

AGENDA - COMMON COUNCIL MEETING – February 3, 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.
 1. Appointing and re-appointing members to the Assessment Review Board, Greater Dunkirk Area Harbor Commission, Planning Board and Zoning Board of Appeals.
6. Communications from the public and petitions:
 1. Request from The Lake Shore Humane Society to use Point Gratiot from 8:30 AM until 3:00 PM on June 20th (Rain date June 21st) for their annual "Pat Magee Memorial Dog Walk."
 2. Notices of Claim from:
 - a) Robert Graves for damages to his vehicle allegedly caused by a city vehicle.
 3. Loudspeaker Applications from:
 - a) Hometown Insurance for a band on July 4th from 4:00 PM until 10:00 PM at 200 Lake Shore Drive West.
 4. Notice of Order from New York State Department of Transportation advising of speed limit change on Lake Shore Drive/Route 5 in the vicinity of Dunkirk School #7 between the hours of 7:00 AM – 9:00 AM and 2:00 PM – 4:00 PM.
 5. Harbor Commission requesting approval of Commercial Bait Fishing Applications.
7. Reports of Standing Committees, Boards and Commissions.
8. Unfinished Business:
9. Pre-filed Resolutions:
 4. Resolution ratifying Collective Bargaining Agreement (AFSCME Local 912) January 1, 2012 to December 31, 2017.
10. New Business:
11. Adjournment.

Nicole Joiner
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

January 29, 2015

2015 JA 29 PM 2:57

RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.

Dunkirk Common Council
City Hall
Dunkirk, NY 14048

Dear Council Members:

Please be advised that I hereby make the following appointments/re-appointments:

		<u>Expiration Date</u>
<u>ASSESSMENT REVIEW BOARD</u>		
Ken Hollander	34 Newton St.	9/30/2019
<u>GREATER DUNKIRK AREA HAROR COMMISSION</u>		
Jim Nichols	212 Lincoln Ave.	6/16/2016
<u>PLANNING BOARD</u>		
Ed Schober	29 W. Fourth St.	12/31/2019
<u>ZONING BOARD OF APPEALS</u>		
Phillip Collier	508 Deer Street	12/09/2019

Very truly yours,

ANTHONY J. DOLCE
Mayor

AJD:cao
cc: City Clerk
Personnel
Clerk, Board of Assessors
Harbor Commission
Department of Development
Housing, Building & Zoning Office



LAKESHORE HUMANE SOCIETY, INC.

431 E. Chestnut St.
Dunkirk, NY 14048

2015 JA 20 PM 12:29

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DUNKIRK, N.Y.

DUNKIRK CITY COUNCIL

The Lakeshore Humane Society would like to request permission to use Point Gratiot to hold our annual Pat Magee memorial dog walk. The proposed date is June 20th, with a rain date of the 21st. This request would include the use of the Koch's pavilion. We would plan to arrive about 8:30am to start setting up. The dog walk itself would take place at about 11:00am. In the past we've been cleaned up and left the park by 3:00pm. The proceeds from this annual fundraiser goes toward the care and housing of the many homeless animals in Northern Chautauqua county. Attached please find a copy of our insurance certificate.

Robert S Ehrheart
Treasurer
Lakeshore Humane Society



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
1/16/2015

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Prince Associates Inc. 270 Duffy Avenue Suite D Hicksville NY 11801	CONTACT NAME: Linda Godnick	
	PHONE (A/C No. Ext): (516) 822-6550	FAX (A/C No.): (516) 822-6564
E-MAIL ADDRESS:		
INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A: Hanover Insurance Company		
INSURER B:		
INSURER C:		
INSURER D:		
INSURER E:		
INSURER F:		

