

AGENDA - COMMON COUNCIL MEETING – June 17, 2014 - 5:30 PM  
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 Gary Haase, President of Dunkirk Little League Baseball, for picnic tables and trash cans near the Joe Karnes Softball Field for the 11-12 Year Old Girls State Softball Tournament on July 9<sup>th</sup> -15<sup>th</sup> as well as permission to use Promenschenkel Stadium during that time.
  2. Request from Justin Porter to use City property either between the Clarion Hotel and Tim Hortons or Washington Park to host a free music event on July 4<sup>th</sup> from 4:00 PM until 8:00 PM.
  3. Request from Andy Elfman, on behalf of Moniuszko Social Club, for picnic tables and trash cans for their annual Stag Picnic to be held on Saturday, June 21<sup>st</sup>.
  4. Request from Anthonio Villegas on behalf of Iglesia Pentecostal Unidas en Savzidad to use Washington Park on July 11th, 12th and 13<sup>th</sup> from 6:00 PM until 9:30 PM for church services.
  5. Request from The Chautauqua Center to block off half of the Graf building parking lot on August 15th from Noon until 9:00 PM for their "TCC Family Day." Also requesting the presence of the Mayor, City Clerk and City Hall Staff.
  6. Request from Family Church Fredonia to use part or all of the City Pier on August 24<sup>th</sup> beginning at 10:30 AM for church services.
  7. Request from Blessed Mary Angela Parish for permission to close Jerboa Street from Route 5 north to the St. Hyacinth auditorium property line (at fence) on August 10<sup>th</sup> from 10:00 AM until 6:00 PM for their "Annual Summer Festival."
  8. Request from Mary Krupa to use picnic tables and trash cans on June 28<sup>th</sup> for a benefit for Jim McDonald.
  9. Notice of claim from:
    - a.) Alexis Brandt for alleged damages to her vehicle.
    - b.) Sandra Brightman for alleged damages to her vehicle due to pot holes on Washington Avenue.

- c) Edyl Vega for alleged damages to his vehicle due to a pothole on the corner of Main Street and Lake Shore Drive.
10. Loudspeaker application from:
- a.) Dunkirk VFW for microphones, amplifiers and speakers on June 28<sup>th</sup> from 4:00 PM until 8:00 PM to host a benefit.
  - b.) Justin Porter for a PA system and loud speakers on Friday, July 4<sup>th</sup> from 4:00 PM until 8:00 PM at either City property between Clarion Hotel and Tim Hortons or Washington Park.
  - c.) Iglesia Pentecostal Unidas en Savzidad for microphones, amplifiers and speakers on July 11<sup>th</sup> – July 13<sup>th</sup> from 6:00 PM until 9:30 PM for Church services.
  - d.) Family Church to use speakers and microphones the City Pier on August 24<sup>th</sup> from 10:00 AM until 1:00 PM for church services.
7. Reports of Standing Committees, Boards and Commissions.
8. Unfinished Business:
- 45. Resolution for SEQRA determination for Lakefront Boulevard Seawall Replacement.
  - 46. Resolution awarding bid for Lakefront Boulevard Seawall Replacement.
9. Pre-filed Resolutions:
- 51. Resolution authorizing Budget Modifications (June 2014).
  - 52. Resolution for SEQRA determination for Lakefront Boulevard Seawall Replacement.
  - 53. Resolution authorizing the reconstruction and construction of improvements to the Lakefront Boulevard Seawall and associated improvements at an estimated maximum cost of \$4,200,000.00.
  - 54. Resolution authorizing grant easements for Natural Gas Pipeline to NRG.
10. New Business:
11. Adjournment.

Nicole Joiner  
City Clerk

# Dunkirk Little League Baseball, Inc.

DUNKIRK, NEW YORK



ADDRESS ALL CORRESPONDENCE TO:

*Co-D-14*

To City Council

On behalf of the Dunkirk Little League we are requesting 10-12 picnic tables and some trashes cans for use at the Dunkirk Little League Complex near the Joe Karnes Softball Field. The Dunkirk Little League is hosting the 11-12 Year old Girls State Softball Tournament on July 9-15. We would also like permission for the use of the Prommenschenkel Stadium for use as a practice field for the teams and games if we need to in case we get back up with rain outs. Thank you very much Gary Haase President of the Dunkirk Little League. I can be reached at 679-6929.

*Gary P. Haase*

RECEIVED  
CITY CLERK'S OFFICE  
DUNKIRK, N.Y.  
2014 JUN -2 PM 1:00

To Whomever This May Concern:

My name is Justin R. Porter. I am writing you to ask permission to utilize either one of the following locations for a FREE music event:

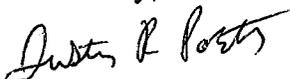
1. Lot on Lake Shore Drive between the Clarion Hotel and Tim Hortons.
2. Gazebo in Washington Park

\* I will be setting up a P.A. System which includes from 2-4 Loudspeakers connected to a Mixer and Personal Laptop

My intentions for doing this are purely as a community service to the City of Dunkirk. I have the resources to deliver this service, so I would like to give back to the city I grew up in as well as attract people to the area.

