

AGENDA - COMMON COUNCIL MEETING – March 17, 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. Request from Loretta Slaton Torain on behalf of the Juneteenth Celebration Committee to use Memorial Park on Saturday, June 13th and Sunday, June 14th for their 20th annual Juneteenth Celebration. Also, requesting the use of picnic tables, electricity, water and portable toilets.
 2. Request from Putnam Record Insurance Agency requesting the Mayor's presence on June 6th for their annual "Safety Saturday". Also requesting to use 30 orange cones and 8 wooden barriers.
 3. Request from Steven Zentz to use Koch's Field from April through July for the Dunkirk 11U Travel Baseball Team. Also requesting permission to modify the field to accommodate the players.
 4. Request from National MS Society to use the City Pier as a rest stop for its cyclist's on August 8th. Also requesting permission to setup a tent, tables, chairs and a port-a-potty (if necessary).
 5. Request from Southtowns Walleye Association of WNY, Inc. to use city facilities from June 6th thru June 14th for their annual fishing tournament.
 6. Request from Antonio Regulier on behalf of SUNY Fredonia Baseball Club to use the Babe Ruth Field on March 21, 22, 28, 29 and April 11th.
 7. Request from Northern Chautauqua Soccer Association, Inc. for a donation from the William Cease Fund to purchase soccer goals.
 8. Notices of Claim from:
 - a) Mark Riedesel for damages to his vehicle allegedly caused by a pothole on Central Avenue.
 - b) Kenny Porter for damages to his vehicle allegedly caused by raised road on Central Avenue.
 9. Loudspeaker application from:
 - a) Demetris On The Lake for bands, speakers and sound equipment from May 20th thru September 15th.

- b) Dunkirk Police Benevolent Association to use speakers at the large pavilion at Point Gratiot on June 26th from 6:00 PM until 9:00 PM.
 - c) Rookies on the Lake for live bands, loudspeakers and amplifiers from May 1st thru October 1st.
- 10. Communication from Dan McGill on behalf of the Vietnam Veterans of America, Chapter #459 thanking the City of Dunkirk for their annual contribution to their organization.
- 7. Reports of Standing Committees, Boards and Commissions.
 - 8. Unfinished Business:
 - 9. Pre-filed Resolutions:
 - 11. Resolution authorizing Local Cable Program Director Agreement. (Daniel Riewaldt and Steve Wright, Jr.).
 - 12. Resolution authorizing Budget Line Modifications (For Fiscal Year 2015).
 - 13. Resolution authorizing Budget Modifications (March 2015).
 - 14. Resolution awarding bid for asbestos removal.
 - 15. Resolution denying applications for corrected tax roll for the year 2014 submitted by Level 3 Communications LLC.
 - 16. Resolution authorizing July 4th fireworks display.
 - 10. New Business:
 - 11. Adjournment.

Nicole Joiner
City Clerk

JUNETEENTH

2015 CELEBRATION COMMITTEE
415 MULLET STREET
DUNKIRK, NEW YORK 14048
(716) 363-1102



February 27, 2015

RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.
2015 MR - 2 AM 11:15

Mayor A. J. Dolce
City of Dunkirk Common Council
City Hall
Dunkirk, New York 14048

RE: 2015 Juneteenth Celebration

Dear City Officials:

The Juneteenth 2015 Celebration Committee is in the process of planning the twentieth annual Juneteenth Celebration in the City of Dunkirk. As we have done in the past, the Juneteenth Celebration will kick off on Saturday, June 13, 2015, with Opening Ceremonies at 12:00 noon. The Celebration will end following a Gospel Fest on Sunday, June 14, 2015, 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.

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. As this is the 20th year celebration, we have planned many exciting events.

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,

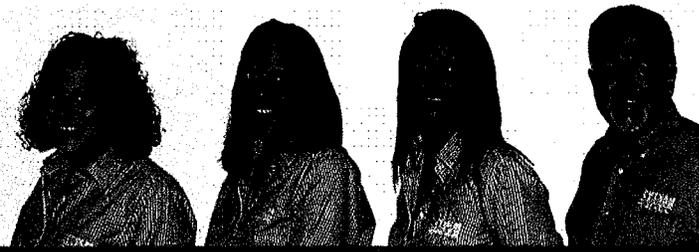
A handwritten signature in cursive script that reads "Loretta Slaton Torain". The signature is written in black ink and is positioned above the typed name.

Loretta Slaton Torain
Chairperson



(716)

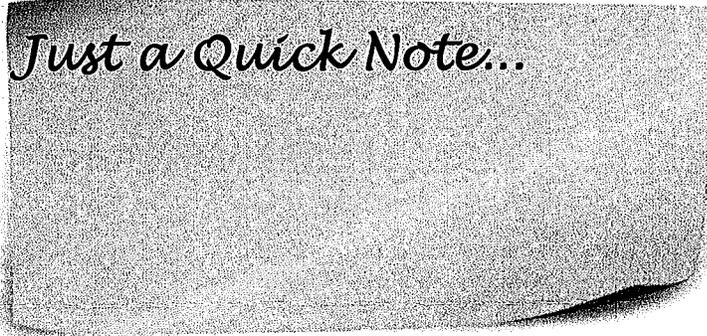
366-2744



Local Insurance Specialists Saving You Time & Money

PutnamRecordInsurance.com

February 26, 2015



Mayor Dolce
City of Dunkirk
342 Central Avenue
Dunkirk, NY 14048

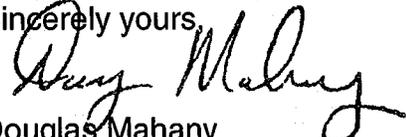
Dear Mayor Dolce,

Our office is excited to be conducting our third annual "Safety Saturday" which will be held from 10am-2pm on June 6, 2015. Dunkirk Fire Department will be having Safety Demonstrations, the Dunkirk Police Department will be overseeing the child finger printing kits, NYS Police Department & Chautauqua County Sheriffs will be checking car seats to ensure they are properly installed, and Rich Goodman of Spoke Folk and Aspire will be discussing bicycle safety.