COVERAGES **CERTIFICATE NUMBER:** City of Dunkirk **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS		
A	GENERAL LIABILITY			OHY980886102	1/19/2015	1/19/2016	EACH OCCURRENCE	\$ 1,000,000	
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 300,000	
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person)	\$ 10,000	
	GEN'L AGGREGATE LIMIT APPLIES PER:							PERSONAL & ADV INJURY	\$ 1,000,000
	<input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC						GENERAL AGGREGATE	\$ 2,000,000	
							PRODUCTS - COMP/OP AGG	\$ 2,000,000	
	AUTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (Ea accident)	\$	
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person)	\$	
	<input type="checkbox"/> ALL OWNED AUTOS	<input type="checkbox"/> SCHEDULED AUTOS					BODILY INJURY (Per accident)	\$	
	<input type="checkbox"/> HIRED AUTOS	<input type="checkbox"/> NON-OWNED AUTOS					PROPERTY DAMAGE (Per accident)	\$	
								\$	
A	<input checked="" type="checkbox"/> UMBRELLA LIAB	<input checked="" type="checkbox"/> OCCUR		OHY980886102	1/19/2015	1/19/2016	EACH OCCURRENCE	\$ 1,000,000	
	<input type="checkbox"/> EXCESS LIAB	<input type="checkbox"/> CLAIMS-MADE					AGGREGATE	\$ 1,000,000	
	<input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 0							\$	
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						WC STATUTORY LIMITS	OTHER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/> Y/N	N/A				E.L. EACH ACCIDENT	\$	
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	\$	
							E.L. DISEASE - POLICY LIMIT	\$	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 Evidence of Insurance - "Annual Dog Walk" being held on 6/20/2015 at Point Gratiot Park.

CERTIFICATE HOLDER**CANCELLATION**

City of Dunkirk City Hall Dunkirk, NY 14048	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE Linda Godnick/LINDA

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: ROBERT GRAVES
Claimant Address: 62 WEST DOUGHTY ST.
DUNKIRK NY 14048
Claimant Telephone Number: (716) 410-2049

This claim is for (injuries/damages alleged): Damages as per attached estimates.

This claim is alleged to have arisen on the 14TH day of FEB., 2015 at approximately 12 a.m./p.m. on that date at 4TH STREET & CENTRAL
AT LIGHT

The injuries and/or damages sustained by the Claimant arose in the following manner:
I stopped for Red Light at signal. William L. KUBAS in City Vehicle slid on ice and rear ended my vehicle.

The amount and type of injuries and/or damages sustained by the Claimant consist of the following: taillight, bumper and drivers side quarter panel of my pickup.

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

Respectfully yours,
Robert Graves 1/16/15
Claimant (date)

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

Robert A. Graves, 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. Saelli III
Notary

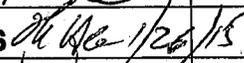
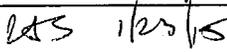
Sworn to before me this
16th day of January, 2015.

STANLEY A. SAELI III
Notary Public, State of New York
NO. 01SA6075508
Qualified in Chautauqua County
Commission Expires June 10, 2018

2015 JAN 16 PM 1:58
RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.

APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO.

(DCC-47-6-C)

DATE OF APPLICATION (must be 30 days <u>Prior</u> to event):		1-22-15	
*No more than 3 days TOTAL per Individual or Group - per year		EVENT SPECIFICS *EXCLUDES HARBORFRONT AREA	
DATE: 1/4/15	TIME: 4-10 pm	LOCATION OF EVENT: 200 Lake Shore Dr. W.	
SPONSOR: Hometown Insurance			
NAME: Ron Hall	PHONE NO. 672-9565		
ADDRESS: 5 Genotot Court			
<input type="checkbox"/> INDIVIDUAL <input checked="" type="checkbox"/> CORPORATE <input type="checkbox"/> CHARITABLE <input type="checkbox"/> COMMUNITY			
RESPONSIBLE INDIVIDUAL:			
NAME: Ron Hall		PHONE: same	
ADDRESS: same as above			
REASON: 5th Annual Community Celebration			
AUDIO DEVICE TO BE USED: amplifier for a live band			
<input type="checkbox"/> PUBLIC EVENT		<input checked="" type="checkbox"/> PRIVATE EVENT	
NOTIFICATION OF AFFECTED PERSONS			
<input type="checkbox"/> YES	IF YES, PROOF:		
<input checked="" type="checkbox"/> NO	All neighbors will be invited		
I, the undersigned, have read and agree to abide by the provisions set forth in DCC 47-6-C.			
Signature:			
DEPARTMENTAL REVIEW		DATE SENT	REPORT BACK
POLICE DEPT OK 1/23/15 			
DEPT OF PUBLIC WORKS 			
DEPT OF LAW 			
OTHER			
COMMON COUNCIL ACTION			
RECEIPT OF REVIEW			
APPROVAL			
CONDITIONS:			
DISAPPROVED			

