

AGENDA - COMMON COUNCIL MEETING – November 2, 2015 - 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. Notice of Claim from:
 - a) Roxanne Tenamore for damages to her vehicle allegedly caused by a manhole cover on corner of E. Seventh Street and Washington Avenue.
7. Reports of Standing Committees, Boards and Commissions.
8. Unfinished Business:
9. Pre-filed Resolutions:
 76. Resolution authorizing Budget Line Modifications for Fiscal Year 2015.
 77. Resolution introducing Local Law #3-2015 amending Chapter 31, Article III, Water Rate Schedule Section 31-19 of the Dunkirk City Code entitled "Rate Structure."
10. New Business:
11. Adjournment.

Nicole Joiner
City Clerk

Notice of Claim
City of Dunkirk, N.Y.

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: ROXANNE TENAMORE
Claimant Address: 58 E Courtnay St.
Dunkirk, N.Y. 14048
Claimant Telephone Number: (716) 366-6998

This claim is for (injuries/damages alleged):
Right Tire Slashed by manhole cover

This claim is alleged to have arisen on the 3 day of October, 2015 approximately 6:45 a.m./10:00 p.m. on that date at 7th Washington St

The injuries and/or damages sustained by the Claimant arose in the following manner:
driving down street cover slashed tire nothing on street to show manholes above pavement

The amount and type of injuries and/or damages sustained by the Claimant consist of the following:
New tire / cost of roadside assistance \$ 200.84 Tire New
107.50 change flat
(\$ 308.34) TOTAL
alignment \$ 705.04

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

Respectfully yours,
Roxanne M Tenamore 10/19/15
Claimant (date)

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

Roxanne M Tenamore 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 19 day of October, 2019.
Mary L Vercant
Notary

MARY L. VERCANT #01VE5078259 Rev. May 2012
Notary Public, State of New York
County of Chautauqua
Commission Expires May 19, 2019

2015 OCT 20 AM 9:56
CITY CLERK'S OFFICE
DUNKIRK, N.Y.



VALLEY TIRE CO. INC.

Complete Auto Service

47 LAKESHORE DR.
 NYS Repair Shop #5070333
 DUNKIRK, NY 14048
 Phone: 716-366-6500 / Fax: 716-366-6514
 Remit to: Valley Tire Co., Inc
 1002 Arentzen Blvd, Charleroi, PA 15022
 Your Partner in Business, since 1979



INVOICE VALLEY TIRE - DUNKIRK

SOLD TO:

ROXANNE TENAMORE
 58 EAST COURTNEY ST
 DUNKIRK, NY 14048
 Attn: ROXANNE TENAMORE
 Phone: 000

ROX024



ROXANNE TENAMORE
 58 EAST COURTNEY ST
 DUNKIRK, NY 14048
 Attn: ROXANNE TENAMORE

Fax:

CUST P. O.	SHIP TO	PLATE	MILEAGE	TELEPHONE	SLSP	SHIP VIA	PAGE
	ROX024	CCE7742	37,674	000	01	SHIP TO CUSTOMER	1
INVOICE DATE	INVOICE NBR	TERMS			Opened by Operator # 5004		
10/6/2015	678223-50	C.O.D.			10/6/2015 2:55 PM		

Make:		BUICK		VIN:		Fleet:		
Stock Number	Size	Description	QTY	Unit Price	Tx	F.E.T.	Extension	
3861-S0660193	235/45R18	CON CONTI PRO CONTACT	1	\$175.00	Y	\$0.00	\$175.00	
9001		SPIN BALANCES	1	\$8.00	Y	\$0.00	\$8.00	
93000		WHEEL WEIGHTS	1	\$0.50	Y	\$0.00	\$0.50	
93001		SCRAP TIRE REMOVAL	1	\$1.00	Y	\$0.00	\$1.00	
200	\$2.50/TIRE	NEW YORK TIRE TAX FEE	1	\$2.50	N	\$0.00	\$2.50	
09	REMINDER	SEPTEMBER STATE INSPECTION DUE	1	\$0.00	Y	\$0.00	\$0.00	
Payment Type		Amount						
CK	458	\$200.84						