This letter serves as a written invitation for your attendance to our event. We are also going to need approximately 30 orange cones, and 8 wooden barriers to help block off the car seat check from the main driveway of the fairgrounds. If this request is approved at the council meeting, we would like to have them delivered to the Chautauqua County Fairgrounds either the Friday before the event or Saturday morning by 8:30am.

I have included a copy of the flyer we are using to advertise this event. We appreciate your collaboration in making this event a success. Our office will be contacting you in a week to confirm you have received this letter and have reserved that day for us.

We look forward to seeing you in June.

Sincerely yours,

Douglas Mahany

RECEIVED

MAR 09 2015

MAYOR'S OFFICE

2015 MAR - 9 PM 12:04

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

March 10, 2015

City of Dunkirk

342 Central Ave.

Dunkirk, New York 14048

Attn. Mayor AJ Dolce, Tim Gornikiewicz

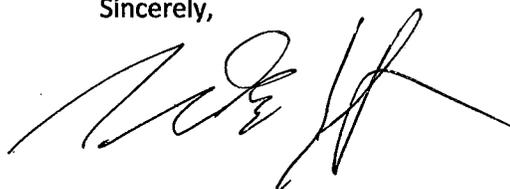
RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.
2015 MAR 10 AM 11:02

Mayor Dolce,

I have organized a 11U travel baseball team of city youth. We will be playing in the Southtowns Travel league. We will have home games to play, but we need a field. For this age group we need an intermediate field which is a 50/70 field. This consists of a 50 foot pitcher's mound and 70 foot base lines. There is no intermediate field in the city. It was suggested that we might use Koch's Field at Point Gratiot. I am seeking permission to use this field for April, May, June and possibly the first few weeks of July. Much depends on the spring weather. Our schedule is set to be released in mid-march. The field would have to be modified, adding a 6" high pitcher's mound at 50 feet and 70 foot bases.

If approved I understand that modifications and supplies would have to be agreed upon with the city and the recreation department. Thank you for your consideration.

Sincerely,



Steven E. Zentz

94 East Green Street, Dunkirk, New York

716-410-4848

Nicole Joiner

From: Tim Gornikiewicz [tgornikiewicz@cityofdunkirk.com]
Sent: Wednesday, March 11, 2015 10:57 AM
To: 'Nicole Joiner'
Subject: FW: Requesting Dunkirk Pier for Bike MS rest stop
Attachments: GLE Rest Stop Agreement.pdf

RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.
2015 HR 11 AM 11:57

Tim Gornikiewicz

Youth and Recreation Program Coordinator
366-9886

From: Deanna Oliveri [mailto:deanna.oliveri@nmss.org]
Sent: Wednesday, March 11, 2015 10:57 AM
To: info@visitdunkirk.com
Subject: Requesting Dunkirk Pier for Bike MS rest stop

To Whom It May Concern:

Plans are well underway for Bike MS: Great Lake Escape, hosted by the National MS Society Upstate New York Chapter. This event will take place on Saturday, August 8th. As we plan our cycling route, our goal is to ensure a safe, well supported ride for our participants. Providing rest stops along the way will allow our participants to stop, rest and rehydrate as they accept the challenge to create a world free of MS.

We would like to respectfully request the use of the Dunkirk Pier as a rest stop on Saturday, August 8th. We are anticipating over 100 riders to participate in this event and utilize this rest stop.

To host a rest stop at your location we would need the use of bathrooms (if they are available) as well as an area for volunteers to serve bottled water and food to our cyclists. We will set up a tent, table and chairs, and a porto-john (if need be) for the stop provided by our organization. We of course would ensure that the area is returned to its original state after the ride and cleared of any garbage. The National MS Society can provide any insurance certificates needed if necessary.

Thank you in advance for your assistance. I have attached the rest-stop agreement form to this email, which you can scan and email to me or mail to 421 New Karner Rd, Suite 6, Albany, NY 12205. We look forward to hearing from you regarding the use of this property. Please contact me if you have any questions regarding this matter, need additional information, or have questions about Bike MS in general.

Sincerely,

Deanna Oliveri
Campaign Manager

National Multiple Sclerosis Society
Upstate New York Chapter
421 New Karner Road
Albany, NY 12205-3838
Tel +518-464-0850 (x70401)
Email Deanna.oliveri@nmss.org



**Bike MS 2015 – Great Lake Escape
Rest Stop Agreement**

The 2015 Bike MS Great Lake Escape will be held on August 8th at Evangola State Park in Irving, NY. The purpose of this event is to raise funds and awareness about multiple sclerosis and the National MS Society.

We need to provide rest stop locations along the routes to refresh, rehydrate, and re-energize our cyclists in order to produce a safe ride. We have identified your location as an ideal rest stop location and are asking your permission to set up:

- 1 or 2 - 10'x10 pop up tent(s)
- tables & chairs
- food & beverages for cyclists
- trash and recycling receptacles
- 4-6 volunteers

during the time frame of 7am-3pm on August 8th, 2015. *(This may change and will likely be shorter once event details/time-frames are worked out)*

Provisions provided by your location:

Restroom Facilities (we would love to provide access to 'real' restrooms for our cyclists while they are riding)

YES NO

If NO, we will need to set up a porta-john on your premises. It will likely be delivered Friday, August 7, 2015 and picked up on Sunday, August 9th. We will sort out those specific details at least six weeks in advance of the event.

