

AGENDA - COMMON COUNCIL MEETING – April 15, 2014 - 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 Ryan Corbett to hold a Classic Car Cruise in Washington Park on Friday June 13th from 4:00 PM until 8:00 PM. Also, requesting permission to erect a tent, trash cans, vendors and the closing Washington Avenue between 5th and 6th Streets.
 2. Request from the Dunkirk Joint Veterans Council to hold the Annual Memorial Day Services & Parade on Monday, May 26th at 10:00 AM with parade to follow; reviewing stands & chairs at Memorial Park & City Hall and participation by the Mayor and City Officials.
 3. Request from the Chautauqua County Cancer Services Program in cooperation with the Chautauqua County Department of Health and Human Services to hold an outdoor Health Fair in the parking lot at the corner of 3rd Street and Central Avenue on Saturday, August 23rd from 10:00 AM until 3:00 PM.
 4. Request from Sandra Lewis on behalf of the Juneteenth Celebration Committee to use Memorial Park on Saturday, June 7th and Sunday, June 8th for their 19th year Juneteenth Celebration.
 5. Loudspeaker applications from:
 - a) Ryan Corbett on behalf of the Dunkirk Historical Society requesting permission to have speakers and amps for the Car Cruise in Washington Park on June 13th from 4:00 PM until 8:00 PM.
 - b) Terry Frazier on behalf of the Moniusko Club requesting permission to have a DJ at the Large Pavilion at Point Gratiot on Saturday August 9th from 12:00 PM until 4:00 PM.
 - c) Duane Gilbert on behalf of the Dunkirk Elk's Lodge #922 for microphones and speakers at the Dunkirk Lighthouse on Saturday June 14th from 11:00 AM until 3:00 PM.
 - d) Demetris On The Lake for bands, speakers and sound equipment from May 20th thru September 15th.
 6. Notice of Claim from Vieon Santos for damages to his vehicle allegedly due to hitting a pot hole on Newton Street.

7. Reports of Standing Committees, Boards and Commissions.
8. Unfinished Business:
 31. Resolution introducing Local Law #1-2014 modifying Chapter 63 of the Dunkirk City Code entitled "Sewer Use".
9. Pre-filed Resolutions:
 32. Resolution authorizing budget modifications (April 2014).
 33. Resolution authorizing Mayor to execute Lease Agreement (Deere Credit, Inc.).
 34. Resolution authorizing terminable revocable license for boat launch operations (Chadwick Bay Marina Holdings, Inc.).
 35. Resolution authorizing Boardwalk Lease Agreement (Pucci Kids LLC).
10. New Business:
11. Adjournment.

Nicole Joiner
City Clerk

Mayor Dolce and City council members:

I am writing this letter to request the right to hold the 3rd annual "Park in the Park" Classic Car Cruise in Washington Park on Friday June 13th. The event will be from 4 pm to 8pm and will help raise money for the Dunkirk Historical Society and the Dunkirk High School incentive program.

The goal is to run it the same way as past years, cars parked in the park, music in the gazebo, and vendors selling food. A tent 20X30 would be erected with tables and chairs for seating.

I would need to make sure we have the electrical power hooked up for the music and vendors again, a few extra garbage cans distributed throughout the park, and Washington Avenue closed off from 5th Street to 6th Street to park the cars on if the ground is too soft.

The event has been very successful the last couple of years with many positive comments made throughout the community about it. My hope is that with your help we can continue to bring a positive spin to and about Dunkirk from events such as this.

Thank you for your time and consideration on this matter.

Ryan Corbett

121 S. Ocelot St.

363-1195 Home

410-1015 Cell

RECEIVED

MAR 28 2014

MAYOR'S OFFICE

2014 APR -1 PM 1:02
RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.



RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.
2014 AP - 7 AM 11:00

Dunkirk Joint Veterans Council

To: Honorable Mayor Anthony Dolce
Members of the Common Council

April 5, 2014

Subject: 2014 Memorial Day Services & Parade

The Dunkirk Joint Veterans Council is requesting permission to hold the Annual Memorial Day Services & Memorial Parade on Monday, May 26, 2014.

The Services will begin at 10:00 a.m. in Memorial Park with the Parade to follow immediately.

The DJVC has been proudly hosting the Services & Parade since 1966, making 2014 our 48th year.

The Parade will start at approximately 11:00 a.m. and proceed East on Lake Shore Drive West to Central Avenue. Parade will turn right onto Central Avenue and proceed South to Fifth Street. Parade turns East on Fifth Street and disbands at Washington Park.