RECEIVED
 CITY CLERK'S OFFICE
 DUNKIRK, N.Y.
 2015 JAN 22 PM 3:08

STATE OF NEW YORK – DEPARTMENT OF TRANSPORTATION
TRAFFIC AND SAFETY DIVISION

STUDY NO.: 5140066

NOTICE OF ORDER

FILE: 06.01-5

TROOP: A

THE DEPARTMENT OF TRANSPORTATION HAS FILED AN ORDER WITH THE SECRETARY OF STATE WHEREBY:

SECTION: 1506.01

SUBDIVISION: (b)

PARAGRAPH:

OF THE DEPARTMENT'S REGULATION IS ADDED AMENDED to read as follows: REPEALED

20 MPH on Lake Shore Drive East, Route 5, SH 47-2, adjacent to Dunkirk School 7, from 7:00 AM to 9:00 AM and from 2:00 PM to 4:00 PM, between a point 20+/- feet west of the westerly curblineline of North Warsaw Street and a point 20+/- feet east of the easterly curblineline of South Martin Street, a distance of 1200+/- feet.

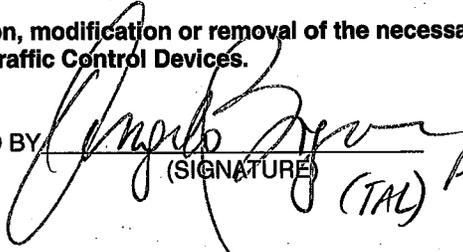
2015 JAN 23 AM 10:39
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CITY CLERK'S OFFICE
DUNKIRK, N.Y.

The above order will be effective upon the installation, modification or removal of the necessary traffic control device(s) required by and conforming to the State Manual of Uniform Traffic Control Devices.

12/11/14

(DATE)

APPROVED BY



(SIGNATURE)

(TAL) For

Regional Traffic Engineer

(TITLE)

DESCRIPTION:

COUNTY:

LOCALITY: City of Dunkirk

OTHER RELATED ACTIONS

NONE

(Identify)

cc:

CITY

VILLAGE

TOWN

COUNTY SUPT.

SHERIFF

STATE POLICE

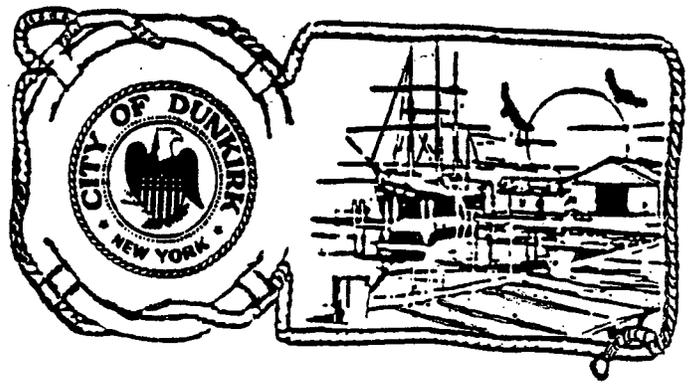
PERMITTEE

Dunkirk POLICE DEPARTMENT

REGION TRAFFIC ENGINEER

OTHER - Specify:

The GREATER DUNKIRK AREA HARBOR COMMISSION



MEMORANDUM

TO: Members of Common Council
FROM: Dunkirk Harbor Commission
DATE: January 23, 2015
RE: Application Permits for Commercial Bait Fishing

Dear Common Council Members:

According to the City Code Section 24 "L"(5), any applications for commercial bait fishing must be reviewed by this Commission prior to Common Council approval.

