

AGENDA - COMMON COUNCIL MEETING – May 5, 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 Ryan Corbett to hold a Classic Car Cruise in Washington Park on June 12th from 4:00 PM until 8:00 PM. Also, requesting permission for a tent, trash cans, vendors and the closing Washington Avenue between Fifth and Sixth Streets.
 2. Request from the Dunkirk Midget Football League to use the Fourth Street property for practices from August through October. Also requesting the city to provide Port-a-Potties.
 3. Request from Christ Chapel Wesleyan Church to have a bounce house at the large pavilion at Point Gratiot on August 16th for their annual family picnic and requesting permission to hold Sunday worship services.
 4. Request from the Kosciuszko Polish Home Association to close traffic between E. Doughty Street and Courtney Street on June 26th and June 27th from 5:00 PM until 12:30 AM for their "Annual Street Dance". Also, requesting the support of the City Parks Department, Police Department, Streets Department and Fire Department.
 5. Request from Cynthia Karnes to use Promenschenle Stadium and Koch's Field on Saturday July 11th from 8:00 AM until 10:00 PM; also requesting permission for a food vendor and alcohol sales for the annual "Joe Karnes Memorial Co-Ed Softball Tournament."
 6. Request from Special Olympics New York and The Law Enforcement Torch Run to use city streets on May 20th between 9:00 AM and 9:30 AM.
 7. Notices of Claim from:
 - a) Michael Granata for damages to his water lines.
 - b) Alphonse and Sadie Kwiej for personal injuries allegedly sustained at the parking lot located at 252 Nevins Street.
 8. Loudspeaker applications from:
 - a) Ryan Corbett on behalf of the Dunkirk Historical Society to have a DJ in Washington Park on June 12th from 4:00 PM until 8:00 PM.

- b) Dunkirk Lighthouse to use a loudspeaker on May 25th from 8:00 AM until 10:00 AM for Memorial Day Services.
- c) Alzheimer's Association of Western New York to have a DJ and to use speakers, soundboard and microphones at the large pavilion at Point Gratiot on September 12th from 8:30 AM until 12:30 PM.
- d) Christ Chapel Wesleyan Church to use a speaker at the large pavilion at Point Gratiot on August 23rd from 10:30 AM until 2:30 PM.
- e) Kosciuszko Polish Home Association to use microphones, amplifiers and speakers on June 26th and June 27th from 7:00 PM until 11:00 PM for their "Annual Street Dance."
- f) Duane Gilbert on behalf of the Dunkirk Elks Lodge #922 for amplifiers, speakers and microphones at the Dunkirk Lighthouse on Sunday, June 14th from 3:00 PM until 6:00 PM.

7. Reports of Standing Committees, Boards and Commissions.

8. Unfinished Business:

- 28. Resolution awarding bid for Water Treatment Plant Sedimentation Basin Sludge Collection Systems (Water Treatment Facility – Phase 1 and 2 Continuation).
- 29. Resolution awarding bid for Benton Water Tank repairs (Water Treatment Facility – Phase 1 and 2 Continuation).

9. Pre-filed Resolutions:

- 30. Resolution enacting brush and yard waste policy.
- 31. Resolution authorizing amendment to agreement for Independent Contractor (L. Gawronski) (Community Development Block Grant).
- 32. Resolution introducing Local Law #2-2015 to amend Chapter 15, Article II, Sections 15-12 entitled "Fees", and 15-20(C) entitled "Issuance and Contents of Certificate" and add Chapter 31, Article IX entitled "Building Construction Fees" of the Dunkirk City Code.

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 12th. The event will be from 4 pm to 8pm and will help raise money for the Dunkirk Historical Society and the Infinity Dance Company.

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
CITY CLERK'S OFFICE
DUNKIRK, N.Y.
2015 AP 21 AM 9:10



Dunkirk Midget Football
PO BOX 212
Dunkirk, NY 14048
(716) 673-5947

2015 AP 21 PM 2:20
RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.
April 21 2015

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

Dear City Officials,

The Dunkirk Midget Football League, a division of the Jamestown Area Midget Football League (JAMFL), has been holding football and cheerleading practices at Wright Park and behind School 7 utilizing any area we can find around and near the baseball/softball fields for more than the last decade. We register around 230-250 City of Dunkirk resident children every season. Girls and boys range from ages 8 to 14 years old. We have a JV, Varsity, and Modified team for the football players and the cheerleaders. That is a total of 6 squads all practicing together, same time and same field.

Our season starts every year on the first Monday of August and we run practices through the end of October. In August, our participants train Monday through Friday for a minimum of 2 hours per day. We are known to spend over 10 hours a week training participants at the field. Over the past years, the baseball season is proving to run longer and now with the fall baseball season our schedules overlap at our current location. This has proven to add complexity to our program. The unintentional distractions during practice is sometimes a cause for safety concerns as both football and cheerleading do require focus and concentration to maintain safety.

We would like to ask the City for permission to use the property located on 4th Street in Dunkirk to hold our practices each season starting this year August 3, 2015. In addition, we would also like to request the City add a porta-potty to the field for the children to use during practices for each season. We are truly looking for a permanent home for our league. A place that will allow our participants to have ample training space for football and cheerleading drills. Our participants are the same children that tend to move up into the Dunkirk High School level football and cheerleading programs once they have aged out of our program. By providing this dedicated resource, we are helping and supporting our City of Dunkirk children prepare for a successful Dunkirk High School career continuing in these sports!

We truly appreciate your consideration and look forward to hearing back on your decision. We are excited for this new start and truly appreciate your help and support!

Sincerely,

Phillip Collier, Dunkirk Midget Football Head Coach



RECEIVED
APR 27 2015
MAYOR'S OFFICE

April 23, 2015

Mayor Anthony J. Dolce
Common Council
City Hall
Dunkirk, NY 14048

RE: Request

Dear Mr. Mayor and Members of Common Council:

On August 16, 2015 our church will be holding a Sunday worship service and annual family picnic. We rented the Large Pavilion at Gratiot Point.

Enclosed please find completed Application for Loudspeaker Special Permit. We will use a music system during our worship service and family picnic to play contemporary Christian music. Please consider our request for this permit.

Kindly consider this our written request to have a bounce house on premises during this time. We enclose for your review a copy of our liability insurance binder showing insurance coverage.

Should you have any questions, please feel free to contact our office at the number listed below.

Thank you for your consideration of the above referenced matter. We look forward to hearing from you soon.

Grace and peace,

A handwritten signature in black ink, appearing to read 'Barbara J. Hauck', written over a horizontal line.

Barbara J. Hauck
Administrative Assistant

Bjh
Enclosures

2015 AP 27 PM 3:12

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



60 Buffalo St
Silver Creek, NY 14136
ccwsc@gmail.com
716.934.3725

COMMERCIAL LIABILITY DECLARATIONS

Page 1 of 1

Named Insured: CHRIST CHAPEL WESLEYAN CHURCH

Policy Number: 31M5A0390878

Policy Period: 04/18/15 - 04/18/16

The Coverages listed herein are provided subject to the **terms** of the designated coverage form and any other applicable forms or endorsements. Only one liability coverage and one medical coverage will apply to an **occurrence** and any **related loss**. Any **limit** which is specifically stated within a coverage form or endorsement represents the most we will pay for the coverage to which such **limit** applies. For application of **limits**, see Liability and Medical Coverage form (BGL-11).