If YES, the bathrooms will need to be unlocked by 7am on August 8th, 2015.

Volunteers (we encourage community engagement and involvement! If your organization is willing to provide volunteers to staff this rest stop and hand out snacks and drinks to cyclists we welcome it.)

YES How many?
 NO

Tables & Chairs (we rent tables and chairs, so if you in fact have tables/chairs/picnic tables that we could use that would be immensely helpful)

YES NO

The National MS Society ensures that the area(s) that we use will be cleaned up and left as we found them when we arrived.

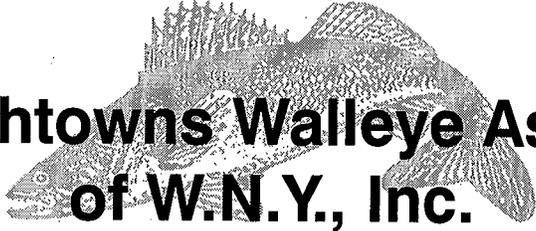
I, _____, on behalf of the _____
agree to be a rest stop location for the 2015 Bike MS Great Lake Escape on the above date and times.

Contact information:

Phone Number _____
E-mail Address _____
Address _____

2015 MR 11 AM 11:57

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



**Southtowns Walleye Assoc.
of W.N.Y., Inc.**

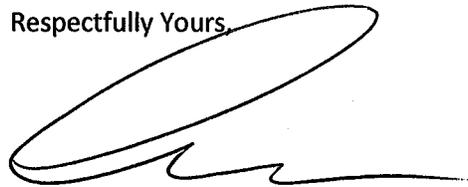
City of Dunkirk
342 Central Avenue
Dunkirk, New York 14048

Mayor Anthony J. Dolce,

I am writing you in regards to our annual Southtowns Walleye Tournament which will be taking place from June 6, 2015 thru June 14, 2015. Previously you have generously donated your facility and a season pass to our organization during tournament time. We would be grateful if you were able to do so again this year.

Bob Fessler can be reached at 716-462-9576. Please feel free to contact him at your earliest convenience.

Respectfully Yours,



Antoinette Grote
Corresponding Secretary

2015 MR 12 AM 10:44

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

March 12, 2014

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

2015 MR 13 AM 9:46

Recreation Department
2nd Floor, Sterns Building
338 Central Avenue
Dunkirk, NY 14048

Dear Mr. Tim Gornikiewicz,

I am Antonio Regulier, former President of the Student Association at SUNY Fredonia and I am reaching out to you on behalf of our student-run group, Club Baseball. For the past few months, Club Baseball has struggled to secure a field for their upcoming games on **March 21, 22, 28, 29 and April 11**.

Because SUNY Fredonia has a Men's Baseball team, the field on campus is occupied during the season and unavailable to Club Baseball. I was hoping we could reserve the Dunkirk Babe Ruth Field on Lucas Avenue for the previously mentioned dates at your earliest convenience. Please let me know if you can be of any assistance to us. Thank you in advance.

Sincerely,

Antonio Regulier

347-945-9953

regu0674@fredonia.edu

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

2015 MR 13 AM 9:46

3/12/2015

Northern Chautauqua Soccer Association, Inc.
PO Box 331
Fredonia, NY 14063

RECEIVED
CLERK'S OFFICE
DUNKIRK, N.Y.
5 HR 12 PM 2:05

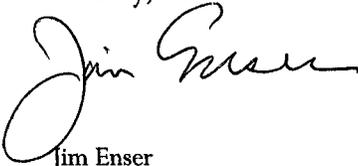
Honorable Anthony J. Dolce
Mr. Willie Rosas
Mr. Michael Michalski
Mr. William J. Rivera
Mr. Andy Gonzalez
Ms. Stacy Szukala
Dunkirk City Hall
Dunkirk, NY 14048

Dear Mayor Dolce and members of the City of Dunkirk Common Council;

At the February 23, 2015 meeting of the Personnel Judicial General Welfare Recreation and Regional Planning meeting I was given the opportunity to discuss the possible use of assets in the William Cease Fund for the purchase of soccer goals. I represent the Northern Chautauqua Soccer Association, Inc (NCSA), a 501(C)(3) not for profit corporation whose primary purpose is "To foster, teach and advance the game of soccer within the area of Northern Chautauqua County by developing, promoting and administering the game of soccer for youth up to and including the age of 19." NCSA was founded in 1988 and regularly serves about 1000 youth annually.

Youth and Recreation Program Coordinator Mr. Tim Gornikiewicz and I have discussed the needs of the soccer community and he has secured quotes for our greatest need, a set of regulation sized (8x24) soccer goals and nets. NCSA does not presently own goals of this size which are needed for ages 13 and older. It is understood that the two quotes which I have herein attached differ significantly in cost. The Concord FC travel soccer committee, on behalf of NCSA, respectfully requests consideration be given to purchasing the higher quality more expensive set of goals. Of course we would be very grateful with whatever decision is made. I would also like to report that since the meeting on the 23rd we have reached agreement to rent the field space behind Holy Trinity R.C. Church which is where this set of goals will be placed. Thank you for considering this request.

Sincerely,



Jim Enser
Vice President
Northern Chautauqua Soccer Association, Inc.



P.O. Box 7726, DALLAS, TX 75209
 TEL: 1-800-527-7510 FAX: 1-800-899-0149
 Come Visit us at www.bsnsports.com

Quotation	
Document Number	20689537
P.O. Number	: Tim G-Kwik Goal 8x24
Doc. Creation Date	02/18/2015
Customer Number	1106768
Sales Rep	: Brian Luna



This is NOT a Bill - DO NOT PAY.