As far as dates go, I was hoping to do this on the 4<sup>th</sup> of July at 4:00 P.M. I understand that there will be multiple vendors at the lakefront area this day and that is why I had chosen multiple locations. If the first selection interferes with the vendors and events going on I would be glad to play my music in Washington Park as it is still an attractive location which would draw spectators. I do not believe I would require any tables, chairs or trash cans, etc. (especially in the Washington Park Venue). If for any reason the date I chose isn't possible I'd like to perform the following Saturday or Sunday (6-12-14/6-13-14) under the same circumstances (time & setup). Please consider my request. I hope to hear back from you soon.

Sincerely,



Justin R. Porter

2014 JUN - 3 PM 2:42

CITY CLERK'S OFFICE  
DUNKIRK, N.Y.

MAY 30, 2014

COMMON COUNCIL,

THE MONIUSZKO SOCIAL CLUB WOULD LIKE TO USE (12)  
OF THE CITY'S TRASH CANS AND (12) PICNIC TABLES FOR  
OUR ANNUAL STAG PICNIC. YOU HAVE BEEN KIND ENOUGH TO  
ALLOW US TO USE THEM IN PREVIOUS YEARS. ANY QUESTIONS  
CAN BE DIRECTED TO ROGER HERDZIK AT THE CLUBROOMS.

THE EVENT WILL BE HELD AT THE CLUB'S LOCATION ON  
SATURDAY, JUNE 21st.

THANK YOU IN ADVANCE FOR YOUR ANTICIPATED  
CONSIDERATION IN THIS MATTER.

SINCERELY,  
MONIUSZKO SOCIAL CLUB  
BOARD OF DIRECTORS

*Andy Elman*

2014 JUN -3 PM 3:34  
CITY CLERK'S OFFICE  
BUNKIRK, N.Y.

6-6-14

Antonio Villegas  
Iglesia Unidos en Santidad  
31 West 6th St DuKirk N.Y. 14048

This matter is to ask for  
permission to use the  
Washington Park facilities  
for church services on  
the following days  
July 11, 12, 13 2014 From  
6:00pm to 9:30pm

att:  
Iglesia Pentecostal  
Unidos en Santidad

Antonio Villegas  
PASTOR

916 467 3119

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

2014 JUN -9 PM 3:32

**Family Medicine**  
**The Chautauqua Center** **er**  
Our Family caring for your Family

June 3, 2014

City of Dunkirk Clerk's Office  
Att: Nicole Joiner, City Clerk  
342 Central Avenue, 1<sup>st</sup> Floor  
Dunkirk, New York 14048

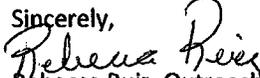
Ms. Joiner,

I am writing on behalf of The Chautauqua Center, the new federally qualified health center located in Dunkirk. We offer primary care services to individuals of all ages and turn no one away, even if uninsured. We offer programs for uninsured individuals by offering a sliding scale fee based on household income as well assist uninsured individuals find reasonable insurance through the New York State Marketplace. We have been in business a little over a year.

We are planning an event, "TCC Family Day", on Friday, August 15 from Noon-9pm in recognition of National Health Center Awareness Week and are requesting permission to block off half of the Graf building parking lot for the event. We will be offering food, drinks, activities for families and tours of the Center for community members. There will be a variety of community agencies involved and we will also plan to distribute backpacks/school supplies to TCC families. We signed a sponsorship contract with the City to host a "Family Movie Night" and I have contacted Tim Gornikiewicz to schedule the movie for the evening of 8/15.

We would also like to invite the Mayor, Common Council members, yourself and any City Hall staff to the event and for a tour of the Center. We will also be requesting that the Mayor sign a proclamation for "National Health Center Week". I have contacted the Mayor to set up a meeting to discuss further.

Feel free to contact me at any time to discuss further at 397-7301 and I would be happy to do what is needed to finalize this request.

Sincerely,  
  
Rebecca Ruiz, Outreach Coordinator  
The Chautauqua Center  
319 Central Avenue, Basement  
Dunkirk, NY 14048  
Phone: 397-7301  
Email: outreachtcc@gmail.com

2014 JUN - 9 AM 10:28

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

family church  
FREDONIA

FREDONIA  
CITY CLERK'S OFFICE  
DUNKIRK, N.Y.  
2014 JUN 10 AM 8:56

Ms. Joiner,

Family Church Fredonia is seeking to reserve some time and space in the City of Dunkirk for a public event. Here are the details about this event:

Title: "Church on the Pier"

Date: Sunday, August 24, 2014

Time: 10:30 a.m.