In case of inclement weather, the Parade will be postponed up to one hour. Should the rain continue, Memorial Day Services will be held at the American Legion, Post 62, Central Avenue, Dunkirk, New York.

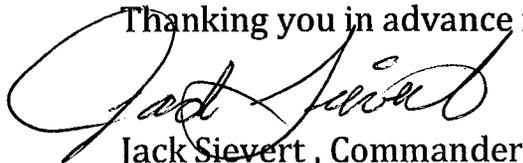
We are requesting that the Street/Parks Department set up reviewing stands and chairs at Memorial Park and in front of City Hall. Respectfully requesting the assistance of Mr. Anthony Gugino and Mr. Thomas Mleczko.

The Joint Veterans Council is also requesting participation by the Mayor, Common Council and City Officials during the services at Memorial Park and the viewing of the parade from the reviewing stand at City Hall.

Respectfully requesting the Mayor, Police Chief and Common Council assist the DJVC in leading this year's Parade.

The DJVC will utilize monies from their Fundraiser to cover the cost of chairs for Memorial Park and on the Reviewing Stand. G.&E. did an outstanding job last year and we are requesting to meet with Mr. Gugino and Mr. Mleczko to discuss the number of chairs needed at both locations and number of reviewing stands needed at City Hall.

Thanking you in advance for your continued support and cooperation.



Jack Sievert , Commander

Ph: 716-366-4082

Email: sievert5594@roadrunner.com

Chautauqua County

Cancer Services Program

Your partner for cancer screening, support and information



April 7, 2014

Dunkirk Common Council
City of Dunkirk
342 Central Avenue
Dunkirk NY 14048

Re: Permission to hold a Health Fair

Dear Sir/Madam:

The Chautauqua County Cancer Services Program in cooperation with the Chautauqua County Department of Health and Human Services would like to hold an outdoor Health Fair for the Dunkirk Community.

We would like to hold the Health Fair in the parking lot of the Graf building at the corner of Third Street and Central Avenue in Dunkirk on August 23, 2014 from 10 AM to 3 PM. We are currently seeking permission to hold this event on your property as owners of the Parking lot on the corner of Third Street and Central Avenue.

With your permission, our goal is to invite many area service organizations to participate in the Health Fair so that together, we can increase the awareness and health of the community.

Enclosed is an outline of the Health Fair. Please contact me with any questions you may have. I look forward to hearing from you soon.

Sincerely,

Darlene Rowe
Resource Assistant, Program Coordinator
Chautauqua County Department of Health & Human Services
Division of Health/Nursing
Phone (716) 753-4536
Fax (716) 661-7794
Email: rowed@co.chautauqua.ny.us

RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.
2014 AP - 8 AM 10:44

April 8, 2014



2014 Juneteenth Celebration Committee

To: The Honorable Anthony Dolce
Mayor of Dunkirk
Dunkirk, New York 14048

RECEIVED

APR 08 2014

MAYOR'S OFFICE

From: Sandra Lewis, Vendor Chair
2014 Juneteenth Celebration Committee

Subject: Memorial Park
Lakeshore Drive

Dear Mayor Dolce,

I am writing on behalf of the Juneteenth Celebration Committee to respectfully request the use of Memorial Park on Saturday, June 7th and Sunday, June 8th for our 19th year anniversary Juneteenth celebration in Chautauqua County.

History: Juneteenth is the oldest known celebration commemorating the ending of slavery in the United States. Dating back to 1865, it was on June 19th that the Union soldiers, led by Major General Gordon Granger, landed at Galveston, Texas with news that the war had ended and that the enslaved were now free. Note that this was two and a half years after President Lincoln's Emancipation Proclamation - which had become official January 1, 1863. The Emancipation Proclamation had little impact on the Texans due to the minimal number of Union troops to enforce the new Executive Order. However, with the surrender of General Lee in April of 1865, and the arrival of General Granger's regiment, the forces were finally strong enough to influence and overcome the resistance.

In 1994, a group of local citizens held the first in Chautauqua County Juneteenth in Wright Park, and in the most recent years the celebration was at the Chautauqua Fairgrounds in Floral Hall. Below are a few photos from last year's event and our schedule.

If you need any further information, please call either (716) 363-1102 or (716) 672-9436.