Customer #1106768
Sold To: CITY OF DUNKIRK
 PARKS & RECREATION
 342 Central Ave Ste 1
 DUNKIRK NY 14048-2122

Ship To: CITY OF DUNKIRK
 PARKS & RECREATION
 342 Central Ave Ste 1
 DUNKIRK NY 14048-2122

Payer: CITY OF DUNKIRK
 PARKS & RECREATION
 342 Central Ave Ste 1
 DUNKIRK NY 14048-2122

Item Number	Item Description	Delivery DT(S)	SKU	Color/ Team/ Size	Qty/ UOM	Unit Price	Extended Price
1379306	Kwik Goal Euro Goal w/Wheels 8x24	03/09/2015	1379306		1PR	4,229.99	4,229.99

PLEASE NOTE: QT REFLECTS A 20% SAVINGS ON THE TOTAL DELIVERED COST.

Check your quote at www.bsnsports.com/?&ProgramID=20689537&zip=14048-2122

Merchandise Sub Total	Other	Freight	Sales Tax	Payment/Credit Applied	Total Order Amount
\$ 4,229.99	\$ 0.00	\$ 296.00	\$ 0.00	\$ 0.00	\$ 4,525.99



P.O. Box 7726, DALLAS, TX 75209
 TEL: 1-800-527-7510 FAX: 1-800-899-0149
 Come Visit us at www.bsnsports.com

Quotation	
Document Number	20689555
P.O. Number	: Tim G- AlumaGoal 8x
Doc. Creation Date	02/18/2015
Customer Number	1106768
Sales Rep	: Brian Luna
Ordered by	: Tim Gornikiewicz



This is NOT a Bill - DO NOT PAY.

Customer #1106768
Sold To: CITY OF DUNKIRK
 PARKS & RECREATION
 342 Central Ave Ste 1
 DUNKIRK NY 14048-2122

Ship To: CITY OF DUNKIRK
 PARKS & RECREATION
 342 Central Ave Ste 1
 DUNKIRK NY 14048-2122

Payer: CITY OF DUNKIRK
 PARKS & RECREATION
 342 Central Ave Ste 1
 DUNKIRK NY 14048-2122

Item Number	Item Description	Delivery DT(S)	SKU	Color/Team/Size	Qty/UOM	Unit Price	Extended Price
SGA300	3" Classic Alumagoal 8' X 24' WHITE	02/25/2015	SGA300		1PR	1,839.99	1,839.99
SCGWHLXX	TRANSPORT WHEELS (SET OF 2)	02/25/2015	SCGWHLXX		2SET	143.99	287.98

PLEASE NOTE: QT REFLECTS A 33% SAVINGS ON THE TOTAL DELIVERED COST.

Check your quote at www.bsnsports.com/?&ProgramID=20689555&zip=14048-2122

Merchandise Sub Total	Other	Freight	Sales Tax	Payment/Credit Applied	Total Order Amount
\$ 2,127.97	\$ 0.00	\$ 85.00	\$ 0.00	\$ 0.00	\$ 2,212.97

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: Mark Riedesel
Claimant Address: 209 S. ZEBRA ST.
Dunkirk NY 14048
Claimant Telephone Number: (716) 224 - 0910

This claim is for (injuries/damages) alleged: Damage To Front Bumper on my 05 Dodge neon Because of Huge pot Hole in Front of The Family Video Store on Road By Entrance

This claim is alleged to have arisen on the 21 day of February, 2015 at approximately 9:00 a.m./p.m. on that date at Family Video/Central Av

The injuries and/or damages sustained by the Claimant arose in the following manner: Pulling out of Family Video parking lot Front End of my car went into Huge pot Hole on Central

The amount and type of injuries and/or damages sustained by the Claimant consist of the following: \$1,155.85 Two piece Bumper cover parts paint & labor

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

Respectfully yours,

Mark Riedesel 3-4-15
Claimant (date)

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

Mark Riedesel, 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
4 day of March, 2015.

Danielle E Marx
Notary
DANIELLE E. MARX
Notary Public, State of New York
No. 01MA6096799
Qualified in Chautauqua County
Commission Expires August 4, 2015

2015 MR-4 AM 10:53

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

WESTFIELD AUTO BODY
 46 NORTH PORTAGE STREET
 WESTFIELD, NY 14787
 PHONE: 716-326-4020 FAX: 716-326-7516
 E-MAIL - WAB1@FAIRPOINT.NET LICENSE#7006489

*** PRELIMINARY ESTIMATE ***

02/25/2015 10:55 AM

Owner

Owner: Mark Riedesel
 Address: 209 S Zebra St.
 City State Zip: Dunkirk, NY 14048
 Cell: (716)224-0910
 FAX:

Inspection

Inspection Date: 02/25/2015 10:56 AM
 Primary Impact: Front
 Inspection Type:
 Secondary Impact:
 Appraiser Name: FRANK GELSIMINO
 Appraiser License # :

Repairer

Repairer: FRANK GELSIMINO
 Address: 46 NORTH PORTAGE STREET
 City State Zip: Westfield, NY 14787
 Email: wab1@fairpoint.net
 Contact:
 Work/Day: (716)326-4020
 Work/Day:

Vehicle

2005 Dodge Neon SE 4 DR Sedan
 4cyl Gasoline 2.0
 4 Speed Automatic

Lic Expire:
 Veh Insp# :
 Condition:
 Ext. Refinish: Two-Stage
 VIN: 1B3ES26C55D251207
 Mileage Type: Actual
 Code: N1833D
 Int. Refinish:

Options

AM/FM Stereo Tape	Air Conditioning	Bucket Seats
Center Console	Dual Airbags	Intermittent Wipers
Lighted Entry System	Power Brakes	Power Steering
Rear Window Defroster	Split Folding Rear Seat	Tilt Steering Wheel
Tinted Glass	Velour/Cloth Seats	

Damages

Line	Op	Guide	MC	Description	MFR.Part No.	Price	ADJ%	B%	Hours	R
Front Bumper										
1	E	17	01	Cover,Front Bumper	5101771AA	\$529.00			2.9	SM

2	L	17	13	Cover,Front Bumper	Refinish		3.7	RF
					2.6 Surface			
					0.6 Two-stage setup			
					0.5 Two-stage			
3	E	72	01	Dam,Air	5303594AB	\$57.20	INC	SM
4	RI	10		Brkt,Front Lic Plate	R & I Assembly		0.2	SM

Manual Entries

5	EC	M03		Flex Additive	Replace Economy	\$5.00*		RF
6	L	M15		Color Tint	Refinish		1.0*	RF
7	SB	M60		Hazardous Waste Removal	Sublet Repair	\$3.00*		SM
7	Items							

MC Message

01 CALL DEALER FOR EXACT PART # / PRICE
13 INCLUDES 0.6 HOURS FIRST PANEL TWO-STAGE ALLOWANCE

Estimate Total & Entries

Gross Parts	\$586.20	
Other Parts	\$5.00	
Paint & Materials	\$122.20	
Parts & Material Total		\$713.40
Tax on Parts & Material	@ 7.500%	\$53.51

Labor	Rate	Replace Hrs	Repair Hrs	Total Hrs	
Sheet Metal (SM)	\$46.00	3.1		3.1	\$142.60
Mech/Elec (ME)	\$48.00				
Frame (FR)	\$48.00				
Refinish (RF)	\$46.00	4.7		4.7	\$216.20
Paint & Materials	\$26.00				

Labor Total	7.8 Hours	\$358.80
Tax on Labor	@ 7.500%	\$26.91
Sublet Repairs		\$3.00
Tax on Sublet	@ 7.500%	\$0.23
Gross Total		\$1,155.85
Net Total		\$1,155.85

Audatex Estimating 7.0.417 ES 02/25/2015 11:18 AM REL 7.0.417 DT 02/01/2015 DB 02/15/2015
Copyright (C) 2015 Audatex North America, Inc.

1.1 HRS WERE ADDED TO THIS ESTIMATE BASED ON AUDATEX'S TWO-STAGE REFINISH FORMULA.

ANY PERSON WHO KNOWINGLY MAKES OR KNOWINGLY ASSISTS, ABETS, SOLICITS OR CONSPIRES WITH ANOTHER TO MAKE A FALSE REPORT OF THE THEFT, DESTRUCTION, DAMAGE OR CONVERSION OF ANY MOTOR VEHICLE TO A LAW ENFORCEMENT AGENCY, THE DEPARTMENT OF MOTOR VEHICLES OR AN INSURANCE COMPANY, COMMITS A FRAUDULENT INSURANCE ACT, WHICH IS A CRIME, AND SHALL ALSO BE SUBJECT TO A CIVIL PENALTY

NOT TO EXCEED FIVE THOUSAND DOLLARS AND THE VALUE OF THE SUBJECT MOTOR VEHICLE OR STATED CLAIM FOR EACH VIOLATION.

Op Codes

* = User-Entered Value	E = Replace OEM	NG = Replace NAGS
EC = Replace Economy	OE = Replace PXN OE Srpls	UE = Replace OE Surplus
ET = Partial Replace Labor	EP = Replace PXN	EU = Replace Recycled
TE = Partial Replace Price	PM = Replace PXN Reman/Rebit	UM = Replace Reman/Rebuilt
L = Refinish	PC = Replace PXN Reconditioned	UC = Replace Reconditioned
TT = Two-Tone	SB = Sublet Repair	N = Additional Labor
BR = Blend Refinish	I = Repair	IT = Partial Repair
CG = Chipguard	RI = R & I Assembly	P = Check
AA = Appearance Allowance	RP = Related Prior Damage	



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Copyright (C) 2015 Audatex North America, Inc.
Audatex Estimating is a trademark of Audatex North America, Inc.

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: Kenny Porter
Claimant Address: 329 Mullet St.
Dunkirk, NY 14048
Claimant Telephone Number: (716) 467-1364 (cell)

This claim is for (injuries/damages alleged): My car sustained damage to its rear end due to a huge hump in the road near the Big Dipper on Central Ave. I have enclosed/included a copy of the damages.

This claim is alleged to have arisen on the 10th day of March, 2015 at approximately 6:45 a.m. (p.m.) on that date at Central Ave. near Big Dipper

The injuries and/or damages sustained by the Claimant arose in the following manner: I was driving down Central Ave towards the Plaza when a hump in the road damaged my car.

The amount and type of injuries and/or damages sustained by the Claimant consist of the following: I took the car to Ellmans and had to pay \$280.00 for repairs. A copy of the receipt is attached.

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

Respectfully yours,
Kenny Porter
Claimant 3/9/15
(date)

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

Kenny Porter, 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
9 day of March 2015.

Jean M Coughlin
Notary

JEAN M. COUGHLIN
NOTARY PUBLIC STATE OF NEW YORK
NO. 01CO6075732
QUALIFIED IN CHAUTAUQUA COUNTY
MY COMMISSION EXPIRES JUNE 10, 2018

RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.
2015 MAR -9 PM 2:35

APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO.