SCHEDULE OF LIMITS

POLICY LIMITS	GENERAL OCCURRENCE LIMIT (\$)	GENERAL AGGREGATE LIMIT (\$)
	1,000,000	3,000,000

PRINCIPAL COVERAGES	(Coverage Designation)	FORM	COVERAGE LIMIT (\$)	COVERAGE AGGREGATE LIMIT (\$)
Bodily Injury/Property Damage Liab.	(L)	GL100 1.0	1,000,000*	3,000,000*
Medical Payments	(M)	GL100 1.0	10,000*per person	3,000,000*
Products/Completed Work	(N)	GL100 1.0	1,000,000*	3,000,000*
Fire Legal Liability	(O)	BGL951NY 3.0	1,000,000*	3,000,000*

ADDITIONAL COVERAGES/INCLUDED	FORM	COVERAGE LIMIT (\$)	COVERAGE AGGREGATE LIMIT (\$)
Church	BGL51NY 4.0	1,000,000*	3,000,000*

ADDITIONAL COVERAGES/OPTIONAL	FORM	COVERAGE LIMIT (\$)	COVERAGE AGGREGATE LIMIT (\$)
Media Liability	BGL41NY 1.0	1,000,000*	3,000,000*
Counseling Acts	BGL63NY 4.0	1,000,000*	3,000,000*
Directors & Officers	BGL81NY 4.0	1,000,000*	3,000,000*
Nonowned Property Damage	BGL951NY 3.0	1,000,000*	3,000,000*
Sexual Acts (Without Screening)	BGL61NY 4.0	500,000*	500,000*
Religious Athletic Medical	BGL91NY 4.0	10,000*Per Person	3,000,000*
Excess Liability	BGL939NY 4.0	See Form CXL13	See Form CXL13
Nonowned/Rented Vehicle	BGL71NY 4.0	1,000,000*	3,000,000*
Cyber Liability	BGL87NY 4.0	1,000,000*	3,000,000*
Worldwide Liability Extension	BGL1111TNY 1.1	See Form BGL111T	See Form BGL111T
Traumatic Incident Response	BGL991BNY 4.0	See Form BGL991B	See Form BGL991B
Religious Freedom	BGL66NY 1.0	1,000,000*	3,000,000*
Terrorism - Covered Acts	GL0250 01 08	1,000,000*	3,000,000*
Benefits Administration	BGL83NY 4.0	1,000,000*	3,000,000*
Wage Reimbursement	BGL99NY 4.0	3,500*Per Person	3,000,000*

2015 AP 27 PM 3: 12

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

* Only a single limit applies to the loss. All coverage limits are subject to the general occurrence limit and all aggregate limits are subject to the general aggregate limit.

2015 AP 28 AM 10:40

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

April 30, 2015

Dunkirk Common Council

Dunkirk, NY

Dear Dunkirk Common Council,

SUBJECT: KOSCIUSZKO CLUB ANNUAL STREET DANCE

We would like to request that Nevins Street be closed to traffic between East Doughty Street
And Courtney Street on the following days for our annual street Dance:

Friday, June 26, 2015 from 5:00 TO 12:30 am

Saturday, June 27th, 2015 from 5:00 to 12:30 am

We are asking that the street be closed only for the safety of the people attending this affair. All
Activities will be on Club property as last year.

Also we would like to ask for the support of the City Parks Department (use of picnic tables and band
Stand), Police Department (patrolling of area), Street department (closing of the street), Loud Speaker
Permit (4 hours in length each day) and Fire Department.

As in previous years we will contact our insurance carrier for Liability Insurance naming the City of
Dunkirk as Certificate Holder.

Thank you in advance for your help and Cooperation.

Sincerely,

James Stelmack



President

Kosciuszko Polish Home Association Inc.

To Dunkirk Common Council:

April 29, 2015

I am writing to ask you for the use of Promenschenkel Stadium and Koch's field for the 6th annual Joe Karnes Memorial Softball Tournament on July 11, 2015. The games will be played from 8:00 am to 10:00 pm. As you are probably aware, we raise funds to donate to various charities that were a particular joy for Joe. Namely, Little League softball and baseball. We also donate a cash award to two students that are graduating from DHS in June. This is given to a boy and a girl who exhibited volunteerism.

I am requesting permission to have food vendors and the sale of liquor. We will not be needing a permit for a loud speaker this year.

When I'm sure of the date, I will obtain the proper insurance coverage as always.

With warm regards,

Mrs. Cynthia Karnes

Mrs. Cynthia Karnes
142 West 5th
Dunkirk NY
14048-1935

RECEIVED
JOY C. LEAN'S OFFICE
DUNKIRK, N.Y.
2015 AP 30 AM 11:28



Special Olympics
New York

Western Region

Dear Mayor Dolce and the members of the Common Council,

The Law Enforcement Torch Run to benefit Special Olympics it is the largest grassroots fundraising and public awareness vehicle for the movement across the globe! More than 142,000 officers from 48 countries carried the "Flame of Hope" across their communities and into their local games and competitions last year! Right here in New York State we have a rapidly growing Torch Run program and we are building on that momentum by getting more officers, agencies and communities involved!

On Wednesday, May 20th Special Olympics New York and the Law Enforcement Torch Run would like to carry the Flame of Hope throughout the Dunkirk community. Just like past years, the Flame of Hope would run from Dunkirk High School, head south on Marauder Drive, left onto West Lucas Ave, down Central Avenue ending at the local Track and Field meet in SUNY Fredonia. The Torch would start the journey around 9:00am. We are asking for permission to use these streets. The run will be over by 9:30am and the streets will not need to be shut down. We welcome all members of the community to get involved in this event. Special Olympic Athletes and Law Enforcement officers will be involved in this event. The run paces at about a 10 minute mile.

Members from the New York State Police, SUNY Fredonia Police, Lakeview Correctional Facility, Collins Correctional Facility among other agencies will be involved in this awareness run. All of these agencies will be assisting with traffic control. Attached you will find a copy of the insurance for Special Olympics. Pending approval from you, Special Olympics can name the City of Dunkirk as an additional insured.

Special Olympics is the Law Enforcement charity of choice, raising funds and awareness throughout different communities. Last year, the Law Enforcement Torch Run raised 1.7 million dollars for the Athletes of Special Olympics New York. This year, the Flame of Hope started its journey in Olean, NY and will end the journey as it makes its way to the 2015 State Summer Games hosted by the University at Brockport on June 5th. The funds generated by Torch Run initiatives support the nearly 65,000 athletes of Special Olympics New York who train and compete year-round in 22 Olympic-style sports throughout the entire state. There is never a charge to our athletes or their caregivers to participate in Special Olympics.

Should you have any questions or concerns, please do not hesitate to contact myself at the information listed below. Thank you in advance for your participation!

Sincerely,

Erica Raeppe

Erica Raeppe
Associate Director of Development
Special Olympics New York
2801 Wehrle Drive, Suite 12
Williamsville, NY 14221
Cell: 716-909-6444
Office: 716-580-3346 ext 201
Fax: 716-580-3941
eraeppe@nyso.org

2015 AP 30 PM 2:26

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

Andrew M. Cuomo
Governor, State of New York
Honorary Chairman

Frank Mitola
Chairman

Neal J. Johnson
President & CEO

Dorothy Buehring Phillips
(1910 - 1994) Founder

Special Olympics New York Western Region
2801 Wehrle Drive, Suite 12, Williamsville, NY 14221
Tel + 1 716 580 3346 Fax + 1 716 580 3941
Created by the Joseph P. Kennedy Jr. Foundation for the benefit of persons with intellectual disabilities

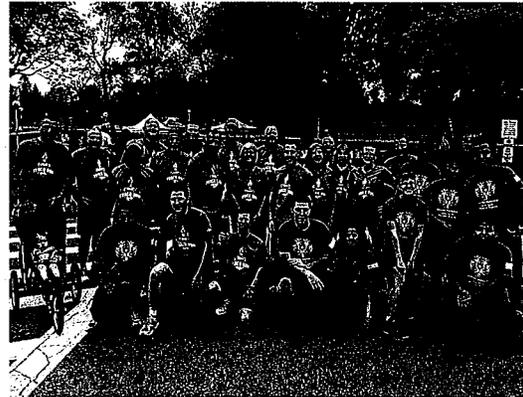
**Special
Olympics**
New York



**LAW ENFORCEMENT
TORCH RUN®**
FOR SPECIAL OLYMPICS
NEW YORK



Join us for the Fredonia Torch Run Leg!