Sincerely,

Sandra A. Lewis

Vendor Chair

2014 Juneteenth Committee

2014 APR 10 PM 3:31

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 Prior to event): 3-28-14

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

DATE: 6-13-14 **TIME:** 4pm TO 8 pm **LOCATION OF EVENT:** WASHINGTON PARK

SPONSOR: DUNKIRK HISTORICAL SOCIETY

NAME: DUNKIRK HISTORICAL SOCIETY **PHONE NO.**

ADDRESS: 513 WASHINGTON AVE

DK

INDIVIDUAL CORPORATE CHARITABLE COMMUNITY

RESPONSIBLE INDIVIDUAL:

NAME: RYAN CORBETT **PHONE:** 716-363-1195

ADDRESS: 121 S. OCELOT ST 716 410-1015

REASON: CAR SHOW IN PARK WILL HAVE D.J.

AUDIO DEVICE TO BE USED: SPEAKER + AMP

PUBLIC EVENT PRIVATE EVENT

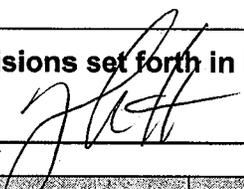
NOTIFICATION OF AFFECTED PERSONS

YES **IF YES, PROOF:**

NO

RECEIVED
 CITY CLERK'S OFFICE
 DUNKIRK, N.Y.
 2014 MAR 28 PM 3:28

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 <i>OK 3/31/14</i>		
DEPT OF PUBLIC WORKS <i>OK 3/31/14</i>		
DEPT OF LAW <i>OK 3/31/14</i>		
OTHER		

COMMON COUNCIL ACTION

RECEIPT OF REVIEW

APPROVAL

CONDITIONS:

DISAPPROVED

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: 8-9-14 **TIME:** 12:00PM-4:00PM **LOCATION OF EVENT:** POINT GRATIOT (LG PAVILLON)

SPONSOR: MONIUSKO CLUB (100th ANNIVERSARY FAMILY PICNIC)

NAME: _____ **PHONE NO.** 716-366-1450

ADDRESS: 260-262 LAKE SHORE DR. EAST
DUNKIRK, NY. 14048

INDIVIDUAL CORPORATE CHARITABLE COMMUNITY

RESPONSIBLE INDIVIDUAL:

NAME: Terry Frazier (CLUB DIRECTOR) **PHONE:** 785-4867

ADDRESS: 36 W. Pt. AVE DUNKIRK NY.

REASON:

AUDIO DEVICE TO BE USED: D.V.

PUBLIC EVENT PRIVATE EVENT

NOTIFICATION OF AFFECTED PERSONS

YES IF YES, PROOF: _____
 NO

RECEIVED
 CITY CLERK'S OFFICE
 DUNKIRK, N.Y.
 2014 AP - 4, PM 2:44

I, the undersigned, have read and agree to abide by the provisions set forth in DCC 47-6-C.

Signature: Terry Frazier

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT OIC 4/7/14 <i>(Signature)</i>		
DEPT OF PUBLIC WORKS		
DEPT OF LAW 12AS 4/7/14		
OTHER		

COMMON COUNCIL ACTION

RECEIPT OF REVIEW

APPROVAL

CONDITIONS:

DISAPPROVED

APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO.

(DCC-47-6-C)

DATE OF APPLICATION (must be 30 days Prior to event): 4-10-14

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

DATE: Sat June 14 **TIME:** 11:00 AM^{3 PM} **LOCATION OF EVENT:** Dunkirk Lighthouse

SPONSOR: Dunkirk Elks 922

NAME: Dunkirk Elks 922 **PHONE NO.** 366-1110

ADDRESS: Box 731 Dunkirk NY 14048

INDIVIDUAL CORPORATE CHARITABLE COMMUNITY

RESPONSIBLE INDIVIDUAL:

NAME: Duane Gilbert **PHONE:** 640-7

ADDRESS: 39 Elm St. Dunkirk NY 14048

REASON: Flag Day Ceremony

RECEIVED
 CITY CLERK'S OFFICE
 DUNKIRK, N.Y.
 2014 APR 10 AM 10:45

AUDIO DEVICE TO BE USED: amplifier - speaker - microphone
for speaking only

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: Duane Gilbert

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT 4/10/14		
DEPT OF PUBLIC WORKS		
DEPT OF LAW RAS 4/10/14		
OTHER		

COMMON COUNCIL ACTION

RECEIPT OF REVIEW

APPROVAL

CONDITIONS:

DISAPPROVED

APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO.