(DCC-47-6-C)

DATE OF APPLICATION (must be 30 days <u>Prior</u> to event):		3-9-15	
*No more than 3 days TOTAL per Individual or Group - per year EVENT SPECIFICS * EXCLUDES HARBORFRONT AREA			
DATE: ^{May 29} Sept 15	TIME: ^{2pm} 1am (varies)	LOCATION OF EVENT: Demetris	
SPONSOR: Demetris			
NAME: Demetris On The Lake		PHONE NO. 366-4187	
ADDRESS: 6-8 Lake Shore Drive			
<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> CORPORATE <input type="checkbox"/> CHARITABLE <input type="checkbox"/> COMMUNITY			
RESPONSIBLE INDIVIDUAL:			
NAME: Jeralyn Kubasik / Jamie Tsirtsoakis		PHONE: 366-4187	
ADDRESS: 827 Central Ave.			
REASON: Summer patio music			
AUDIO DEVICE TO BE USED: Speakers, sound equip etc.			
<input checked="" type="checkbox"/> PUBLIC EVENT		<input type="checkbox"/> PRIVATE EVENT	
NOTIFICATION OF AFFECTED PERSONS			
<input type="checkbox"/> YES	IF YES, PROOF:		
<input type="checkbox"/> NO			
I, the undersigned, have read and agree to abide by the provisions set forth in DCC 47-6-C.			
Signature: <u>Jeralyn Kubasik</u>			
DEPARTMENTAL REVIEW		DATE SENT	REPORT BACK
POLICE DEPT <u>OK 3/9/15</u> <u>WBL</u>			
DEPT OF PUBLIC WORKS <u>3/12/15</u> <u>AS</u>			
DEPT OF LAW <u>2/15</u>			
OTHER			
COMMON COUNCIL ACTION			
RECEIPT OF REVIEW			
APPROVAL			
CONDITIONS:			
DISAPPROVED			

RECEIVED
 CITY CLERK'S OFFICE
 DUNKIRK, N.Y.
 2015 MR - 9 PM 1:25

APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO.

(DCC-47-6-C)

DATE OF APPLICATION (must be 30 days Prior to event):

*No more than 3 days TOTAL per Individual or Group - per year **EVENT SPECIFICS EXCLUDES HARBORFRONT AREA**

DATE: 6/26/15 **TIME:** 6pm - 9pm **LOCATION OF EVENT:** Point Gratiot

SPONSOR: Dunkirk PBA

NAME: Matthew Martinez

PHONE NO. 716-366-2266

ADDRESS: 342 Central Ave Dunkirk, NY 14048

INDIVIDUAL CORPORATE CHARITABLE COMMUNITY

RESPONSIBLE INDIVIDUAL:

NAME: Matthew Martinez

PHONE: 716-366-2266

ADDRESS: 342 Central Ave. Dunkirk, NY 14048

REASON: Annual Dunkirk PBA Picnic

AUDIO DEVICE TO BE USED: Speakers

PUBLIC EVENT

PRIVATE EVENT

NOTIFICATION OF AFFECTED PERSONS

YES

IF YES, PROOF:

NO

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 3/12/15 (Signature)		
DEPT OF PUBLIC WORKS		
DEPT OF LAW		
OTHER (Signature)		

COMMON COUNCIL ACTION

RECEIPT OF REVIEW	
APPROVAL	
CONDITIONS:	
DISAPPROVED	

RECEIVED
 CITY CLERK'S OFFICE
 DUNKIRK, N.Y.
 2015 MR 11 PM 3:35

APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO.

(DCC-47-6-C)

DATE OF APPLICATION (must be 30 days <u>Prior</u> to event):		3/10/15
EVENT SPECIFICS EXCLUDES HARBORFRONT AREA		
*No more than 3 days TOTAL per Individual or Group - per year		
DATE: 5/1 - 10/1	TIME: 11am - 1am	LOCATION OF EVENT: Rookies on the Lake 19 Lakeshore Dr E
SPONSOR:		
NAME: Rookies on the Lake	PHONE NO. 366-9797	
ADDRESS: 19 Lakeshore Dr E		
<input type="checkbox"/> INDIVIDUAL <input checked="" type="checkbox"/> CORPORATE <input type="checkbox"/> CHARITABLE <input type="checkbox"/> COMMUNITY		
RESPONSIBLE INDIVIDUAL:		
NAME: Angel Zappie	PHONE: 366-8173	
ADDRESS: 712 Deer St Dunkirk NY 14048		
REASON:		
AUDIO DEVICE TO BE USED: Live music loud speakers - Amplifiers		
<input checked="" type="checkbox"/> PUBLIC EVENT		<input type="checkbox"/> PRIVATE EVENT
NOTIFICATION OF AFFECTED PERSONS		
<input type="checkbox"/> YES	IF YES, PROOF:	
<input type="checkbox"/> NO		
I, the undersigned, have read and agree to abide by the provisions set forth in DCC 47-6-C.		
Signature: <u><i>Amy P. [Signature]</i></u>		
COMMON COUNCIL ACTION		
DEPARTMENTAL REVIEW		
POLICE DEPT ok 3/12/15	DATE SENT	REPORT BACK
DEPT OF PUBLIC WORKS		
DEPT OF LAW		
OTHER MS 3/12/15		
RECEIPT OF REVIEW		
APPROVAL		
CONDITIONS:		
DISAPPROVED		

2015 MAR 12 AM 11:10
 CITY CLERK'S OFFICE
 DUNKIRK, N.Y.



**VIETNAM VETERANS OF AMERICA
Chautauqua County New York
CHAPTER #459**

March 9th, 2015

Mayor Anthony Dolce
Common Council

Dear Mayor & Common Council:

On behalf of Chapter #459, Vietnam Veterans of America, We wish to take the opportunity to thank the elected representatives of the City of Dunkirk for their continuation of the \$1,000 annual allocation to our organization. This was achieved via the 2015 annual budget for the City and approved by the Common Council. We are very grateful for this annual grant and as in the past are able to help our fellow veterans when called upon.