After reviewing said applications at the January 21, 2015 meeting, it was unanimously agreed upon to approve the applications from:

- | | | | |
|----|-----------------|-------------------------------|------------|
| 1. | David E. Watts | Dave's Bait & Tackle Store | Derby, NY |
| 2. | Ricky J. Miller | Jerome Miller's Bait & Tackle | Irving, NY |

In order to facilitate these applications, we would like to suggest that this Common Council act on the approval of these application permits as soon as possible.

Thank you.

Jim Nichols, pp
Jim Nichols
Dunkirk Harbor Commission

JN/pjp
Attach.

2015 JA 23 PM 2:38

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CITY CLERK'S OFFICE
DUNKIRK, N.Y.



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

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

NICOLE JOINER
CITY CLERK
(716)366-9766
FAX (716)363-0058

GRACE TARNOWSKI
DEPUTY CLERK
(716)366-9766
FAX (716)363-0058

CITY OF DUNKIRK
APPLICATION PERMIT FOR COMMERCIAL BAIT FISHING

Application for permit must be made 60 days prior to bait fishing. Application must be reviewed by the Dunkirk Harbor Commission prior to approval by the Common Council and Harbormaster. Permit is revocable at any time by the Dunkirk Police Department or Environmental Conservation Regulations. Bait fishing will be limited to two (2) permit holders at any one time. City of Dunkirk reserves the right to control the amount of bait taken by any bait fisherman. The bait fishing permit will be effective until the end of the year that it is issued. A new permit application shall be filled out each year. Photo copy of bait license to be presented with application shall be filled out each year. Photo copy of bait license to be presented with application for permit for commercial bait fishing. The window permit time-frame is November 1st - January 31st.

BAIT PERMIT

Date: 01-16-15 Net Tag Number: # 4

Name: DAVID E. WATTS

Street/Road Address: 6798 WELLINGTON DRIVE

City: DERBY Zip Code: 14047 County: ERIE

Business Name: DAVE'S BAIT + TACKLE STORE

Bait License Serial Number: 7977

Home Phone: (716) 440 3976 Business Phone: (716) 947-5990

Applicant's Signature: David E. Watts

APPROVED BY: _____ Date: _____
Signature of Dunkirk City Clerk

** Approved permit application is to be posted in window of vehicle being used to transport bait.

(Rev) 82-19-25 (10/11)



NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

BAIT LICENSE

7977	
BAIT LICENSE NUMBER	
\$10.00	Net 4
FEE	TAG NO.

LICENSE TO:

- Operate one seine not over 50 feet long to take bait fish in private ponds with written permission of owner or in *specialty designated waters* as listed in Section 35.2 of Title 6 of New York Codes, Rules and Regulations (NYCRR).
- Operate one cast net not over 10 feet in diameter in the Hudson River south of Troy Dam including tributaries to first barrier.
- Operate ___ minnow traps not exceeding 3 x 1 1/2 feet, in private ponds with written permission of owner or in *specialty designated waters* as listed in Section 35.2 of NYCRR.
- Operate ___ minnow fykes, not exceeding 2 foot hoop in private ponds only. Written permission of owner required.
- Sell bait fish at address below.
- Take and sell aquatic insects.

PURSUANT TO THE PROVISIONS OF THE ENVIRONMENTAL CONSERVATION LAW AND RULES AND REGULATIONS OF THIS DEPARTMENT.