Schedule and outline of event:

We are planning for a 'service' to begin at 10:30 a.m. on 8/24/14. This service is open to everyone in the community to attend, and will not be denominationally focused. This service will open with a time of worship, led by our church's worship team. We will bring and set up our own sound equipment.

We will be renting a tent for this event, and have chairs inside this tent for guests to sit. There will be water made available to guests. It is estimated that the service will last for approximately one hour, after which we'd like to have music playing and invite guests to stay and get to know one another.

We have a food vendor who will be setting up with us, and would also plan on using the opportunity to direct guests to the Dunkirk businesses on the Boardwalk.

We'd like to reserve all, or at least a part, of the Dunkirk Pier for this event.

While we plan on having a tent with sides in the event of rain, a backup location would be at Family Church in Fredonia, where we would host our weekly service.

Additionally, I have attached a proof of liability insurance for the church for off-site events.

Thanks for your time,

Rev. Scott Wise  
Family Church Fredonia



50FREDOABI

ASIMOES

# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/15/2014

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

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

<b>PRODUCER</b> <b>Emery &amp; Webb, Inc. - Fishkill Office</b> 989 Main Street Fishkill, NY 12524	<b>CONTACT NAME:</b> <b>PHONE (A/C, No, Ext): (845) 896-6727</b> <b>FAX (A/C, No): (845) 896-6877</b> <b>E-MAIL ADDRESS:</b>  <table style="width: 100%; border: none;"> <tr> <td style="text-align: center; border: none;">INSURER(S) AFFORDING COVERAGE</td> <td style="text-align: center; border: none;">NAIC #</td> </tr> <tr> <td style="border: none;">INSURER A : <b>Netherlands Insurance Company</b></td> <td style="border: none;"><b>24171</b></td> </tr> <tr> <td style="border: none;">INSURER B :</td> <td style="border: none;"></td> </tr> <tr> <td style="border: none;">INSURER C :</td> <td style="border: none;"></td> </tr> <tr> <td style="border: none;">INSURER D :</td> <td style="border: none;"></td> </tr> <tr> <td style="border: none;">INSURER E :</td> <td style="border: none;"></td> </tr> <tr> <td style="border: none;">INSURER F :</td> <td style="border: none;"></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : <b>Netherlands Insurance Company</b>	<b>24171</b>	INSURER B :		INSURER C :		INSURER D :		INSURER E :		INSURER F :	
INSURER(S) AFFORDING COVERAGE	NAIC #														
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INSURER B :															
INSURER C :															
INSURER D :															
INSURER E :															
INSURER F :															
<b>INSURED</b>  <b>Family Church of Chautauqua County</b> P.O. Box 179 Fredonia, NY 14063															

**COVERAGES****CERTIFICATE NUMBER:****REVISION NUMBER:**

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
<b>A</b>	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			<b>CBP8756128</b>	<b>02/12/2014</b>	<b>02/12/2015</b>	EACH OCCURRENCE \$ <b>1,000,000</b> DAMAGE TO RENTED PREMISES (Ea occurrence) \$ <b>300,000</b> MED EXP (Any one person) \$ <b>15,000</b> PERSONAL & ADV INJURY \$ <b>1,000,000</b> GENERAL AGGREGATE \$ <b>3,000,000</b> PRODUCTS - COM/OP AGG \$ <b>3,000,000</b> \$
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> <b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <input type="checkbox"/> <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED    RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory In NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
 Certificate is issued as proof of insurance for general liability.

2014 JUN 10 AM 8:56  
 CITY CLERK'S OFFICE  
 DUNKIRK, N.Y.

**CERTIFICATE HOLDER****CANCELLATION**

City of Dunkirk Attn. Nicole Joiner 342 Central Avenue Dunkirk, NY 14048	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
---	---

Blessed Mary Angela Parish  
(formerly known as SS. Hyacinth/Hedwig Parish)  
*Pastoral Minister Office*  
12 N. Pangolin Street  
Dunkirk, New York 14048  
(716) 366-1950

RECEIVED  
CITY CLERK'S OFFICE  
DUNKIRK, N.Y.  
2014 JUN 10 PM 2:11

June 10, 2014

City of Dunkirk, New York  
Mayor Anthony Dolce  
Honorable Members of the Common Council  
City Hall  
Dunkirk, New York 14048

Re: BMA Annual Summer Festival

Dear Mayor and Members of Common Council:

I am writing you representing Blessed Mary Angela Parish and in preparation of our upcoming annual summer festival, August 10<sup>th</sup>, and we respectfully request the street closing of Jerboa Street on that date from Rt. 5 north to the St. Hyacinth Auditorium property line (at fence) from 10:00 AM to 6:00 PM.