May 28, 2015

Join us as at 8:30AM (Torch Run begins at 9:00AM-please be there at 8:30AM for runner registration) at Dunkirk High School (620 Marauder Drive, Dunkirk, NY) as we carry the Flame of Hope through Dunkirk High School and continue through the streets of Dunkirk into the Fredonia Spring Games. The Torch will travel down Central Ave to end at the Opening Ceremonies of the Fredonia Spring Games, at SUNY Fredonia. All participants are welcome to join us for a Torch Run! We ask that all participants purchase an official Torch Run shirt for \$20.



**Not a runner? No problem!
Purchase a shirt, sponsor
or even come out and
cheer... there are so many
ways to get involved!**

For more information, please contact:

Erica Raepple
Special Olympics New York
Phone: 716-909-6444
eraepple@nyso.org

Mike Connors
NYSP
716-913-3070
mjcsteel@hotmail.com

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: Michael GRANATA
Claimant Address: 1950 Alhara Loop
The Villages FL 32162
Claimant Telephone Number: (716) 474-4748

This claim is for (injuries/damages alleged): AT 91 East fourth
ST Dunkirk, NY see all letter

This claim is alleged to have arisen on the 4 day of March, 2015 at approximately a.m./p.m. on that date at 91 East fourth Dunkirk NY

The injuries and/or damages sustained by the Claimant arose in the following manner:
Frozen pipes

The amount and type of injuries and/or damages sustained by the Claimant consist of the following: bill for \$1,050

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

Respectfully yours,
Michael Granata 4-17-15
Claimant (date)

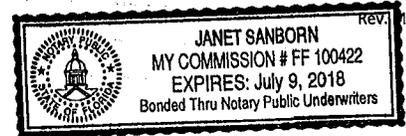
FLORIDA
State of ~~New York~~)
County of ~~Chautauque~~) ss.:
Sumter

Michael GRANATA, 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
17 day of April, 2015.

Janet Sanborn
Notary

2015 AP 20 AM 11:02
RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.



Michael Granata
1950 Allure Loop
The Villages. Fl. 32162

March 17, 2015

I am the owner of 85- 91 East Fourth Street, Dunkirk, New York. I have owned the property since approximately 1990. About five years after purchasing the property it was a very cold winter (like we just had 2014-2015) at that time the main water lines froze. I called the city of Dunkirk, after reviewing the problem they stated city water lines in that area were not placed in the ground deep enough. They knew what the problem was so they then proceeded to put a copper tube to run water before the meter, they stated it would be much cheaper than to dig up the cities water line to place them deeper.

This worked well until this past winter, lines froze up I had to call a plumber and was charged \$1,050 by Gugino Plumbing (see enclosed bill.)for fixing the problem, since this is the City of Dunkirks problem I am submitting the bill for the City to pay Gugino plumbing .

Michael Granata



2015 AP 20 AM 11:02
RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.

GUGINO PLUMBING & HEATING, INC.

160 CUSHING STREET
 FREDONIA, NY 14063

Invoice

Date	Invoice #
3/4/2015	10516

Bill To
MICHAEL GRANATA 11 BERNETT DR. FREDONIA, NY 14063

JOB SITE
91 E. 4TH ST DUNKIRK, NY

P.O. No.	Terms	Due Date
	DUE UPON RECE...	4/3/2015

Item	Description	Qty	Rate	Serviced	Amount
	THAWED WATER SERVICE, HAD TO LOCATE WATER LINE, FOUND THAT CURB BOX WAS BROKEN, SHOULD HAVE REPLACED				
	CHECKED LOW WATER PRESSURE, METER WAS PLUGGED WITH RUST AND DEBRIS, FLUSHED OUT SEVERAL TIMES				
	REPLACED FILL VALVE FOR TOILET IN BEAUTY SALON, HAD TO CLEAN FILL VALVE FOR TOILET IN SPA SEVERAL TIMES KEPT PLUGGING UP				
	CLEANED ALL OTHER AERATORS IN BOTH THE SPA AND BEAUTY SALON				
WELDERREN...	WELDER RENTAL	1	250.00		250.00T
RLMPS	TECH RLM PLUMBING SERVICE LABOR	3.5	80.00		280.00T
SMRPS	TECHNICIAN SMR PLUMBING SERVICE LABOR	3	80.00		240.00T
FLUIDPRO45	FLUIDMASTER PRO 45 BALL COCK (WB57727)	1	14.50		14.50T
FLEXCLOSET...	12" SS FLEX CLOSET SUPPLY (WB57580/CA94003 PW)	1	5.50		5.50T
JSCPS	TECHNICIAN JSC PLUMBING SERVICE LABOR	2.5	75.00		187.50T
	Sales Tax		7.50%		73.31
Total					\$1,050.81

Phone #	Fax #
716-679-0080	716-679-0090

Web Site
WWW.GUGINOPH.COM

JAMES E. BROWN
DONALD P. CHIARI
SAMUEL J. CAPIZZI
MICHAEL C. SCINTA
JAMES M. MUCKLEWEE
MICHAEL R. DRUMM
THERESA M. WALSH
DAVID W. OLSON
BRADLEY D. MARBLE
ROSANNE M. GUGINO
NELSON E. SCHULE, JR.
ANGELO S. GAMBINO
MICHELE A. BRAUN

BROWN CHIARI^{LLP}

ATTORNEYS

5775 Broadway
Lancaster, New York 14086-2360

*2470 Walden Avenue, Suite 300
Cheektowaga, New York 14225

TEL 716.681.7190
FAX 716.681.8136*
www.BrownChiari.com

*not for service of process

PARALEGALS
KIMILLE C. DIRIENZO
HEATHER M. KLING
TANYA L. BLEYLE
LIESL A. SOUTER
ELENA M. METSCHL
HEATHER A. LARIVEY
MARY E. FRIEDMANN
NADINE A. REFORMAT
CHERYL A. ROBINSON
SARA L. WARREN
MORGAN S. GREENE
TERILYN J. JUREK

April 21, 2015

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

Nicole Joiner, City Clerk
City of Dunkirk
342 Central Avenue, 1st Floor
Dunkirk, NY 14048

RE: Kwiej vs. City of Dunkirk

Dear Sir/Madam:

Enclosed please find our Notice of Claim, relative to the above matter.

Thank you for your attention to the above.

Very truly yours,

BROWN CHIARI^{LLP}

Michael R. Drumm

MRD/emmm
Encl.

Lockport Office*
172 East Avenue
Lockport, New York 14094
TEL 716.681.7190

Buffalo Office*
69 Delaware Avenue, Suite 701
Buffalo, New York 14202
TEL 716.681.7190

Rochester Office*
75 South Clinton Avenue, Suite 510
Rochester, NY 14604
TEL 1.800.662.8696

(*satellite offices - not for mail or service of process)

2015 AP 22 AM 11:04
CITY OF DUNKIRK
CLERK'S OFFICE
DUNKIRK, N.Y.

RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.
2015 AP 22 AM 11:03

STATE OF NEW YORK :
SUPREME COURT : COUNTY OF CHAUTAUQUA

ALPHONSE KWIEJ
SADIE KWIEJ

Claimants

vs.