(DCC-47-6-C)

DATE OF APPLICATION (must be 30 days Prior to event): 4-10-14

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

DATE: ~~May 30~~ Sept 15 **LOCATION OF EVENT:** Demetris

SPONSOR: Demetris (time 4pm - 1am varies)

NAME: Demetris On The Lake **PHONE NO.** 366-4187

ADDRESS: 6-8 Lake Shore DR.

INDIVIDUAL CORPORATE CHARITABLE COMMUNITY

RESPONSIBLE INDIVIDUAL:

NAME: Jeralyn Kubasik / Jamie Tsirtzakis **PHONE:** 366-4187 / 680-0293

ADDRESS: 827 Central Ave DR / 2864 Lk Shore DR. Silver Crk.

REASON: Summer patio bar

AUDIO DEVICE TO BE USED: Speakers, sound equipt. etc.

PUBLIC EVENT PRIVATE EVENT

RECEIVED
 CITY CLERK'S OFFICE
 BUNKIRK, N.Y.
 2014 APR 10 PM 3:35

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: *Jeralyn Kubasik*

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT		
DEPT OF PUBLIC WORKS		
DEPT OF LAW		
OTHER		

COMMON COUNCIL ACTION

RECEIPT OF REVIEW

APPROVAL

CONDITIONS:

DISAPPROVED

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: Vieon Santos
Claimant Address: 532 Columbus St
Dunkirk N.Y. 14048
Claimant Telephone Number: (716) 785-1837

This claim is for (injuries/damages alleged): Damage to Front Tires
and Steering + Suspension components.

This claim is alleged to have arisen on the 15 day of February, 2014 at approximately 2:15 a.m./p.m on that date at Newton Street.

The injuries and/or damages sustained by the Claimant arose in the following manner:
While Driving Down Newton was unable to
Avoid Big Pot hole Due to on Coming traffic.

The amount and type of injuries and/or damages sustained by the Claimant consist of the following: Total of Damages to Vehicle totaled \$666.48
for the repair of Sway bar and Pitman Arm
and 2 New tires.

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

Respectfully yours,

Vieon Santos 4-8-2014
Claimant (date)

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

Vieon T. Santos 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
8th day of April, 2014.

Stanley A. Saeli III
Notary

STANLEY A. SAELI III
Notary Public, State of New York
NO. 01SA6075508
Qualified In Chautauqua County
Commission Expires June 10, 2014

RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.
2014 AP - 8 PM 3:58

243 Lakeshore Dr. West
 Dunkirk N.Y. 14048
 716 363-2222
 DMU # 7113296

NAME Vicow Santos	PHONE 716 785-1837
ADDRESS 582 Columbus St	
CITY, STATE, ZIP Dunkirk N.Y. 14048	
2ND AUTHORIZED NAME	PHONE

MATERIAL: ALL PARTS NEW UNLESS SPECIFIED: U-USED, R-REBUILT, RC-RECONDITIONED

QTY.	PART NO.	NAME OF PART	PRICE	WARRANTY YR
1		Sway Bar	154.99	
1		Pitman Arm	109.99	
2		Used Tire		
		P 265/75 R16	700	
TOTAL PARTS			324.98	

CUSTOMER'S INFORMATION			
RECEIVED (DATE & TIME) 2/28/14	A.M. P.M.	CUSTOMER'S ORDER NO.	PROMISED (DATE & TIME) A.M. P.M.
YEAR • MAKE • MODEL 92 Chev K1500 Blazer		SERIAL #/VIN	MOTOR # 57
LICENSE NO.	ODOMETER	WRITTEN BY MATT	
<input type="checkbox"/> LUBE	<input type="checkbox"/> OIL CHANGE	<input type="checkbox"/> FLUSH TRANS.	<input type="checkbox"/> FLUSH DIFF.
<input type="checkbox"/> WASH	<input type="checkbox"/> POLISH		

CHARGE FOR HAZARDOUS OR OTHER WASTE REMOVAL*	
R/R Sway bar 1hr @ 65	65
P/R Pitman Arm 2hr @ 65	230