Please contact me with any questions you may have. We greatly appreciate your consideration to our request.

Sincerely,

*M. Paulette Pacos*

M. Paulette Pacos  
Festival Chairperson  
Mobile Phone (816) 457-3150  
Mpp/cc:file

6.11.14

Dear Mayor and Councilmen,

We will be having a Benefit  
for my nephew Jim McDonald who has  
4<sup>th</sup> Stage Cancer on June 28<sup>th</sup> 4-8pm  
at the VFW on 111-113 Deer Street.

And we were hoping you could  
supply us with 4 picnic tables and 6  
trash cans? This would be greatly  
appreciated.

See Attached flyer. For more  
information you can call me:

Mary Krupa @ 366-1154

Thank-you for your time!

Mary Krupa

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

2014 JUN 11 PM 3:45

**CANCER BENEFIT Donation Request**

**For: Jim McDonald**

**Date: June 28, 2014**

Dear Vendor,

A Cancer Benefit for Jim McDonald will be held on June 28, 2014 at the Dunkirk VFW 113 Deer St. This benefit includes a pig roast dinner, live music, raffles, Chinese auction and 50/50 drawing. Please see the attached flyer for further information.

In order to ensure the success of this very important fundraiser, we are seeking donations from local businesses such as yours. Generous donors like you are the key to our organization's success. We hope that we can count on your support to help us with this worthy event. All donors will be given recognition at the event. At the same time you will be helping a member of our community.

All monies raised will be used to help the family with medical bills and expenses. Your support of this fundraiser would be greatly appreciated. Thank you for your kind consideration.

Arrangements can be made for donations to be picked up by calling (716) 366-1154. If you have any other questions, please feel free to contact me at (716) 366-1154 also.

Sincerely,

Mary Krupa

Sponsored by the friends & family of Jim McDonald

**Please Join Us!**

**CANCER BENEFIT**  
*for*  
**Jim McDonald**

**All money raised will be used to help the family with medical bills and expenses**

**Pig Roast**  
**Live Music**  
**Raffles**  
**Chinese Auction**  
**50 / 50**  
**Great Food**



**Adults - \$10.00 / Children - \$5.00 / Kids under 5 -- free**

**Dunkirk VFW**

**113 Deer Street, Dunkirk NY**

**Saturday June 28th**

**4:00 till 8:00**

**Sponsored by friends and family of Jim McDonald**

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: Alexis G. Brandt  
Claimant Address: 12 East Green St.  
Dunkirk, NY 14048  
Claimant Telephone Number: (716) 224-2968

This claim is for (injuries/damages alleged): damages to 2011 Dodge  
Caliber See attached reports

This claim is alleged to have arisen on the 17 day of May, 2014 at approximately 1:34 a.m./p.m. on that date at 13 E. Green Street

The injuries and/or damages sustained by the Claimant arose in the following manner:  
See attached police accident report

The amount and type of injuries and/or damages sustained by the Claimant consist of the following: See attached Estimate

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

Respectfully yours,  
Alexis Brandt 5/28/14  
Claimant (date)

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

Alexis Brandt, 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  
29~~30~~ day of May, 2014.

June M. Walldorf  
Notary

June M. Walldorf  
Notary Public, In And For The  
State of New York, Residing In  
Chautauqua County # 4861252  
My Commission Expires June 2, 2014

RECEIVED  
CITY CLERK'S OFFICE  
DUNKIRK, N.Y.  
2014 MAY 30 AM 10:16

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: SANDRA BRIGHTMAN  
Claimant Address: 64 Genet St.  
Dunkirk NY 14048  
Claimant Telephone Number: (716) 785-8124

This claim is for (injuries/damages alleged): damage to  
suspension components.

This claim is alleged to have arisen on the 24th day of April, 2014 at approximately 11:30 a.m. p.m. on that date at WASHINGTON ST. 9

The injuries and/or damages sustained by the Claimant arose in the following manner:  
driving on street hit pot holes in road  
causing damage to my car. impossible to  
miss pot holes. I will not drive on that road  
again even if it means going out of my way.  
The amount and type of injuries and/or damages sustained by the Claimant consist of the following: rear struts blown out and  
front wheel bearing loose.

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

Respectfully yours,  
Sandra Brightman 6/6/14  
Claimant (date)

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

Sandra Brightman, 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  
6th day of June, 2014.

