivals and other community-related events (including, but not limited to the annual Fourth of July Celebration, Beach Bash, Wreck-n-Roll and Thursday Music on the Pier); and

WHEREAS, the Dunkirk Local Development Corporation (the "DLDC") is ready, willing and able to provide oversight and planning for such events on behalf of the City in order to provide such events for the benefit of the Dunkirk community; now, therefore, be it

RESOLVED, that the City hereby designates the Dunkirk Local Development Corporation, as the coordinator for various festivals and community-related events (including, but not limited to the annual Fourth of July Celebration, Beach Bash, Wreck-n-Roll and Thursday Music on the Pier), with the DLDC and its administrative staff, and their assigns, to be responsible for the direct oversight and administration of the planning, organizing and operation of such community events, contingent upon the DLDC forming an advisory group for such festivals and events which group shall include City Council and community representatives, and further contingent upon the DLDC provide regular reports of such events on no less than a monthly basis to the Dunkirk City Clerk.

RESOLUTION #94-2012
NOVEMBER 5, 2012

BY: COUNCILWOMAN SZUKALA AND COUNCILMAN MICHALSKI

**AUTHORIZING CHANGE ORDERS #2 AND #3 RELATING TO
THE FIRST WARD WATERLINE CONTRACT**

WHEREAS, S. St. George Enterprises, Inc., was awarded the contract for the First Ward Waterline Replacement Project on December 20, 2011, of which the contract work has been substantially completed with the exception of minor restoration items which will be resolved in the upcoming spring, and

WHEREAS, in an effort to close out the project with respect to changes to the work found different during construction and to adjust final project costs, now, therefore, be it hereby

RESOLVED, that the Mayor is hereby authorized to execute contract change orders #2 and #3 with S. St. George Enterprises, Inc., for the First Ward Waterline Replacement Project which are further described as follows:

Change Order #2 – Increase contract cost in the amount of \$7,845.26 for costs associated with upgrading fitting bolts, corporation stops and curb stops and the removal of several concrete foundation walls on North Beagle and Ermine Street which were found during construction.

Change Order #3 – Adjusting contract quantities and costs to reflect an adjustment in the original bid cost of \$1,270,180 to the final project cost of \$1,254,735.68.

RESOLUTION #95-2012
NOVEMBER 5, 2012

BY: THE ENTIRE COUNCIL

PROCLAIMING NOVEMBER VETERANS' REMEMBRANCE MONTH

WHEREAS, many men and women who have served in the Armed Forces of the United States of America have made the supreme sacrifice by giving their lives in services to our Country, and

WHEREAS, many more have become permanently disabled while preserving and protecting our Nation's freedom, and

WHEREAS, recent world events continue to vividly demonstrate the sacrifices our military personnel are prepared to make; now, therefore, be it

RESOLVED, that the Dunkirk Common Council hereby greatly expresses its appreciation, on behalf of the entire City, to the brave men and women who have served in the Armed Forces and to those who continue to serve, and that this Common Council hereby

PROCLAIMS the month of November, 2012, as "**VETERANS' REMEMBRANCE MONTH**" in the City of Dunkirk, and respectfully urges all citizens to acknowledge and be mindful of the sacrifices our members of the Armed Forces have made, and continue to make, to protect and to preserve our liberty.

RESOLUTION #96-2012
NOVEMBER 5, 2012

BY: ENTIRE COUNCIL

**REAPPOINTMENT OF COMMISSIONERS OF DEEDS
FOR THE CITY OF DUNKIRK**

RESOLVED that the following be reappointed as Commissioners of Deeds for the City of Dunkirk, New York, beginning January 1, 2013 and expiring December 31, 2014:

Mark A. Woods	47 W. Third Street	Dunkirk
Robert R. Mazurek	147 Fizell Avenue	Dunkirk
Mark E. Polowy	58 W. Fourth Street	Dunkirk
Christine McGraw	3754 Wildwood Drive	Dunkirk
Leonard Catalano	731 Washington Avenue	Dunkirk

RESOLUTION #97-2012
NOVEMBER 5, 2012

BY: ENTIRE COUNCIL

RESCIND RESOLUTION #73-2012 and APPROVE REVISED FY 2012 CDBG ANNUAL ACTION PLAN TO HUD

WHEREAS, the City of Dunkirk receives funding each year from the United States Department of Housing and Urban Development ("HUD") through the Community Development Block Grant ("CD BG") program; and

WHEREAS, the City develops an annual *Action Plan* each year which identifies and describes the City's anticipated allocation of CDBG funds to various programs and activities for the next fiscal year; and

WHEREAS, the City, through Council Resolution No. 73-2012, had rescinded Council Resolution No. 22-2012 and approved submission of a revised FY2012 *Action Plan*; and,

WHEREAS, the City's CDBG consultant has cautioned and suggested that such revised FY2012 *Action Plan* be amended to re-title and relocate to a new category the "home ownership training" allocation in order to more properly conform to HUD guidelines; now, therefore, be it

RESOLVED, that Council Resolution No. 73-2012 (September 4, 2012) is hereby rescinded and, be it further

RESOLVED, that the following activities are approved for the City's 2012 Annual Action Plan submitted to the public pursuant to the City's Citizen Participation Plan and are to be submitted to HUD for its approval.

ADMINISTRATION	Administration	\$ 90,000.00	\$ 90,000.00
PUBLIC FACILITY	Parking Facilities - Sr. Ctr.	\$ 2,500.00	\$ 46,500.00
	Streets Improvement	\$ 24,000.00	
	Sidewalk Improvement	\$ 20,000.00	
PUBLIC SERVICE	Employment Training	\$ 10,000.00	\$ 32,500.00
	Senior Services	\$ 7,500.00	
	Youth Services	\$ 15,000.00	
ECO DEVEL	DLDC/Eco Development	\$ 122,500.00	\$ 122,500.00
HOUSING	Owner-occupied Rehab	\$ 100,000.00	\$ 118,315.00
	Direct Homeownership Assistance	\$ 18,315.00	

OTHER	Code Enforcement	\$ 20,000.00	\$ 50,000.00
	Demolition	\$ 30,000.00	
		\$ 459,815.00	

RESOLUTION #98-2012
NOVEMBER 5, 2012

BY: THE ENTIRE COUNCIL

**AUTHORIZING THE INSTALLATION OF STREET LIGHTS
EAST CHESTNUT STREET**

WHEREAS, the street lighting in the area of the Lakeshore Humane Society building on East Chestnut Street is in need of improvement; and

WHEREAS, it would be in the best interests of the community for additional street lighting to be installed on East Chestnut Street; now, therefore, and be it

RESOLVED, that the Common Council hereby authorizes Niagara Mohawk Power Corporation (d/b/a National Grid) to make the following changes to the street lighting system in the City of Dunkirk and hereby directs the Mayor to execute any necessary documents to effect such changes:

Install: Two (2) 100-w high pressure sodium Roadway lights on existing distribution poles No. 8 and No. 9 East Chestnut Street, with the additional charges for the streetlight facilities to be added to existing streetlight reference Account No. 11938-79105, with the total increase in annual charge for the two (2) lights to be Two Hundred Eight Dollars and Forty-Three Cents (\$208.43).