Our organization, unlike other local organizations veterans or non-veterans has no outside source of revenue other than dues of members, donations of individuals and money raised through the selling of poppies to aid in our scholarship program and fund our Color Guard, visits to schools helping veterans and various other facets of community involvement. We have no bar and no restaurant whereby extra money can be derived. Just about everything received is dispersed in some form or another whether maintaining our monument in Memorial Park or helping others. We are a non profit organization under the guidelines of the Internal Revenue Service 501(c) 19.

The Vietnam Veterans of American is the only Congressionally chartered national Vietnam Veterans organization and exclusively dedicated to Vietnam and Vietnam-era veterans and their families. Our goals are to promote and support the full range of veteran's issues important to Vietnam veterans, to create a new identity for our generation of veterans, and to change public perception of Vietnam veterans.

We hold as our first principle that we are measured by our deeds and openness as evidence of our core values of justice, integrity and meaningful achievement. Our motto is "In Service To America."

On behalf of the membership, we thank the Citizens of Dunkirk through the Office of its Mayor and Common council for recognizing and supporting us as you have done for several years. It is most appreciative and is and never has been forgotten.

Sincerely,

Danny S. McGill
Secretary Chapter #459
Vietnam Veterans of America

2015 MR - 9 AM 11: 17
RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.

RESOLUTION #11-2015

MARCH 17, 2015

BY: THE ENTIRE COUNCIL

**AUTHORIZE LOCAL CABLE PROGRAM DIRECTOR AGREEMENT
(Daniel Riewaldt and Steve Wright, Jr.)**

WHEREAS, it would be in the best interests of the City to revitalize the local access programming opportunities on the City's local cable access channel; and

WHEREAS, Daniel Riewaldt and Steve Wright, Jr., provide a unique prospect for such revitalized opportunities and has agreed to provide the primary production oversight and operational management for the City's local access channel; and

WHEREAS, it would be in the best interest of the City to contract for such program director services; and

WHEREAS, Daniel Riewaldt and Steve Wright, Jr., are ready, willing and able to provide such services to and on behalf of the City in a good and workmanlike manner; and

WHEREAS, there is a need on occasion for the on-site production of access programming; now, therefore, be it

RESOLVED, that the Mayor is directed and authorized to execute any and all agreements necessary to engage the services of Daniel Riewaldt, 188 Liberty Street, Fredonia, New York 14063, to provide primary production oversight and operational management for the City's local access channel for the period March 18, 2015 through December 31, 2015, at the cost of Four Hundred Twenty-Five Dollars and Zero Cents (\$425.00) per month, *pro rata*; and, be it further

RESOLVED, that the Mayor is directed and authorized to execute any and all agreements necessary to engage the services of Steve Wright Jr., 6999 McKay Road, Mayville NY 14757, to provide primary production oversight and operational management for the City's local access channel for the period March 18, 2015 through December 31, 2015, at the cost of Four Hundred Dollars and Zero Cents (\$400.00) per month, *pro rata*; and, be it further

RESOLVED, that the Mayor is directed and authorized to engage such individuals as may be trained and qualified to provide on-site production of access programming at the cost of Twenty Dollars and Zero Cents (\$20.00) per event, on an as-needed basis; and, be it finally

RESOLVED, that the payments for such services be made from Account No. 001-8050-4036-0000 (Contracted Services).

RESOLUTION #12-2015
MARCH 17, 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 the 2015 Snow Removal; now, therefore, be it

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 001.0001.2680	General Fund	Insurance Recoveries	\$ 8,244
Appropriation 001.5142.4007	Snow Removal	Salt	\$ 8,244

RESOLUTION #13-2015

MARCH 17, 2015

BY: THE ENTIRE COUNCIL

**AUTHORIZING BUDGET MODIFICATIONS
(March 2015)**

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 2015, ending December 31, 2015; now, therefore, be it

RESOLVED, that the Fiscal Affairs Officer is hereby authorized and directed to make the following modifications to the Fiscal Year 2015 budget:

FUND 1

Description: Purchase of (2) Loaders form Government Auction.

<u>Account No.</u>	<u>Department</u>	<u>Line</u>	<u>Change</u>
001.5110.2000	Maintenance of Streets	Equipment/O.G.S.	\$ 2,000
001.8160.4023	Ref & Garbage Collection	Rep & Maint to Equip	\$ (2,000)
		TOTAL	\$ -

FUND 2

Description: Vehicle maintenance higher than anticipated.

<u>Account No.</u>	<u>Department</u>	<u>Line</u>	<u>Change</u>
002.8320.4023	Water Purification	Rep & Maint to Equip	\$ 300
002.8320.4015	Water Purification	Chemicals	\$ (300)
		TOTAL	\$ -

FUND 2

Description: Emergency repair to altitude valve.