Kathleen McCarthy  
Notary  
Kathleen McCarthy #013400014844  
Notary Public, State of New York  
Qualified in Chautauqua County  
My Commission Expires 10/19/2014

2014 JUN -6 PM 2:20  
RECEIVED  
CITY CLERK'S OFFICE  
DUNKIRK, N.Y.

NAME Sandi Brightman PHONE 716 785 812  
 ADDRESS 64 Genet Street  
 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 Y/N
2	0347	Rear struts	169.98	
1		LF wheel bearing	64.95	
2	037	F + Brake Rotors	74.00	
1		F + Brake	27.99	

**CUSTOMER'S INFORMATION**

RECEIVED (DATE & TIME) 5/19/97 A.M. P.M. CUSTOMER'S ORDER NO. \_\_\_\_\_ PROMISED (DATE & TIME) \_\_\_\_\_ A.M. P.M.

YEAR • MAKE • MODEL 99 Mercury Cougar SERIAL #/VIN \_\_\_\_\_  
 MOTOR # 2.5  
 LICENSE NO. \_\_\_\_\_ ODOMETER \_\_\_\_\_ WRITTEN BY MATT

LUBE  OIL CHANGE  FLUSH TRANS.  FLUSH DIFF.  WASH  POLISH

**CHARGE FOR HAZARDOUS OR OTHER WASTE REMOVAL \***

R/R LF wheel bearing 2hrs @ 65	130
R/R Rear struts 1.5hr @ 65	97.50
R/R F + Brakes 1hr @ 65	65

*Sandi Brightman*  
*5/19/97*

TOTAL PARTS 336.96

**MECHANICS RECOMMENDATIONS**

Estimated cost: \$ \_\_\_\_\_ Estimate Charge \_\_\_\_\_ Basis for Charge \_\_\_\_\_

METHOD OF PAYMENT:  CHECK  CHARGE  CASH

LABOR:  FLAT RATE  HOURLY  BOTH

RETAIN PARTS  DESTROY PARTS

AUTHORIZED BY \_\_\_\_\_

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 292.50  
 PARTS 336.96  
 ACCESSORIES \_\_\_\_\_  
 GAS, OIL & GREASE \_\_\_\_\_  
 MISC. MERCHANDISE \_\_\_\_\_  
 SUBLET REPAIRS 624.96  
 STORAGE FEE \_\_\_\_\_  
 TAX 47.21  
**TOTAL** 676.63

GUARANTEED ITEM(S) \_\_\_\_\_  
 GUARANTEE EFFECTIVE UNTIL: \_\_\_\_\_  
 TIME \_\_\_\_\_  
 MILEAGE \_\_\_\_\_

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 I 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 a vehicle for the purpose of testing, inspection, and delivery at my risk. An express mechanic's lien is here acknowledged on the above vehicle to secure the amount of the repairs thereto. If I cancel repairs prior to the 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 \_\_\_\_\_

**adam**  
 GT3870  
 09-11

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: Edyl R. VEGA  
Claimant Address: 129 Maple Ave  
Dunkirk, N.Y. 14048  
Claimant Telephone Number: (716) 413-6211

This claim is for (injuries/damages alleged): To my Pontiac Montana 2003  
Passenger Side Wheel Bearings went into sewer  
water drainage on Main St + Lakeshore Dr.  
making a right turn going towards Lake Creek.

This claim is alleged to have arisen on the 8 day of June, 2014 at approximately 1:30 a.m. (p.m) on that date at Main St + Lakeshore Dr.

The injuries and/or damages sustained by the Claimant arose in the following manner:  
Drainage needs to be repaired ASAP. or  
More claims will be reported.

The amount and type of injuries and/or damages sustained by the Claimant consist of the following: \_\_\_\_\_

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

Respectfully yours,  
Edyl R. Vega  
Claimant (date)

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

Edyl R. Vega 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  
10<sup>th</sup> day of June, 2014.

Mary L. Vercant  
Notary  
MARY L. VERCANT #01VE5078259  
Notary Public, State of New York  
County of Chautauqua  
Commission Expires May 19, 2015

2014 JUN 10 PM 3:50  
MARY L. VERCANT  
NOTARY PUBLIC  
DUNKIRK, N.Y.



5.30.14

**APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO.**  
(DCC-47-6-C)

**DATE OF APPLICATION (must be 30 days Prior to event):** 5.30.14

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

**DATE:** 6.28.14 **TIME:** 4-8pm **LOCATION OF EVENT:** Dunkirk VFW 2nd St.

**SPONSOR:** Dunkirk VFW

**NAME:** VFW **PHONE NO.** 366-6484

**ADDRESS:** 2nd Street + Deer (111-113 Deer St)

INDIVIDUAL  CORPORATE  CHARITABLE  COMMUNITY

**RESPONSIBLE INDIVIDUAL:**

**NAME:** Mary Krupa **PHONE:** 366-1115

**ADDRESS:** 523 Swan St.

**REASON:** Benefit for my nephew who has 4th Stage Cancer

**AUDIO DEVICE TO BE USED:** MICROPHONES (3Bands) AMPLIFIERS  
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 5/30/14		
DEPT OF PUBLIC WORKS 6/2/14		
DEPT OF LAW 5/30/14		
OTHER		