NOTICE OF CLAIM

CITY OF DUNKIRK

Respondent

TO: Anthony J. Dolce, Mayor
CITY OF DUNKIRK
342 Central Avenue
Dunkirk, NY 14048

Nicole Joiner, City Clerk
CITY OF DUNKIRK
342 Central Avenue
Dunkirk, NY 14048

To whom it may concern:

PLEASE TAKE NOTICE, that the undersigned hereby makes claim against and submits the following in compliance with the applicable statutes of the State of New York.

1. The Claimant herein is ALPHONSE (AL) KWIEJ, who resides at 4893 Westlake Rd, Dunkirk, NY 14048.

2. The Claimant herein is represented by the law firm of BROWN CHIARI LLP, 5775 Broadway, Lancaster, New York 14086-2360. The subject claim is for personal injuries and medical expenses sustained by reason of injury to Claimant ALPHONSE (AL) KWIEJ. Claimant SADIE KWIEJ has been deprived of the comfort, services, companionship, society and support of her husband, ALPHONSE (AL) KWIEJ, and shall seek all derivative damages available under the law.

3. The incident giving rise to these damages occurred on or about January 29, 2015 while Claimant ALPHONSE (AL) KWIEJ exited his vehicle in a parking lot located at 252 Nevins Street, in the City of Dunkirk, New York. Photographs are annexed herewith as **Exhibit A**.

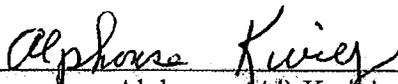
4. The said damages for which claim is hereby made arose in the following manner, to wit:

The claimant ALPHONSE (AL) KWIEJ was exiting his vehicle at the the Kosciuszko Polish Club at 252 Nevins Street, Dunkirk, New York 14048. Upon information and belief, the aforesaid incident was caused by the negligence of the respondent, CITY OF DUNKIRK, by and through its agents, servants, and employees, including, but not limited to failing to properly and safely maintain the parking lot of said premises in a reasonably safe condition; failing to warn of a dangerous condition, by failing to properly inspect and maintain its premises; failure to prevent or remove ice and/or snow; and was otherwise negligent in the premises.

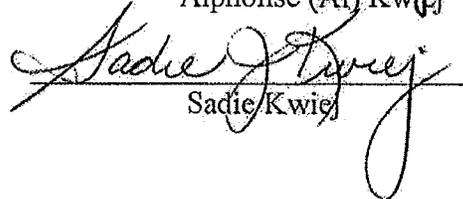
5. Claimant ALPHONSE (AL) KWIEJ sustained personal injuries including fracture of his right femur, requiring surgical intervention, bruising, scarring, and severe pain and suffering.

6. The subject claim is for a sum to be determined by a jury.

DATED: April 15, 2015



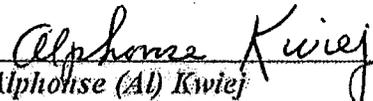
Alphonse (AL) Kwiej



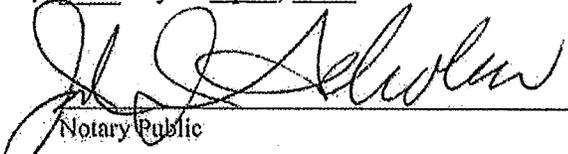
Sadie Kwiej

STATE OF NEW YORK)
COUNTY OF CHAUTAUQUA) ss:

On the 16 day of April, 2015, Alphonse (Al) Kwiej, being duly sworn, deposes and says that he is the claimant in this matter; that he has read the foregoing Notice of Claim and knows the contents thereof; that it is true to his personal knowledge, except as to matters stated to be upon information and belief, and as those matters he believes to be true.


Alphonse (Al) Kwiej

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


Notary Public

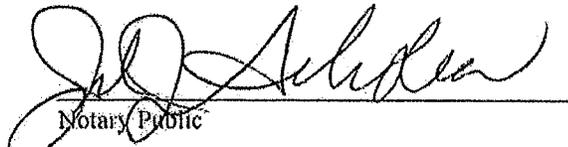
JOHN J. SCHOBER
Notary Public, State of New York
No. 02SC4791187
Qualified in Chautauqua County
Commission Expires August 31, ~~2009~~ 2017

STATE OF NEW YORK)
COUNTY OF CHAUTAUQUA) ss:

On the 16 day of April, 2015, Sadie Kwiej, being duly sworn, deposes and says that she is the claimant in this matter; that she has read the foregoing Notice of Claim and knows the contents thereof; that it is true to her personal knowledge, except as to matters stated to be upon information and belief, and as those matters she believes to be true.


Sadie Kwiej

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


Notary Public

JOHN J. SCHOBER
Notary Public, State of New York
No. 02SC4791187
Qualified in Chautauqua County
Commission Expires August 31, ~~2009~~ 2017

CERTIFICATION

Pursuant to Part 130-1 of the Rules of the Chief Administrator, the undersigned attorney certifies that, to the best of my knowledge, information and belief, formed after inquiry reasonable under the circumstances, the presentation of this paper or the contentions therein are not frivolous as defined in subsection (c) of §130-1.1.



Michael R. Drumm, Esq.