MECHANICS RECOMMENDATIONS		
Estimated cost \$	Estimate Charge	Basis for Charge

METHOD OF PAYMENT: <input type="checkbox"/> CHECK <input type="checkbox"/> CHARGE <input type="checkbox"/> CASH	Daily Storage fee after repair work has been completed and customer has been notified. No charges shall accrue or be due and payable for a period of 3 working days from date of notification.	LABOR ONLY 295
LABOR <input type="checkbox"/> FLAT RATE <input type="checkbox"/> HOURLY <input type="checkbox"/> BOTH	GUARANTEED ITEM(S)	PARTS 324.98
<input type="checkbox"/> RETAIN PARTS <input type="checkbox"/> DESTROY PARTS	GUARANTEE EFFECTIVE UNTIL: TIME MILEAGE	ACCESSORIES
AUTHORIZED BY		GAS, OIL & GREASE
		MISC. MERCHANDISE
		SUBLET REPAIRS
		STORAGE FEE 619.98
		TAX 46.50
		TOTAL 666.48

PLEASE READ CAREFULLY, CHECK ONE OF THE STATEMENTS BELOW, AND SIGN:
 I UNDERSTAND THAT, UNDER STATE LAW, I AM ENTITLED TO A WRITTEN ESTIMATE,
 INCLUDING A COMPLETION DATE, IF MY FINAL BILL WILL EXCEED \$100. (\$50 in MD)

I REQUEST A WRITTEN ESTIMATE. THE FINAL BILL MAY NOT EXCEED THIS ESTIMATE WITHOUT MY WRITTEN APPROVAL.

I DO NOT REQUEST A WRITTEN ESTIMATE, AS LONG AS THE REPAIR COSTS DO NOT EXCEED \$_____. THE SHOP MAY NOT EXCEED THIS AMOUNT WITHOUT MY WRITTEN OR ORAL APPROVAL.

I DO NOT REQUEST A WRITTEN ESTIMATE.

You are entitled by law to the return of all parts replaced, except those for which there is a core charge, unless you agree otherwise by initialing the following: _____ I do not desire the return of any of the parts that are replaced during the authorized repairs.

Estimate good for 30 days. Not responsible for damage caused by theft, fire, or acts of nature. I authorize the above repairs, along with any necessary materials. I authorize you and your employees to operate my vehicle for the purpose of testing, inspection, and delivery at my risk. An express mechanic's lien is hereby acknowledged on the above vehicle to secure the amount of the repairs thereto. If I cancel repairs prior to their completion for any reason, a tear-down and reassembly fee of \$_____ will be applied.

*Checked lines apply (Preparer must check at least one):
 This charge represents costs and profits to the motor vehicle repair facility for miscellaneous shop supplies or waste disposal.
 This amount includes a charge of \$_____, which is required under _____ law.

SIGNED _____
 DATE _____

RESOLUTION #31-2014
APRIL 1, 2014

BY ENTIRE COUNCIL:

**INTRO NO. 1 TO
LOCAL LAW #1-2014
CITY OF DUNKIRK, NEW YORK**

**A LOCAL LAW MODIFYING CHAPTER 63 OF THE DUNKIRK CITY CODE
ENTITLED "SEWER USE"**

BE IT ENACTED by the Common Council of the City of Dunkirk as follows:

Section 1 Intent.

It is the intent of this Local Law to modify a certain definition contained in the City of Dunkirk's Sewer Use Ordinance, to wit: SLUG, in order that the Sewer Use Ordinance conform to the general pre-treatment requirements contained in 40 Code of Federal Regulations Part 403.

Section 2 Amendment of City Code.

Chapter 63, Article II – Definitions, Section 63-2 – Terms Defined, Subsection 52 "Slug" of the Dunkirk City Code is hereby amended as follows:

DELETE Section 52. " Slug" shall mean any discharge of water, sewage, or industrial waste which, in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

ADD Section 52. " Slug" shall mean any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW's regulations, local limits or permit conditions.

Section 3 Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.

4-1-14 Councilman Gonzalez moved to table this Resolution with
a Public Hearing to be held on April 15, 2014 at 5:20 PM.
Seconded by Councilman Rivera.

Carried, all voting aye. TABLED.

RESOLUTION # 32 -2014

April 15, 2014

BY: THE ENTIRE COUNCIL

**AUTHORIZING BUDGET MODIFICATIONS
(April 2014)**

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 2014, ending December 31, 2014; now, therefore, be it

RESOLVED, that the Fiscal Affairs Officer is hereby authorized and directed to make the following modifications to the Fiscal Year 2014 budget:

FUND 1

Description: Building City Hall –Replenish Contracted services line item needs to be replenished for bare basic services during the remainder of the year. Unanticipated boiler repairs depleted budget line item.