**COMMON COUNCIL ACTION**

**RECEIPT OF REVIEW**

**APPROVAL**

**CONDITIONS:**

**DISAPPROVED**

RECEIVED  
CITY CLERK'S OFFICE  
DUNKIRK, N.Y.  
2014 MAY 30 AM 11:15

# APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO.

(DCC-47-6-C)

**DATE OF APPLICATION (must be 30 days Prior to event):** 6-3-14

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

**DATE:** 7-4-14 **TIME:** 4:00pm - 8pm **LOCATION OF EVENT:** lot Between Clarion & Tim Horton

**SPONSOR:** ~~53~~ Memorial Park or Washington Park

**NAME:** Justin Porter **PHONE NO.:**

**ADDRESS:** 53 East Sixth Street

INDIVIDUAL     CORPORATE     CHARITABLE     COMMUNITY

**RESPONSIBLE INDIVIDUAL:**

**NAME:** Justin B. Porter **PHONE:** 716-407-1363

**ADDRESS:** 53 East Sixth St Dunkirk, NY 14048

**REASON:** Service to the community, Free Music by the lake to attract people to the area

**AUDIO DEVICE TO BE USED:** P.A. System (2-4 loud 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: Justin B. Porter

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT <i>OK Washington Park only 6/15/14</i>		
DEPT OF PUBLIC WORKS <i>pd x 6/15/14</i>		
DEPT OF LAW <i>OK BAS 6/15/14 W Park</i>		
OTHER		

**COMMON COUNCIL ACTION**

**RECEIPT OF REVIEW**

**APPROVAL**

**CONDITIONS:**

**DISAPPROVED**

2014 JUN - 3 AM 11:30  
 RECEIVED  
 CLERK'S OFFICE  
 DUNKIRK, N.Y.

# APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO.

(DCC-47-6-C)

DATE OF APPLICATION (must be 30 days <u>Prior</u> to event): <u>6-6-14</u>		
*No more than 3 days TOTAL per Individual or Group - per year <b>EVENT SPECIFICS</b> * EXCLUDES HARBORFRONT AREA		
DATE: <u>11,12,13 July</u> TIME: <u>6:00PM - 9:30PM</u> LOCATION OF EVENT: <u>Washington Park</u>		
SPONSOR: <u>Iglesia Pentecostal Unidos en Santidad</u>		
NAME: <u>Antonio Villegas</u>		PHONE NO. <u>716-467-3119</u>
ADDRESS: <u>31 West 6<sup>th</sup> DuKirk N.Y. 14048</u>		
<input type="checkbox"/> INDIVIDUAL <input checked="" type="checkbox"/> CORPORATE <input type="checkbox"/> CHARITABLE <input type="checkbox"/> COMMUNITY		
RESPONSIBLE INDIVIDUAL:		
NAME: <u>Antonio Villegas</u>		PHONE: <u>716-467-3119</u>
ADDRESS: <u>43 East Frost St DuKirk N.Y. 14048</u>		
REASON: <u>church service</u>		
AUDIO DEVICE TO BE USED: <u>Amplifier, Microfon, Guitar</u>		
<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 <u>OK 6/9/14</u> <i>PO</i>		
DEPT OF PUBLIC WORKS <u>6/9/14</u> <i>PO</i>		
DEPT OF LAW <u>AS 6/9/14</u>		
OTHER		
COMMON COUNCIL ACTION		
RECEIPT OF REVIEW		
APPROVAL		
CONDITIONS:		
DISAPPROVED		

2014 JUN -6 PM 4:18  
 CITY CLERK'S OFFICE  
 DUKEBURGH, N.Y.

# APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO. (DCC-47-6-C)

DATE OF APPLICATION (must be 30 days Prior to event): 6-12-14

### EVENT SPECIFICS

DATE: 8/24/14 TIME: 10:00am - 1:00pm LOCATION OF EVENT: DUNKIRK PIER

SPONSOR: Family Church

NAME: Scott Wise Michael Lohietek PHONE NO: 716-672-9586

ADDRESS: 45 Lakeview Ave, Fredonia, NY 14063

INDIVIDUAL  CORPORATE  CHARITABLE  COMMUNITY

RESPONSIBLE INDIVIDUAL:

NAME: Scott Wise PHONE: 716-672-9586

ADDRESS: 45 Lakeview Ave, Fredonia, NY 14063

REASON: Audio for Sunday Morning Service

AUDIO DEVICE TO BE USED: 2 Speakers, wireless microphone + iPod

PUBLIC EVENT  PRIVATE EVENT

### NOTIFICATION OF AFFECTED PERSONS

YES IF YES, PROOF:

NO

2014 JUN 12 PM 06  
DUNKIRK, NY  
POLICE

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

Signature: *Scott Wise*

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT OK 6/12/14		
DEPT OF PUBLIC WORKS		
DEPT OF LAW PAS 6/13/14		
OTHER		

### COMMON COUNCIL ACTION

RECEIPT OF REVIEW

APPROVAL

CONDITIONS:

DISAPPROVED

UNFINISHED BUSINESS:

**RESOLUTON #45-2014**

**JUNE 3, 2014**

**BY: COUNCILWOMAN SZUKALA**

**SEQRA DETERMINATION FOR LAKEFRONT BOULEVARD SEAWALL REPLACEMENT  
(A city-rebuilding project with community enhancement emphasis)**

**WHEREAS**, following published Legal Notice, sealed bids for the replacement of the Lakefront Boulevard Seawall, with significant portions of the project including correcting neighborhood blight and ADA-accessibility to enhanced community recreational areas, and protection of vital but lake-vulnerable neighborhood infrastructure, were opened and read aloud in the Dunkirk City Clerk's Office at 2:00 p.m. on May 27, 2014; and

**WHEREAS**, said bids were received and reviewed by the Department of Public Works, and the Department of Public Works recommends that the lowest responsible bidder be awarded bids for said seawall replacement with said community enhancement emphasis; and

**WHEREAS**, that, following review and determination in accordance with the SEQRA environmental assessment form prepared by the City's consulting professional engineers for this project, that the proposed action will not result in any significant adverse environmental impacts; now, therefore, be it hereby

**RESOLVED**, that the Mayor is authorized and directed to execute the SEQRA document, on behalf of the City of Dunkirk, with the determination that based on the environmental assessment form information that the proposed action will not result in any significant adverse environmental impacts.

Councilwoman Szukala moved to table this resolution. Seconded by Councilman Michalski.

Carried, all voting aye. TABLED.

UNFINISHED BUSINESS:

**RESOLUTON #46-2014**

**JUNE 3, 2014**

**BY: COUNCILWOMAN SZUKALA**

**AWARDING BID FOR LAKEFRONT BOULEVARD SEAWALL REPLACEMENT**

**(A city-rebuilding project with community enhancement emphasis)**

**WHEREAS**, following published Legal Notice, sealed bids for the replacement of the Lakefront Boulevard Seawall, with significant portions of the project including correcting neighborhood blight and ADA-accessibility to enhanced community recreational areas, and protection of vital but lake-vulnerable neighborhood infrastructure, were opened and read aloud in the Dunkirk City Clerk's Office at 2:00 p.m. on May 27, 2014; and

**WHEREAS**, said bids were received and reviewed by the Department of Public Works, and the Department of Public Works recommends that the lowest responsible bidder be awarded bids for said seawall replacement with said community enhancement emphasis; now, therefore, be it

**RESOLVED**, that, following review and determination in accordance with the SEQRA environmental assessment form prepared by the City's consulting professional engineers for this project, and upon review and recommendation of the Director of Public Works, the following lowest responsible bid be accepted and awarded

<u>Bidder/Contractor</u>	<u>Cost</u>
S. St. George Enterprises, Inc. 3689 Webster Road Fredonia, NY 14063	\$3,895,000.00

and, be it further

**RESOLVED**, that the Mayor is authorized and directed to execute any and all documents, on behalf of the City of Dunkirk, with the above-named contractor, for the described work, 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 moved to table this resolution. Seconded by Councilman Michalski.

Carried, all voting aye. TABLED.

**RESOLUTION #51-2014**

**JUNE 17, 2014**

**BY: THE ENTIRE COUNCIL**

**AUTHORIZING BUDGET MODIFICATIONS**

**(June 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 2**

Description: Water Purification & Pumping, Contracted Services - Unanticipated repairs to equipment earlier in year depleted line item; replenish necessary for normal preventive maintenance and inspections.