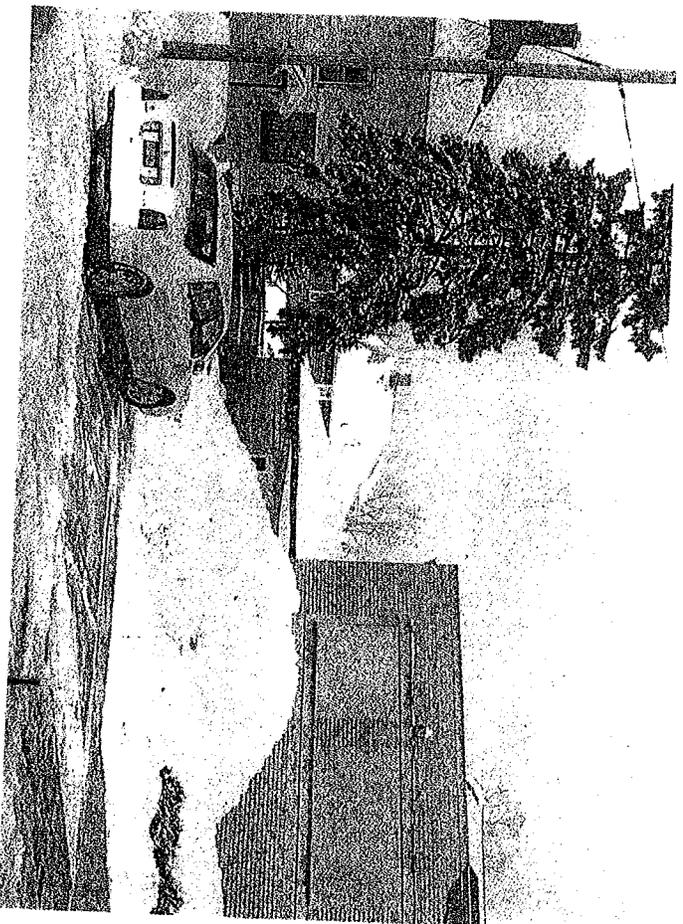
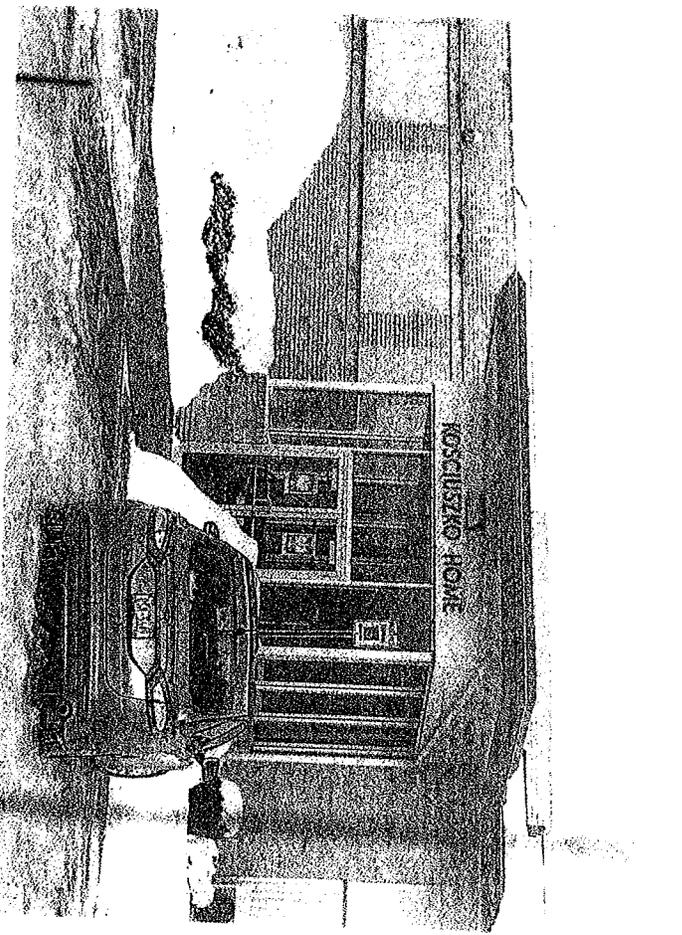
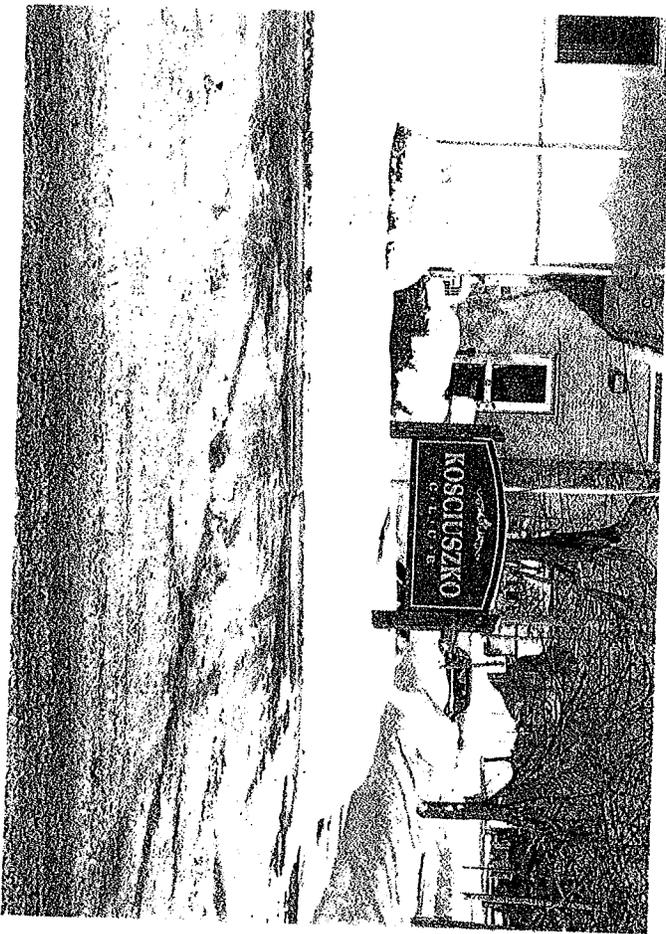
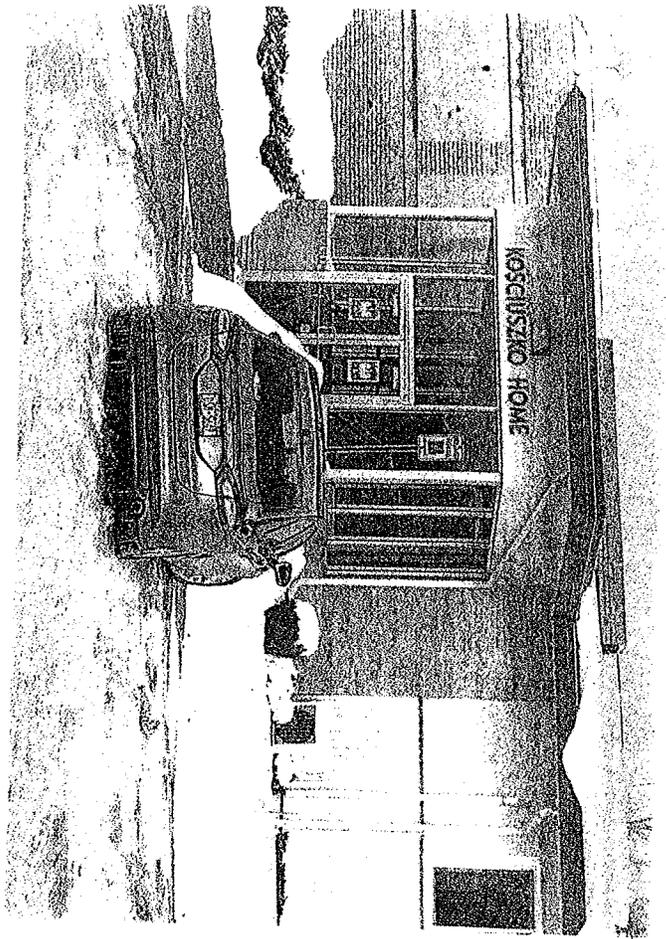
BROWN CHIARI LLP

Attorneys for Claimant

5775 Broadway

Lancaster, New York 14086-2360

(716) 681-7190



APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO.

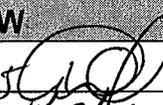
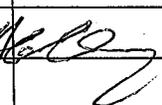
(DCC-47-6-C)

DATE OF APPLICATION (must be 30 days <u>Prior</u> to event): 4-27-15		
<small>*No more than 3 days TOTAL per Individual or Group - per year</small> EVENT SPECIFICS EXCLUDES HARBORFRONT AREA		
DATE: 6-12-15 TIME: 4pm-8pm LOCATION OF EVENT: WASHINGTON PARK		
SPONSOR: DUNKIRK HISTORICAL SOCIETY		
NAME:		PHONE NO. 716 366-3797
ADDRESS: 513 WASHINGTON AVE DUNKIRK NY 14048		
<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> CORPORATE <input checked="" type="checkbox"/> CHARITABLE <input type="checkbox"/> COMMUNITY		
RESPONSIBLE INDIVIDUAL:		
NAME: RYAN CORBETT		PHONE: 716 363-1195
ADDRESS: 121 S. OCELOT ST DUNKIRK NY 14048		
REASON: CAR SHOW		
AUDIO DEVICE TO BE USED: DJ EQUIPMENT		
<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:
DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT <i>OK 4/29/15</i>		
DEPT OF PUBLIC WORKS		
DEPT OF LAW <i>PK 5/29/15</i>		
OTHER		
COMMON COUNCIL ACTION		
RECEIPT OF REVIEW		
APPROVAL		
CONDITIONS:		
DISAPPROVED		

RECEIVED
 CITY CLERK'S OFFICE
 DUNKIRK, N.Y.
 2015 APR 28 PM 3:31

APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO.

