

AGENDA - COMMON COUNCIL MEETING – December 5, 2017 - 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. Proclamation for Tuesday, December 5th, 2017 as “Globus Relief Day”.
6. Communications from the public and petitions:
 1. Notice of Claim from Bonnie Orchard for alleged injuries sustained from a fall on the sidewalk at 3rd Street and Swan Street on October 3, 2017.
7. Reports of Standing Committees, Boards and Commissions.
8. Unfinished Business:
9. Pre-filed Resolutions:
 114. Ratification of Agreement between the City of Dunkirk and the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union AFL-CIO-CLC Local 2693 COD for January 1, 2011 through December 31, 2020.
 115. Authorizing Budget Line Modifications for Fiscal Year 2017.
 116. Authorizing Agreement to Provide Drug/Alcohol Testing (Langford Testing and Consulting).
 117. Authorizing Grant Application Restore NY Communities Initiative.
10. New Business:
11. Adjournment.

Edwin Ramos
City Clerk

Proclamation



City of Dunkirk, New York Office of the Mayor

WHEREAS: Ms. Tammy Barreca-Will, Philanthropist for Globus Relief has been instrumental in the acquisition and delivery of over \$315,000 in medical supplies to the hurricane ravaged island of Puerto Rico; and

WHEREAS: she is continuing to work with City of Dunkirk Special Events Coordinator, Hector Rosas to further the reach of Globus Relief into our City to provide additional services for our displaced hurricane victims; and

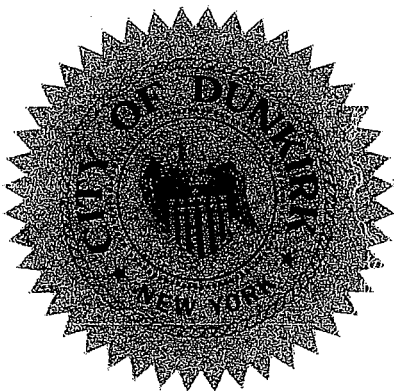
WHEREAS: her support and partnership with the City of Dunkirk have made Globus Relief an invaluable friend to the displaced children and people of Puerto Rico.

NOW, THEREFORE, I, Wilfred Rosas, Mayor of the City of Dunkirk, New York, do hereby proclaim Tuesday, December 5, 2017 as

"Globus Relief Day"

in the City of Dunkirk, and encourage all residents to recognize and thank Tammy Barreca-Will and Globus Relief for their continued generosity and giving to the children who are relocating to our area.

IN WITNESS WHEREOF, I
have hereunto set my hand
and caused the Seal of the
City of Dunkirk, New York
to be affixed to this
document this 30th day of
November in the year 2017.




WILFRED ROSAS, Mayor

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: Bonnie Orchard
Claimant Address: 48 Main St. apt 122
Silver Cr. NY 14136
Claimant Telephone Number: (716) 951-8180

This claim is for (injuries/damages alleged): When I fell on ^{raised} sidewalk walking to store. Injuries to eye, face, hand and arm and side of right foot

This claim is alleged to have arisen on the 3 day of Oct, 2017 at approximately 2 a.m. (p.m.) on that date at Corner 3rd St.

The injuries and/or damages sustained by the ^{sidewalk} claimant arose in the following manner: Sidewalk on 3rd & swan ^{raised} a couple of inches. tripped and fell on arm hands and face. 3 other people with me. Had to call ambulance.

The amount and type of injuries and/or damages sustained by the Claimant consist of the following: fractured hand, stitches on hand & eye area, eye not opening all the way, plasters and headaches with dizziness, vision issue in right eye and abrasions, pain in right arm had brace on

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

Still serious pain in hand & arm
Respectfully yours,
Bonnie Orchard 11/17
Claimant (date)

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

Bonnie Orchard 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
27 day of Nov, 2017.

Sheryl Mays
Notary

Sheryl M. Mays
Notary Public - State of New York
Qualified in Chautauqua County
My Comm. Exp. 07/12/2018

RECEIVED
CLERK'S OFFICE
DUNKIRK, N.Y.
NOV 29 PM 7:35

RESOLUTION # 114-2017

December 5, 2017

BY: COUNCILMAN WILLIAMS and COUNCILMAN BAMONTO:

**RATIFICATION OF AGREEMENT BETWEEN THE
CITY OF DUNKIRK AND THE
UNITED STEEL, PAPER AND FORESTRY, RUBBER, MANUFACTURING, ENERGY, ALLIED
INDUSTRIAL AND SERVICE WORKERS INTERNATIONAL UNION
AFL-CIO-CLC
LOCAL 2693 COD
FOR JANUARY 1, 2011 THROUGH DECEMBER 31, 2020**

WHEREAS, The City of Dunkirk and the UNITED STEEL, PAPER AND FORESTRY, RUBBER, MANUFACTURING, ENERGY, ALLIED INDUSTRIAL AND SERVICE WORKERS INTERNATIONAL UNION AFL-CIO-CLC, LOCAL 2693 COD (USW 2693) have been involved in labor negotiations to reach an agreement on a new Collective Bargaining Agreement to replace the previous Collective Bargaining Agreement between the parties which expired on December 31, 2010; and

WHEREAS, after negotiations, the City and the USW 2693 have signed a Memorandum of Agreement regarding said proposed contract; and

WHEREAS, the Civil Service Law requires that this Common Council review and vote upon the issue of ratification of the proposed Collective Bargaining Agreement, now, therefore, be it

RESOLVED, that the Dunkirk Common Council hereby ratifies and approves said Collective Bargaining Agreement and directs the Mayor to execute said agreement between the City and the USW 2693, on behalf of the City of Dunkirk for the years 2011 through 2020.