NAME AND ADDRESS OF LICENSEE

Dave's Bait & Tackle Store
6798 Wellington Drive
Derby, New York 14047

DATE ISSUED

01 / 12 / 2015

DATE EXPIRES

12 / 31 / 2015

ISSUED BY

D Gill

ORIGINAL COPY



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

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

NICOLE JOINER
CITY CLERK
(716)366-9766
FAX (716)363-0058

GRACE TARNOWSKI
DEPUTY CLERK
(716)366-9766
FAX (716)363-0058

CITY OF DUNKIRK
APPLICATION PERMIT FOR COMMERCIAL BAIT FISHING

Application for permit must be made 60 days prior to bait fishing. Application must be reviewed by the Dunkirk Harbor Commission prior to approval by the Common Council and Harbormaster. Permit is revocable at any time by the Dunkirk Police Department or Environmental Conservation Regulations. Bait fishing will be limited to two (2) permit holders at any one time. City of Dunkirk reserves the right to control the amount of bait taken by any bait fisherman. The bait fishing permit will be effective until the end of the year that it is issued. A new permit application shall be filled out each year. Photo copy of bait license to be presented with application shall be filled out each year. Photo copy of bait license to be presented with application for permit for commercial bait fishing. The window permit time-frame is November 1st - January 31st.

2015 JAN - 7 AM 10:03

RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.

BAIT PERMIT

Date: 1/7/15 Net Tag Number: 26
Name: Ricky J Miller
Street/Road Address: 12707 ALLEGHANY RD
City: Irving Zip Code: 14081 County: Chaut
Business Name: Jerome millers Bait Store
Bait License Serial Number: 7757
Home Phone: (716) 934-2477 Business Phone: () same
Applicant's Signature: Ricky J Miller
APPROVED BY: _____ Date: 1/7/15
Signature of Dunkirk City Clerk

**Approved permit application is to be posted in window of vehicle being used to transport bait.

(Rev) 82-19-25 (10/11)



NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

BAIT LICENSE

7757	
BAIT LICENSE NUMBER	
\$ 12.50	26
FEE	TAG NO.

LICENSE TO:

- Operate one seine not over 60 feet long to take bait fish in private ponds with written permission of owner or in specially designated waters as listed in Section 35.2 of Title 6 of New York Codes, Rules and Regulations (6NYCRR).
- Operate one cast net not over 10 feet in diameter in the Hudson River south of Troy Dam including tributaries to first barrier.
- Operate minnow traps not exceeding 3 x 1 1/2 feet, in private ponds with written permission of owner or in specially designated waters as listed in Section 35.2 of 6NYCRR.
- Operate minnow fykes, not exceeding 2 foot hoops in private ponds only. Written permission of owner required.
- Sell bait fish at address below.
- Take and sell aquatic insects.

PURSUANT TO THE PROVISIONS OF THE ENVIRONMENTAL CONSERVATION LAW AND RULES AND REGULATIONS OF THIS DEPARTMENT.

NAME AND ADDRESS OF LICENSEE	DATE ISSUED
JEROME MILLER'S BAIT & TACKLE	1/02/2015
12707 ALLEGHANY ROAD	DATE EXPIRES
IRVING, NY 14081	12/21/2015
CHALET CO.	ISSUED BY: C. DATH

ORIGINAL COPY

DEZ 9- ALLEG

RESOLUTION #4-2015
FEBRUARY 3, 2015

BY: The Entire Council

**RATIFICATION OF COLLECTIVE BARGAINING AGREEMENT
(AFSCME LOCAL 912)
JANUARY 1, 2012 TO DECEMBER 31, 2017**

WHEREAS, the City of Dunkirk and the American Federation of State, County and Municipal Employees AFL-CIO Local 912 ("AFSCME Local 912") 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, 2011; and

WHEREAS, after negotiations, the City and AFSCME Local 912 have executed a Tentative 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 proposed Collective Bargaining Agreement and directs the Mayor to execute said Agreement by and between AFSCME Local 912 and the City of Dunkirk for the period January 1, 2012 through December 31, 2017.