(DCC-47-6-C)

DATE OF APPLICATION (must be 30 days Prior to event): 4/22/15	
*No more than 3 days TOTAL per Individual or Group - per year EVENT SPECIFICS *EXCLUDES HARBORFRONT AREA	
DATE: 5/25/15	TIME: 8:00 AM - 10:00 AM LOCATION OF EVENT: Dunkirk Lighthouse.
SPONSOR: Dunkirk Lighthouse	
NAME: David L Briska	PHONE NO. 366-5050
ADDRESS: 1 Lighthouse Point Dr. Dunkirk, NY 14048	
<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> CORPORATE <input checked="" type="checkbox"/> CHARITABLE <input type="checkbox"/> COMMUNITY	
RESPONSIBLE INDIVIDUAL:	
NAME: David L. Briska	PHONE: 366-5050
ADDRESS: PO Box 69 1 Lighthouse Point Dr. Dunkirk, NY 14048	
REASON: Memorial Day Service	
AUDIO DEVICE TO BE USED: Loudspeaker	
<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>David L Briska</u>	
DEPARTMENTAL REVIEW	DATE SENT
POLICE DEPT <i>OK 4/23/15</i> 	
DEPT OF PUBLIC WORKS <i>4/23/15</i> 	
DEPT OF LAW <i>OK 4/23/15</i>	
OTHER	
COMMON COUNCIL ACTION	
RECEIPT OF REVIEW	
APPROVAL	
CONDITIONS:	
DISAPPROVED	

RECEIVED
 CITY CLERK'S OFFICE
 DUNKIRK, N.Y.
 2015 APR 22 PM 2:41

APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO.

(DCC-47-6-C)

DATE OF APPLICATION (must be 30 days Prior to event): 4-27-15

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

DATE: 9/12/15 **TIME:** 8³⁰am - 12³⁰pm **LOCATION OF EVENT:** Point Gratiot Park - Large Pavilion

SPONSOR: Alzheimer's Association, WNY Chapter

NAME: Phillip Weiss **PHONE NO.** 716-626-0600

ADDRESS: 2805 Wehrle Drive, Suite 6 Williamsville, NY 14221

INDIVIDUAL CORPORATE CHARITABLE COMMUNITY

RESPONSIBLE INDIVIDUAL:

NAME: Lynn Westcott **PHONE:** 716-626-0600

ADDRESS: 2805 Wehrle Drive, Suite 6 Williamsville, NY 14221

REASON: Walk to End Alzheimer's event. Sound for opening ceremony and music to entertain participants.

AUDIO DEVICE TO BE USED: DJ speakers, soundboard and microphone.

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: Phillip Weiss

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT <i>ok 4/27/15</i>		
DEPT OF PUBLIC WORKS		
DEPT OF LAW <i>RTS 4/27/15</i>		
OTHER		

COMMON COUNCIL ACTION

RECEIPT OF REVIEW

APPROVAL

CONDITIONS:

DISAPPROVED

2015 APR 27 AM 10:50
 CITY CLERK'S OFFICE
 BUNKER

APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO.

(DCC-47-6-C)

DATE OF APPLICATION (must be 30 days Prior to event): 4-27-15

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

DATE: 8/23/15 **TIME:** 10:45am - 7:00pm **LOCATION OF EVENT:** Large Pavilion Point Gratiot

SPONSOR: 10:30am - 2:30pm for Barb 4-27-15 @ 3:20pm. ft

NAME: Christ Chapel Wesleyan Church **PHONE NO.** 934-3725

ADDRESS: 60 Buffalo St, Silver Creek, NY 14136

INDIVIDUAL CORPORATE CHARITABLE COMMUNITY

RESPONSIBLE INDIVIDUAL:

NAME: Barbara Hauck **PHONE:** 785-7145

ADDRESS: 122 S. Ocelot St, Dunkirk, NY 14048

REASON: Sunday worship service and annual family picnic

AUDIO DEVICE TO BE USED: Portable Pender

PUBLIC EVENT PRIVATE EVENT

NOTIFICATION OF AFFECTED PERSONS

YES **IF YES, PROOF:**

NO

2015 APR 27 PM 3:12
DUNKIRK, N.Y.
REGISTRATION

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 4/28/15</i>		
DEPT OF PUBLIC WORKS		
DEPT OF LAW <i>OKS 4/27/15</i>		
OTHER		

COMMON COUNCIL ACTION

RECEIPT OF REVIEW

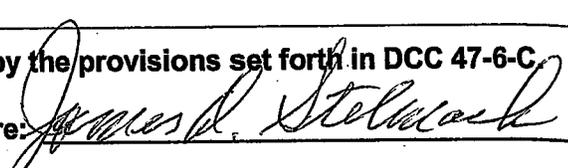
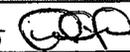
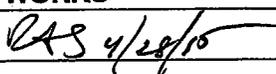
APPROVAL

CONDITIONS:

DISAPPROVED

APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO.

(DCC-47-6-C)

DATE OF APPLICATION (must be 30 days <u>Prior</u> to event): April 28, 2015	
*No more than 3 days TOTAL per Individual or Group - per year EVENT SPECIFICS EXCLUDES HARBORFRONT AREA	
DATE: June 26-27th 2015	TIME: 7-11:00 PM
LOCATION OF EVENT: 252 Nevins Street	
SPONSOR: Kosciuszko Polish Home Association	
NAME: James Stelmack	PHONE NO. 716-366-1044
ADDRESS: 252 Nevins Street Dunkirk, New York 14048	
<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> CORPORATE <input type="checkbox"/> CHARITABLE <input checked="" type="checkbox"/> COMMUNITY	
RESPONSIBLE INDIVIDUAL:	
NAME: James Stelmack	PHONE: 716-366-1044
ADDRESS: 252 Nevins Street, Dunkirk New York 14048	
REASON: Annual Street Dance	
AUDIO DEVICE TO BE USED: Microphones/Amplifiers/Speakers	
<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: 	
DEPARTMENTAL REVIEW	DATE SENT
POLICE DEPT OK 4/29/15 	
DEPT OF PUBLIC WORKS	
DEPT OF LAW CAS 4/28/15 	
OTHER	
COMMON COUNCIL ACTION	
RECEIPT OF REVIEW	
APPROVAL	
CONDITIONS:	
DISAPPROVED	

2015 APR 28 AM 10:49
 OFFICE OF THE CLERK
 DUNKIRK, N.Y.

APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO.

(DCC-47-6-C)

DATE OF APPLICATION (must be 30 days Prior to event): 4-29-15

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

DATE: Sun June 14 TIME: 3:00 PM - 6:00 PM LOCATION OF EVENT: Dunkirk Light house

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: 640-6782

ADDRESS: 39 Elm St. Dunkirk NY 14048

REASON: Flag Day Ceremony

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 OK 4/29/15 <i>[Signature]</i>		
DEPT OF PUBLIC WORKS		
DEPT OF LAW PAS 4/29/15		
OTHER		

COMMON COUNCIL ACTION

RECEIPT OF REVIEW	
APPROVAL	
CONDITIONS:	
DISAPPROVED	

2015 AP 29 AM 10:08
CLERK'S OFFICE
DUNKIRK, N.Y.

UNFINISHED BUSINESS:

RESOLUTON #28-2015

APRIL 21, 2015

BY: THE ENTIRE COUNCIL

**AWARDING BID FOR WATER TREATMENT PLANT SEDIMENTATION
BASIN SLUDGE COLLECTION SYSTEMS
(WATER TREATMENT FACILITY – Phase 1 and 2 Continuation)**

WHEREAS, the City of Dunkirk, in 2009, entered into a Consent Order with the Chautauqua County Department of Health (CCDOH) and has received subsequent deficiency reports from CCDOH to address inadequacies related to the City's water systems; and

WHEREAS, the Common Council, through Resolutions authorized bonding for Phase 1 and Phase 2 of the reconstruction of and construction of improvements to the City's water system with the stated specific purpose to reconstruct and construct improvements to the City water system including, but not limited to, improvements to the water treatment plant and all preliminary work and necessary equipment, materials and site work; and