RESOLUTION # 115 -2017

December 5, 2017

BY ENTIRE COUNCIL:

**AUTHORIZING BUDGET LINE MODIFICATIONS
For Fiscal Year 2017**

WHEREAS, it is anticipated that some expenses will exceed their entire budgetary essentials, and it is anticipated that some appropriations will have surpluses for Fiscal Year 2017, ending December 31, 2017; now, therefore, be it

RESOLVED, that the Fiscal Affairs Officer is hereby authorized and directed to make the following modifications to the Fiscal Year 2017 budget:

Fund 1 - General Fund

Account #	Revenue	Line	Change
001.0001.1081.0811		PILOT Housing Auth	\$ 1,611.00
001.0001.1090.0903		Real Prop Int/Pen	\$ 693.40
001.0001.1589		Nuisance Abatement	\$ 6,297.50
001.0001.2001		Recreation Program	\$ 4,322.50
001.0001.2071		Contribution Dog Pk	\$ 10,000.00
001.0001.2110		Zoning Fees	\$ 2,005.00
001.0001.2132		Job Order Chgs	\$ 12,715.99
001.0001.2279		Brownfield Opp Program	\$ 42,282.45
001.0001.2351		Programs for Aging	\$ 3,500.00
001.0001.2544		Dog Licenses	\$ 13,807.50
001.0001.2555		Bldg/Alterations	\$ 14,280.00
001.0001.2770.7704		Unclass Rev W/C Reimb	\$ 113,406.42
	TOTAL		\$ 224,921.76

Account Number	Department	Line	Change
001.3120.1000 (Worker Comp Reimbursement)	Police	Personal Services	\$(81,044.19)
	TOTAL		\$(81,044.19)

Fund 2 -Water Fund

Account #	Revenue	Line	Change
002.0002.2140.1403		Metered Water-Ind	\$ 80,606.23
002.0002.2140.1405		Metered Water-Res	\$ (64,000.00)
	TOTAL		\$ 16,606.23

Fund 3 – Wastewater Treatment Fund

Account #	Revenue	Line	Change
003.0003.2120.2123		Sewer Rents-Ind	\$ 82,984.12
	TOTAL		\$ 82,984.12

RESOLUTION #116-2017
DECEMBER 5, 2017

BY: ENTIRE COUNCIL

**AUTHORIZING AGREEMENT TO PROVIDE DRUG/ALCOHOL TESTING
(LANGFORD TESTING AND CONSULTING)**

WHEREAS, the Department of Transportation (DOT) requires standard random selection drug testing for employees possessing a CDL license; and

WHEREAS, the City utilizes a pre-employment screening protocol for various employees; and

WHEREAS, the DOT requires written reports regarding the City's compliance with such drug testing requirements; and

WHEREAS, the City has obtained quotes from three vendors and has undertaken a vendor comparison which provides that Langford Testing and Consulting can provide the required services in a good and workmanlike manner at the lowest cost; now, therefore, be it

RESOLVED, the Mayor is authorized and directed to enter into an agreement with **Langford Testing and Consulting**, 52 Berry Road, Fredonia, New York 14063, for the administration of the required drug/alcohol testing program for 2018, including providing compliance with Department of Transportation requirements.

RESOLUTION #117-2017
December 5, 2017

BY: ENTIRE COUNCIL

**AUTHORIZING GRANT APPLICATION
RESTORE NY COMMUNITIES INITIATIVE**

WHEREAS, the City of Dunkirk is applying to Empire State Development's (ESD) Restore New York Municipal Grant Program for a project located at 23-25 Lake Shore Drive East in the territorial jurisdiction of the City; and,

WHEREAS, the proposed project is consistent with the City's Brownfield Opportunity Area (BOA) Plan and Economic Development Plan for the waterfront and acts as a driver to promote economic development and reinvestment in a vacant building, and

WHEREAS, the proposed financing of \$1,000,000 in grant funding is appropriate for the specific project; and

WHEREAS, if successful, owners Gerald T. Burgess and Mark A. Shaw will commit the required match of 10% of the awarded amount in cash and in-kind contributions; and

WHEREAS, as a requirement of the program, 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 Restore New York Communities Initiative Municipal Grant Program through Empire State Development for a project located within this community, and authorizes and directs such application be made to ESD.