<u>ACCOUNT NO.</u>	<u>DEPARTMENT</u>	<u>LINE</u>	<u>CHANGE</u>
001.1620.4036	Building City Hall	Contracted Services	\$ 2,000
001.1620.4021	Building City Hall	Repair / Maintenance	\$ (2,000)
		TOTAL	\$ -

RESOLUTION #33-2014
APRIL 15, 2014

BY: COUNCILMAN MICHALSKI AND COUNCILMAN GONZALEZ

AUTHORIZING MAYOR TO EXECUTE LEASE AGREEMENT
(Deere Credit, Inc.)

WHEREAS, the Public Works Department Parks Division is in need of additional lawn-mowing equipment to adequately maintain the Park areas throughout the City; and

WHEREAS, NYS Contract provides a 2014 JD 1445 Diesel Front Mower and a 2014 JD 72" Mower Deck at a cost of \$18,465.33 and \$3,856.00 respectively; and

WHEREAS, the Director of Public Works and Fiscal Affairs Officer believe that it would be in the best interests of the City to purchase such needed equipment off of the NYS Contract and to pay for such equipment through a three-year lease-purchase agreement; now, therefore, be it

RESOLVED, that the Mayor is hereby authorized and directed to execute a lease agreement with **Deere Credit, Inc., 6400 NW 86th Street, PO Box 6600, Johnson, IA 50131-6600**, for a 2014 JD 1445 Diesel Front Mower and a 2014 JD 72" Mower Deck, for a three (3) year lease at an annual lease payment of Six Thousand Six Hundred Thirty-Two Dollars and Sixty-Three Cents (\$6,632.63); and, be it finally

RESOLVED, that funds for this lease be allocated as follows:

001.7110.2000	Parks	Equipment	(50%)
003.8130.2000	Waste Water Treatment Plant	Equipment	(50%).

RESOLUTION #34-2014

APRIL 15, 2014

BY: COUNCILWOMAN SZUKALA

**AUTHORIZING TERMINABLE REVOCABLE LICENSE
FOR BOAT LAUNCH OPERATIONS
(Chadwick Bay Marina Holdings, Inc.)**

WHEREAS, the City of Dunkirk is the owner of certain improved real property located at and designated as the City Pier, which includes a municipal boat launch, harbormaster building (including restrooms) and fish-cleaning station (collectively the "Premises"); and

WHEREAS, the City requested proposals from qualified and interested vendors capable of operating the Premises on a contract basis; and

WHEREAS, Chadwick Bay Marina Holdings, Inc. (Chadwick Bay) has submitted a proposal for consideration to operate and maintain the Premises; and

WHEREAS, Chadwick Bay is ready, willing and able to provide such services in a good and workmanlike manner on behalf of the City and it would be in the best interest of the City to contract for such services with Chadwick Bay; now, therefore, be it

RESOLVED, that the Mayor is hereby authorized to execute any necessary documents, including a terminable recoverable license agreement with **Chadwick Bay Marina Holdings, Inc.**, 30 Central Avenue, P.O. Box 263, Dunkirk, New York 14048, for the operation of the municipal boat launch, harbormaster building (including restrooms) and fish-cleaning station for a period from April 16, 2014 through October 31, 2014 (daily 7:00 a.m. to 7:00 p.m.) at a fee of Two Hundred Fifty Dollars and Zero Cents (\$250.00) per month, *pro rata* in advance; and, be it finally

RESOLVED, that the revenue received is to be allocated to Lease of City Property Account Number 001-0001-2410-4112.

RESOLUTION #35-2014

APRIL 15, 2014

BY: COUNCILWOMAN SZUKALA

**AUTHORIZING BOARDWALK LEASE AGREEMENT
(Pucci Kids LLC)**

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

WHEREAS, the City of Dunkirk has available space in the Boardwalk and desires to enter into an agreement with **Pucci Kids LLC**, to lease a portion of the Boardwalk for retail sales of ice cream and related novelties, sandwiches and other prepared foods to the general public; now, therefore, be it

RESOLVED, that the Mayor, Anthony J. Dolce, is hereby authorized to execute a lease agreement with **Pucci Kids LLC**, c/o Anthony Pucciarelli, 526 Central Avenue, Dunkirk, New York 14048, for rental of 16 Central Avenue, Dunkirk, New York 14048, for the period (April 16, 2014 through March 31, 2016) at an annual rental of Four Thousand Two Hundred Dollars and Zero Cents (\$4,200.00) (\$350 per month, *pro rata*).