WHEREAS, following published Legal Notice, sealed bids for the furnishing of portions of this work were opened and read aloud in the Dunkirk City Clerk's Office at 2:00 p.m. on April 13, 2015; and

WHEREAS, the bids were reviewed by the Department of Public Works which recommends that the Sedimentation Basin Sludge Collection Systems lowest responsible bidder be awarded work for such sludge collection system; now, therefore, be it hereby

RESOLVED, that upon review and recommendation of the Director of Public Works, the following lowest responsible bidders be accepted and awarded:

<u>Bidder</u>	<u>Item and Funding Line</u>	<u>Cost</u>
H & K Services 1205 Leon Road Leon, NY 14751	Sedimentation Basin Sludge Collection Systems Fund 015-8320-5043-8069	\$674,600.00

and, be it further

RESOLVED, that – after contractors provide satisfactory insurance certificates to the City Law Department, and contractors provide performance bonds and payment bonds reviewed and approved by the design engineer, and having contractors show compliance with Contract Requirements of the New York State Revolving Fund, including but not limited to MWBE procedures – the Mayor is authorized and directed to execute any and all documents, on behalf of the City of Dunkirk, with the above-named contractor(s), for the Sedimentation Basin Sludge Collection Systems 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.

Councilwoman Szukala made a motion to table Resolution #28-2015. Seconded by Councilman Gonzalez.

Carried, all voting aye. TABLED.

RESOLUTON #29-2015

APRIL 21, 2015

BY: THE ENTIRE COUNCIL

**AWARDING BID FOR BENTON WATER TANK REPAIRS
(WATER TREATMENT FACILITY – Phase 1 and 2 Continuation)**

WHEREAS, the City of Dunkirk, in 2009, entered into a Consent Order with the Chautauqua County Department of Health (CCDOH) and has received subsequent deficiency reports from CCDOH to address inadequacies related to the City's water systems; and

WHEREAS, the Common Council, through Resolutions authorized bonding for Phase 1 and Phase 2 of the reconstruction of and construction of improvements to the City's water system with the stated specific purpose to reconstruct and construct improvements to the City water system including, but not limited to, improvements to the water treatment plant and all preliminary work and necessary equipment, materials and site work; and

WHEREAS, following published Legal Notice, sealed bids for the furnishing of portions of this work were opened and read aloud in the Dunkirk City Clerk's Office at 2:00 p.m. on April 13, 2015; and

WHEREAS, the bids were reviewed by the Department of Public Works which recommends that the Benton Tank lowest responsible bidder for work be awarded for such Benton Tank work so the work can be started quickly, so the tank can be internally inspected for the required internal corrosion-resistant coating by subsequent bid and fully improved and repaired to correctly operate in tandem with the new Willowbrook Tank and resume providing fullest fire protection for the Fourth Ward and for many large industries served and protected by the Willowbrook-Benton-Sheridan operationally-linked network of elevated tanks; now, therefore, be it hereby

RESOLVED, that upon review and recommendation of the Director of Public Works, the following lowest responsible bidder be accepted and awarded:

<u>Bidder</u>	<u>Item and Funding Line</u>	<u>Cost</u>
H & K Services 1205 Leon Road Leon, NY 14751	Benton Water Tank Repairs Fund 015-8320-5043-8068	\$388,700.00

and, be it further

RESOLVED, that – after contractors provide satisfactory insurance certificates to the City Law Department, and contractors provide performance bonds and payment bonds reviewed and approved by the design engineer, and having contractors show compliance with Contract Requirements of the New York State Revolving Fund, including but not limited to MWBE procedures – the Mayor is authorized and directed to execute any and all documents, on behalf of the City of Dunkirk, with the above-named contractor(s), for the Benton Water Tank Repairs, 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.

Councilwoman Szukala made a motion to table Resolution #29-2015. Seconded by Councilman Gonzalez.

Carried, all voting aye. TABLED.

RESOLUTION #30-2015

MAY 5, 2015

BY: THE ENTIRE COUNCIL

ENACT BRUSH AND YARD WASTE POLICY

WHEREAS, the City of Dunkirk has, from time-to-time, made available one or more locations for the off-site disposal of brush and yard waste, as a supplement to curbside pick-up for City residents; and

WHEREAS, it would be in the best interests of the City to initiate a policy whereby commercial providers of brush and yard services or other, whether "for hire" or otherwise, who provide such brush and yard waste disposal services would be offered an annual permit for such disposal; now, therefore, be it

RESOLVED, that the City hereby enacts a brush and yard waste policy whereby the City will allow contractors or others, whether "for hire" or otherwise, to dispose of reasonable quantities of brush and yard waste at the location(s) designated for such purpose by the City, and upon the terms and conditions as promulgated by the City in its own discretion upon obtaining an annual permit; and, be it further

RESOLVED, that such annual permit shall be a non-exclusive, revocable license and shall not be transferrable to any other individual, partnership, corporation or other entity and any licensees shall comply with each and every term and condition as detailed by the City and such permit shall be revocable by the City at any time; and, be it finally

RESOLVED, that the annual fee, payable in full and in advance, for 2015 shall be Two Hundred Dollars and Zero Cents (\$200.00).

RESOLUTION #31-2015

MAY 5, 2015

BY: THE ENTIRE COUNCIL

**AUTHORIZE AMENDMENT TO AGREEMENT FOR INDEPENDENT CONTRACTOR
(L. Gawronski) (Community Development Block Grant Program)**

WHEREAS, the City of Dunkirk has a need for independent consulting services to provide assistance in order for the City to administer and to maintain certain requirements for the City's participation with the U.S. Department of Housing & Urban Development ("HUD") Community Development Block Grant ("CDBG") program, including but not necessarily limited to the provision of technical and compliance assistance necessary for the administration of the CDBG program; and

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

WHEREAS, Lauri Gawronski ("Gawronski"), 77 East Seventh Street, Dunkirk, New York 14048, by Resolution #3-2015, was engaged to provide such services as an independent contractor for the City in a good and workmanlike manner through the end of 2015 for up to twenty-five (25) hours per week; and

WHEREAS, there is a need to expand the time expended for such services to the City in order to appropriately address the requirements of the CDBG program; now, therefore, be it

RESOLVED, that the Mayor is directed and authorized to execute any and all agreements necessary to amend the agreement between the City and **Lauri Gawronski**, 77 East Seventh Street, Dunkirk, New York 14048, as an independent contractor to provide independent contracting services and assistance with various projects, particularly with regard to the administration of the City's Community Development Block Grant program, to reflect services at Twenty Dollars and Zero Cents (\$20.00) per hour for up to thirty-five (35) hours per week, as services may be needed by the City, with such funds drawn from the Department of Development Contracted Services Account No. 001-8020-4036, with reimbursement drawn from CDBG Administrative funding, contingent upon such funds being made available.

RESOLUTION #32-2015

MAY 5, 2015

BY: THE ENTIRE COUNCIL

**INTRO NO. 1 TO LOCAL LAW #2-2015
CITY OF DUNKIRK, NEW YORK**

**A LOCAL LAW TO AMEND CHAPTER 15, ARTICLE II, SECTIONS 15-12 ENTITLED
"FEES", AND 15-20(C) ENTITLED "ISSUANCE AND CONTENTS OF CERTIFICATE",
AND ADD CHAPTER 31, ARTICLE IX ENTITLED "BUILDING CONSTRUCTION
FEES" OF THE DUNKIRK CITY CODE**

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

Section 1 Intent

It is the intent of this Local Law to amend Dunkirk City Code, Chapter 15, Article II, Sections 15-12 and 15-20(C), and add Chapter 31, Article IX, to modify and to update various building construction fees.