SIGN HERE: _____
 ALL WHEELS MUST BE RE-TORQUED WITHIN 50-100 MILES

2 PARTS	LABOR	TAX %	TAXABLE TOTAL	TAX	MISC/SUPPLIES	F.E.T.	INVOICE TOTAL
\$179.00	\$8.00	7.50%	\$184.50	\$13.84		\$0.00	\$200.84
				Billed To:			

BASIL CHEVROLET BUICK CADILLAC

212 E MAIN STREET

FREDONIA NY 14063

716-679-1535

ESTIMATE OF REPAIRS

ROXANNE TENAMORE

58 E COURTNEY ST

DUNKIRK NY 14048

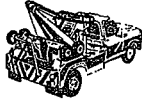
2013 BUICK VERANO VIN #1G4PR5SK7D41215613

4 WHEEL ALIGNMENT \$89.95

SALES TAX \$6.75

TOTAL \$96.70

MIKE'S AUTOMOTIVE



24 Hour Towing
 419 Park Ave.
 DUNKIRK, NY 14048
 (716) 673-6528
 Office (716) 366-8315

DATE	10/3/15	TIME		A.M.	REQUESTED BY																		
LOCATION OF VEHICLE		715 Central																					
NAME	Roxanne Tenmore			PHONE																			
ADDRESS	88 E Courtney St			ZIP	14048																		
MILEAGE		SERVICE TIME		EXTRA PERSON																			
FINISH		FINISH		FINISH																			
START		START		START																			
TOTAL		TOTAL		TOTAL																			
YEAR	13	MAKE / MODEL / COLOR	Buick		DRIVER																		
STATE	NY	LIC. NO.	VEHICLE I.D. NO.		Mike																		
<input type="checkbox"/> SLING/HOIST TOW <input type="checkbox"/> WHEEL LIFT <input type="checkbox"/> FLAT BED/RAMP <input type="checkbox"/> START <input type="checkbox"/> LOCK OUT			<input checked="" type="checkbox"/> FLAT TIRE <input type="checkbox"/> OUT OF GAS <input type="checkbox"/> WRECK <input type="checkbox"/> RECOVERY		SPECIAL EQUIPMENT <input type="checkbox"/> SINGLE LINE WINCHING <input type="checkbox"/> DUAL LINE WINCHING <input type="checkbox"/> SNATCH BLOCKS <input type="checkbox"/> SCOTCH BLOCKS <input type="checkbox"/> DOLLY																		
VEHICLE TOWED TO																							
REMARKS			<table border="1"> <tr> <td>MILEAGE CHARGE</td> <td></td> <td></td> </tr> <tr> <td>TOWING CHARGE</td> <td>100.00</td> <td></td> </tr> <tr> <td>LABOR CHARGE</td> <td></td> <td></td> </tr> <tr> <td>STORAGE CHARGE</td> <td></td> <td></td> </tr> <tr> <td></td> <td></td> <td>7.50</td> </tr> <tr> <td>TOTAL</td> <td>107.50</td> <td></td> </tr> </table>			MILEAGE CHARGE			TOWING CHARGE	100.00		LABOR CHARGE			STORAGE CHARGE					7.50	TOTAL	107.50	
MILEAGE CHARGE																							
TOWING CHARGE	100.00																						
LABOR CHARGE																							
STORAGE CHARGE																							
		7.50																					
TOTAL	107.50																						
Hit Manhole																							
fd																							
OPERATOR'S SIGNATURE																							
AUTHORIZED SIGNATURE																							