<u>Account No.</u>	<u>Department</u>	<u>Line</u>	<u>Change</u>
002.8320.4023	Water Purification	Rep & Maint to Equip	\$ 1,066
002.8320.4015	Water Purification	Chemicals	\$ (1,066)
		TOTAL	\$ -

RESOLUTON #14-2015

MARCH 17, 2015

BY: THE ENTIRE COUNCIL

AWARDING BID FOR ASBESTOS REMOVAL

(101 Park Avenue, 423 Swan Street, 108 Moffat Street, and 66 E. Second Street)

WHEREAS, the City of Dunkirk in 2014, entered into a Contract with the Chautauqua County Land Bank to demolish structures in the City; and

WHEREAS, an asbestos survey has been conducted and submitted for properties located at: **101 Park Avenue (SBL 79.14-3-24), 423 Swan Street (SBL 79.14-8-16), 108 Moffat Street (SBL 79.12-4-52), and 66 E. Second Street (SBL 79.11-1-63)**, which are listed for demolition; and

WHEREAS, following published Legal Notice, sealed bids for the asbestos abatement of four (4) structures were opened and read aloud in the Dunkirk City Clerk's Office at 3:00 P.M. on March 3, 2015, with five (5) bids being received for asbestos abatement; now, therefore, be it

RESOLVED, that upon review and recommendation of the Building Inspector, the lowest responsible bid of REGIONAL ENVIRONMENTAL DEMOLITION, INC., in the amount of Fourteen Thousand Nine Hundred Dollars and Zero Cents (\$14,900.00) be and hereby is accepted for asbestos removal for **101 Park Avenue (SBL 79.14-3-24), 423 Swan Street (SBL 79.14-8-16), 108 Moffat Street (SBL 79.12-4-52), and 66 E. Second Street (SBL 79.11-1-63)**; and, be it further

RESOLVED, that – after the contractor provides satisfactory insurance certificates to the City Law Department, and the contractor provides performance bond and payment bonds, which are reviewed and approved, and the contractor shows compliance with the MWBE procedures – the Mayor is hereby authorized and directed to execute any and all documents, on behalf of the City of Dunkirk, with the above-named contractor for the asbestos removal of the said structures; and, that the City Clerk is hereby authorized to return the bid deposits of the bidders, after contract execution or non-awarded bid, in accordance with the contract specifications, and that the City Clerk shall return unaccepted and unsealed, any and all bids, received after the date and time of the published bid opening; and, be it finally

RESOLVED, that the following funds are to be utilized for such asbestos removal:

071.8000.4000.0562	(CDBG 12)	\$13,500.00
001.3620.4036	(City 14)	\$ 1,400.00.

RESOLUTION #15-2015

MARCH 17, 2015

BY: THE ENTIRE COUNCIL

**DENIAL OF APPLICATIONS FOR CORRECTED TAX ROLL FOR THE YEAR
2014 SUBMITTED BY LEVEL 3 COMMUNICATIONS LLC**

WHEREAS, Level 3 Communications LLC (Level 3), filed applications for corrected tax rolls for the year 2014 pursuant to Real Property Tax Law Section 554 for the parcel set forth below, and

WHEREAS, the County Director of Real Property Tax has investigated the circumstances of the applications and transmitted a written report of the investigation, and

WHEREAS, the County Director of Real Property Tax denied said applications on form RP-554, dated February 23, 2015, and

WHEREAS, the Dunkirk Common Council has determined that the aforesaid applications should be denied for the following reasons:

- (1) Applicant's property constitutes real property under Real Property Tax Law (RPTL) Section 102(12)(f) and (i);
- (2) The application fails to establish a clerical error, an unlawful entry or an error in essential fact as defined in Article 5 and Section 550 of the RPTL;
- (3) Applicant's proper remedy is to bring a tax certiorari proceeding under Article 7 of the RPTL. Applicant failed to follow those procedures and the time period in which to do so under Article 7 has expired;
- (4) No administrative grievance or complaint was filed pursuant to Section 524 of the RPTL;
- (5) The applications contain conclusory allegations with respect to fiber optic cables and fails to contain detailed and sufficient evidence and proof with respect to the identity, location, composition and usage of its property and lines;
- (6) The RCN case, which Applicant relies upon, is factually and legally distinguishable from the circumstances involving the Level 3 property located in Chautauqua County and, in any event, is in a different department and not binding on the courts in the Appellate Division, Fourth Department;
- (7) Level 3 has no right to a refund or credit because it paid the taxes without an appropriate written protest;
- (8) The applications should be denied on public policy grounds because the Applicant voluntarily deferred its challenge to the public assessments and

exposed the municipalities and school districts to retroactive disruption of their budgets; and

- (9) The applications are untimely and barred by the applicable statute of limitations; now, therefore, be it

RESOLVED, that the applications for corrected tax rolls for the year 2014 submitted by Level 3 Communications LLC, for the following parcel is hereby denied for the reasons set forth in numbered paragraphs 1-9 above:

Dunkirk	060300-55.00-5.55..PS4	\$504.000.00
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RESOLUTION #16-2015
MARCH 17, 2015

BY: COUNCILMAN RIVERA

AUTHORIZING CONTRACT FOR JULY 4TH FIREWORKS DISPLAY

WHEREAS, the City of Dunkirk Department of Public Works has solicited proposals from qualified vendors for the annual July 4th fireworks display, with two proposals being received and reviewed, and

WHEREAS, one of the proposals indicated the vendor was not available on July 4, but the other vendor was available and proposed a show that would be very similar to last year's and would be by the same vendor, which vendor has a consecutive multi-year history of good performances with the City of Dunkirk, in the opinion of the Department of Public Works, now, therefore, be it

RESOLVED, that the Mayor be, and hereby is, authorized to execute a contract, on behalf of the City of Dunkirk, with **Zambelli Fireworks Internationale**, PO Box 1463, New Castle PA 16103-1463, in the amount of Thirty Thousand Dollars and Zero Cents (\$30,000.00) for the July 4, 2015 (rain date July 5, 2015) fireworks display, in accordance with the proposals as opened on March 9, 2015.