Section 2 Amendment of City Code

Chapter 15, Article II, Sections 15-12 and 15-20(C) of the Dunkirk City Code, is hereby amended as follows:

AMEND:

§ 15-12. Fees. [Amended 05- __-2015 by LL #2-2015 (see Chapter 31, Article IX for Fees.)]

Upon the filing of an application for a permit, the Building Inspector shall determine from the application the appropriate fee and shall enter the same on the application. Such fee is nonrefundable and shall be immediately due and payable in the office of the City Clerk. No permit shall be issued until the fee has been paid.

DELETE:

§ 15-12. Fees.

A. Permit fees shall be based upon the following: [Amended 2-6-1990]

(1) New buildings and additions.

(a) For residences, garages and room additions: a fee of two cents (\$0.02) per square foot of floor area, outside measure, of all floors up to one thousand five hundred (1,500) square feet, plus one cent (\$0.01) per square foot in excess of one thousand five hundred (1,500) square feet. Floor space shall not include cellars, nonhabitable attic, crawl space or

carport, but shall include an accessory garage, detached or nondetached. The minimum fee shall be Ten Dollars (\$10.00).

- (b) For commercial, business, professional, institutional, educational, fraternal, religious, recreational, hotels, motels, nursing homes, hospitals, convalescent and rest home buildings and other uses and occupancies not within Subsection A(1)(a) and (c): a fee of two cents (\$0.02) per square foot of floor area, outside measure, of all floors up to ten thousand (10,000) square feet, plus five-tenths cent (\$0.005) per square foot in excess of ten thousand (10,000) square feet. Floor space shall include garage space, occupied basements and storage areas and heating equipment structures. The minimum fee shall be Fifty Dollars (\$50.00), and the maximum fee shall be One Thousand Dollars (\$1,000.00).
 - (c) Industrial buildings, including floors used for manufacturing, processing, storing, shipping, offices and restroom: a fee of two cents (\$0.02) per square foot of floor area, outside measure, of all floors up to twenty thousand (20,000) square feet, plus five-tenths cent (\$0.005) per square foot in excess of twenty thousand (20,000) square feet. The minimum fee shall be Fifty Dollars (\$50.00), and the maximum fee shall be One Thousand Dollars (\$1,000.00).
- (2) Alterations (other than additions).
- (a) Conversions of existing residence buildings to apartment uses: Fifteen Dollars (\$15.00) for each added housing occupancy.
 - (b) Conversions of existing residence buildings to office, business or commercial use: Twenty-Five Dollars (\$25.00).
 - (c) Fees for general remodeling shall be determined by the estimated cost of the proposed improvement. Such cost shall exclude the cost of any item where a specific fee is provided herein: up to Three Thousand Dollars (\$3,000.00), a fee of Ten Dollars (\$10.00), plus Two Dollars (\$2.00) per thousand dollars or fraction in excess of Three Thousand Dollars (\$3,000.00). The minimum fee shall be Ten Dollars (\$10.00) for residential, Fifty Dollars (\$50.00) commercial and Fifty Dollars (\$50.00) for industrial.
- (3) Miscellaneous.
- (a) Used car sale lots: a fee of Twenty-Five Dollars (\$25.00), plus two cents (\$0.02) per square foot of floor area, outside measure, of all accessory buildings or structures.

- (b) Open porches and patios, with or without roof, carports with two (2) sides only, swimming pools, tool sheds, play sheds: a fee of Ten Dollars (\$10.00).
 - (c) Demolition: a fee of Ten Dollars (\$10.00) per story for residential and a minimum fee of Fifty Dollars (\$50.00) for industrial for demolition of all buildings or structures.
- B. The permit fee for a building occupied in part for residential use and in part for nonresidential use shall be the sum of the two (2) occupancy fees calculated separately.
- C. In any case where construction has commenced prior to the submission of an application for a permit required by this code, the fee specified shall be double the amount otherwise payable, but the payment of such double fee shall not relieve any person from fully complying with this code, nor from any penalties prescribed herein.
- D. For the purpose of determining the fee to be charged, the use or occupancy classification of a building shall be determined in accordance with the use classification provided in the New York State Uniform Fire Prevention and Building Code. **[Amended 3-20-1984; 2-6-1990]**

AMEND:

§ 15-20. Issuance and contents of certificate.

- C. The certificate of occupancy shall certify that the work has been completed and that the proposed use and occupancy are in conformity with the provisions of the applicable building laws, ordinances and regulations and shall specify the use or uses and the extent thereof to which the building or structure or its several parts may be put. **The fee shall be Thirty Dollars (\$30.00).** **[Amended 05-__-2015 by LL #2-2015 to remove fee; Amended 2-6-1990]**

ADD:

**CHAPTER 31
ARTICLE IX**

**Building Permits and Fees
[Adopted 05-__-2015 as L.L. #2-2015]**

§ 31-52. Intent.

Upon the filing of an application for a permit, the Building Inspector shall determine from the application the appropriate fee and shall enter the same on the application. Such fee is nonrefundable and shall be immediately due and payable in the office of the City Clerk. No permit shall be issued until the fee has been paid.

§ 31-53. Permits and Fees.

A. New Residential

Up to 1,200 sf	\$125.00
1,201 – 1,800 sf	\$175.00
Over 1,800 sf	\$225.00
Multiple Dwelling	\$200.00 plus \$50.00 for each additional unit

Residential Renovations

Under \$20,000	\$50.00
Over \$20,000	\$75.00 plus \$2.00 per thousand thereafter

(Including residential additions and alterations; new accessory structures – i.e. garages, storage sheds, swimming pools; decks, porches, carports, patios, siding, etc.)

B. New Commercial/New Industrial

Up to 3,500 sf	\$ 150.00 plus 15¢ per sf
3,500 – 10,000 sf	\$ 250.00 plus 15¢ per sf
10,001 – 35,000 sf	\$ 350.00 plus 15¢ per sf
35,001 sf and over	\$1,000.00 plus 15¢ per sf

Additions to Existing Commercial/Industrial

Up to 35,000 sf	\$ 150.00 plus 15¢ per sf
3,500 – 10,000 sf	\$ 250.00 plus 15¢ per sf
10,001 – 35,000 sf	\$ 350.00 plus 15¢ per sf
35,001 sf and over	\$1,000.00 plus 15¢ per sf

Renovations/Alterations to existing Commercial/Industrial Structures

\$100.00 plus 15¢ per sf

C. Existing Commercial/Industrial Re-roofing

\$100.00

Residential Re-roofing

\$ 25.00

D. Demolition Permit Fees

Residential Structure	\$100.00
Residential Accessory Structure	
Under 600 sf	\$ 25.00
Over 600 sf	\$ 50.00
Commercial/Industrial Structures	\$200.00

E. Sign Permit

\$ 50.00

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|----|--|----------|
| F. | Certificate of Occupancy | \$ 30.00 |
| G. | Zoning Board of Appeals | \$150.00 |
| H. | Property Maintenance Board Appeal | \$ 50.00 |
| I. | Site Plan Review – Planning Board | |
| | New Construction | \$100.00 |
| | Signs | \$ 25.00 |
| J. | In any case where construction has commenced prior to the submission of an application for a permit required by this code, the fee specified shall be double the amount otherwise payable, but the payment of such double fee shall not relieve any person from fully complying with this code, nor from any penalties prescribed herein. [Formally part of Chapter 15, § 15-12(C)] | |
| K. | For the purpose of determining the fee to be charged, the use or occupancy classification of a building shall be determined in accordance with the use classification provided in the New York State Uniform Fire Prevention and Building Code. [Formally part of Chapter 15, § 15-12(D), Amended 3-20-1984; 2-6-1990] | |

Section 3 Effective Date

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