3095

NEBS To Reorder:
 800-225-6360 or nebs.com

Road Service

PRODUCT 613

F

RESOLUTION #76-2015
NOVEMBER 2, 2015

BY: THE ENTIRE COUNCIL

AUTHORIZING BUDGET LINE MODIFICATIONS
For Fiscal Year 2015

WHEREAS, there is a need to make timely adjustments to the 2015 Fiscal Year to address modifications in certain line items for confirmation of additional Consolidated Highway Investment Program (CHIP) funds; now, therefore, be it

RESOLVED, that the appropriate revenue and corresponding appropriation be increased by One Hundred Sixty-Three Thousand One Hundred Seventy-Two Dollars and Zero Cents (\$163,172.00), comprised of: an increase of Sixty Thousand Nine Hundred Eighty-Eight Dollars and Zero Cents (\$60,988.00) for 2015 fiscal year CHIP allocation, and an additional One Hundred Two Thousand One Hundred Eighty-Four Dollars and Zero Cents (\$102,184.00) additional CHIP allocation secured from previous years; and, be it further

RESOLVED, that the Fiscal Affairs Officer is hereby authorized and directed to make the following line item budget modifications to properly reflect needed modifications in certain line items in the Fiscal Year 2015 budget:

FUND 1 - General Fund

<u>Account No.</u>	<u>Department</u>	<u>Line</u>	<u>Change</u>
Revenue 001.0001.3501	General Fund	State Aid CHIP Highway	\$163,172.00
Appropriation 001.5110.4055	Maintenance of Streets	CHIP Streets Program	\$163,172.00

RESOLUTION #77-2015
NOVEMBER 2, 2015

BY: THE ENTIRE COUNCIL

INTRO NO. 1 TO LOCAL LAW #3-2015
CITY OF DUNKIRK, NEW YORK

**A LOCAL LAW TO AMEND THE DUNKIRK CITY CODE, CHAPTER 31, ARTICLE III,
SECTION 31-19 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 Dunkirk City Code Chapter 31, Article III, Section 31-19 "Rate Structure", to amend the Quarterly and Monthly Water Rates, in order to generate additional required 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.**

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

ARTICLE III

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

§ 31-19. Rate structure. [Amended 10-27-1993 as L.L. #11 (Intro No.15) 1993; Amended 6-6-1995 as L.L. #16-1995; Amended 10-28-1996 as L.L. #17 (Intro No. 17) 1996; Amended 12-3-2002 as L.L. #4-2002; Amended 12-12-2006 as L.L. #12-2006; Amended 12-14-2009 as L.L. #3 (Intro No. 4) 2009; Amended 11-05-2012 as L.L. #1 (Intro No. 1) 2012; Amended 12-16-2014 as L.L. #3 (Intro No. 1) 2014; Amended _____ as L.L. #3 (Intro No. 3) 2015]

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

DELETE

EFFECTIVE JANUARY 1, 2015

FOR ACCOUNTS BILLED QUARTERLY (fully-reflected in the three-month billing cycle ending March 31, 2015: [Amended 11-05-2012 as L.L. #1 (Intro No. 1) 2012; Amended 12-16-2014 as L.L. #3 (Intro No. 1) 2014]

QUARTERLY

	<u>CITY RATE</u>	<u>SUBURBAN RATE</u>
Minimum up to 5,000 gallons	\$57.00	\$99.75
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.

METER RATES [Amended 12-3-2002 as L.L. #4-2002]

1"	\$ 25.00	\$ 43.75
1.5"	\$ 60.00	\$ 105.00
2"	\$ 125.00	\$ 218.75
3"	\$ 250.00	\$ 437.50
4"	\$ 375.00	\$ 656.25
6"	\$ 437.50	\$ 765.63
8"	\$ 500.00	\$ 875.00
10"	\$ 562.50	\$ 984.38

<u>MAXIMUM METER CHARGE PER CUSTOMER</u>	\$1,800.00	\$3,150.00
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FOR ACCOUNTS BILLED MONTHLY (fully-reflected in the one-month billing cycle ending January 31, 2015): [Amended 11-05-2012 as L.L. #1 (Intro No. 1) 2012; Amended 12-16-2014 as L.L. #3 (Intro No. 1) 2014]

MONTHLY

	<u>CITY RATE</u>	<u>SUBURBAN RATE</u>
Minimum up to 2,000 gallons	\$19.00	\$33.25
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.

METER RATES [Amended 12-3-2002 as L.L. #4-2002]

1"	\$ 25.00	\$ 43.75
1.5"	\$ 60.00	\$ 105.00
2"	\$ 125.00	\$ 218.75
3"	\$ 250.00	\$ 437.50
4"	\$ 375.00	\$ 656.25
6"	\$ 437.50	\$ 765.63
8"	\$ 500.00	\$ 875.00
10"	\$ 562.50	\$ 984.38

ADD

EFFECTIVE JANUARY 1, 2016

FOR ACCOUNTS BILLED QUARTERLY (fully-reflected in the three-month billing cycle ending March 31, 2016: [Amended 11-05-2012 as L.L. #1 (Intro No. 1) 2012; Amended 12-16-2014 as L.L. #3 (Intro No. 1) 2014; Amended _____ as L.L. #3 (Intro No. 1) 2015]

QUARTERLY

	<u>CITY RATE</u>	<u>SUBURBAN RATE</u>
Minimum up to 5,000 gallons	\$60.00	\$105.00
Next 15,000 gallons	\$ 3.30 per 1,000 gal.	\$ 5.78 per 1,000 gal.
Next 23,980,000 gallons	\$ 2.57 per 1,000 gal.	\$ 4.50 per 1,000 gal.
All over 24,000,000 gallons	\$ 1.34 per 1,000 gal.	\$ 2.35 per 1,000 gal.

METER RATES [Amended 12-3-2002 as L.L. #4-2002]

1"	\$ 25.00	\$ 43.75
1.5"	\$ 60.00	\$ 105.00
2"	\$ 125.00	\$ 218.75
3"	\$ 250.00	\$ 437.50
4"	\$ 375.00	\$ 656.25
6"	\$ 437.50	\$ 765.63
8"	\$ 500.00	\$ 875.00
10"	\$ 562.50	\$ 984.38

**MAXIMUM METER CHARGE
PER CUSTOMER**

\$1,800.00	\$3,150.00
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FOR ACCOUNTS BILLED MONTHLY (fully-reflected in the one-month billing cycle ending January 31, 2016): [Amended 11-05-2012 as L.L. #1 (Intro No. 1) 2012; Amended 12-16-2014 as L.L. #3 (Intro No. 1) 2014; Amended _____ as L.L. #3 (Intro No. 1) 2015]

MONTHLY

	<u>CITY RATE</u>	<u>SUBURBAN RATE</u>
Minimum up to 2,000 gallons	\$20.00	\$35.00
Next 5,000 gallons	\$ 3.30 per 1,000 gal.	\$ 5.78 per 1,000 gal.
Next 7,993,000 gallons	\$ 2.57 per 1,000 gal.	\$ 4.50 per 1,000 gal.
All over 8,000,000 gallons	\$ 1.34 per 1,000 gal.	\$ 2.35 per 1,000 gal.

METER RATES [Amended 12-3-2002 as L.L. #4-2002]

1"	\$ 25.00	\$ 43.75
1.5"	\$ 60.00	\$ 105.00
2"	\$ 125.00	\$ 218.75
3"	\$ 250.00	\$ 437.50
4"	\$ 375.00	\$ 656.25
6"	\$ 437.50	\$ 765.63
8"	\$ 500.00	\$ 875.00
10"	\$ 562.50	\$ 984.38

**MAXIMUM METER CHARGE
PER CUSTOMER**

\$ 600.00

\$1,050.00

Section 3 Effective Date.

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