<b><u>Account No.</u></b>	<b><u>Department</u></b>	<b><u>Line</u></b>	<b><u>Change</u></b>
002.8320.4736	Water Purification & Pumping	Contracted Services	\$ 5,000
002.8320.4115	Water Purification & Pumping	Sewage Fees	\$ (5,000)
		<b>TOTAL</b>	\$ -

**RESOLUTION #52-2014**

**JUNE 17, 2014**

**BY: COUNCILWOMAN SZUKALA**

**SEQRA DETERMINATION FOR LAKEFRONT BOULEVARD SEAWALL REPLACEMENT  
(A city-rebuilding project with community enhancement emphasis)**

**WHEREAS**, following published Legal Notice, sealed bids for the replacement of the Lakefront Boulevard Seawall, with significant portions of the project including correcting neighborhood blight and ADA-accessibility to enhanced community recreational areas and protection of vital but lake-vulnerable neighborhood infrastructure, were opened and read aloud in the Dunkirk City Clerk's Office at 2:00 p.m. on May 27, 2014; and

**WHEREAS**, said bids were received and reviewed by the Department of Public Works, and the Department of Public Works recommends that the lowest responsible bidder be awarded bids for said seawall replacement with said community enhancement emphasis; and

**WHEREAS**, this resolution is required in the processes to have the City comply with applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQRA"), comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issue a negative declaration and/or other applicable documentation, and therefore making no further action under the State Environmental Quality Review Act necessary for this project; and

**WHEREAS**, that, following review and determination in accordance with the SEQRA environmental assessment form prepared by the City's consulting professional engineers for this project; now, therefore, be it hereby

**RESOLVED**, that the Mayor is authorized and directed to execute the SEQRA negative declaration document on behalf of the City of Dunkirk, by signing in the appropriate space on the SEQRA form to document the Council's and the Mayor's determination that based on said environmental assessment form information that the proposed action will not result in any significant adverse environmental impacts.

**RESOLUTION #53-2014**  
**JUNE 17, 2014**

**BY: ENTIRE COUNCIL**

**A BOND RESOLUTION, DATED JUNE 17, 2014, OF THE COMMON COUNCIL OF THE CITY OF DUNKIRK, CHAUTAUQUA COUNTY, NEW YORK (THE "CITY"), AUTHORIZING THE RECONSTRUCTION OF AND CONSTRUCTION OF IMPROVEMENTS TO THE LAKEFRONT BOULEVARD SEAWALL (AND ASSOCIATED IMPROVEMENTS), AT AN ESTIMATED MAXIMUM COST OF \$4,200,000, AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$4,200,000 OF THE CITY, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE CITY TREASURER.**

**WHEREAS**, the City of Dunkirk, Chautauqua County, New York (the "City") engaged an engineering firm, Nussbaumer & Clarke, Inc., to assist in analyzing the condition of the Lakefront Boulevard Seawall; and

**WHEREAS**, based upon recommendations provided to the City, the City plans to undertake a capital improvements project generally consisting of the reconstruction of and the construction of improvements to the Lakefront Boulevard Seawall, including improvements associated therewith; and

**WHEREAS**, the Common Council desires to authorize the issuance of obligations to finance such project;

**NOW, THEREFORE, BE IT**

**RESOLVED**, by the Common Council (by the favorable vote of not less than two-thirds of all the members of the Council) as follows:

**SECTION 1.** The specific purpose to be financed pursuant to this resolution is a capital improvements project consisting of the reconstruction of and the construction of improvements to the Lakefront Boulevard Seawall including, but not limited to, the reconstruction of approximately 2,800 linear feet of existing seawall along the north side of Lakefront Boulevard with the installation of a precast concrete modular wall, the construction of a bicycle path and pedestrian facility along the wall, the replacement of the existing pipe railing, the construction of an American with Disabilities Act (ADA) compliant ramp for beach access, and all preliminary work and necessary equipment, materials and site work and any preliminary costs and costs incidental thereto and in connection with the financing thereof (collectively, the "Purpose" ). The estimated maximum cost of said purpose is \$4,200,000.

**SECTION 2.** The Common Council plans to finance the estimated maximum cost of said purpose by the issuance of serial bonds in an aggregate amount not to exceed \$4,200,000 of said City, hereby authorized to be issued therefore pursuant to the Local Finance Law, said amount to be offset by any federal, state, county and/or local funds received. Re-payment of the obligations is to be divided (75/25) between the General and Wastewater Treatment Funds. Unless paid from other sources or charges, the cost of such purpose is to be paid by the levy and collection of taxes on all real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

**SECTION 3.** It is hereby determined that said purpose is an object or purpose described in subdivision 3 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is 30 years.

**SECTION 4.** Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of said bonds.

**SECTION 5.** It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

**SECTION 6.** The faith and credit of said City are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there shall annually be levied on all the taxable real property of the City a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

**SECTION 7.** Subject to the provisions of this resolution and of the Local Finance Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said notes and of Section 21.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00 and Section 63.00 of the Local Finance Law, the powers and duties of the Common Council pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the City Treasurer, the chief fiscal officer of the City. Without in any way limiting the scope of the foregoing delegation of powers, the Treasurer, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the City.

**SECTION 8.** The temporary use of available funds of the City, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in Section 1 of this resolution. The City then reasonably expects to reimburse any such expenditures (to the extent made after the date

hereof or within 60 days prior to the date hereof) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds.) This resolution shall constitute the declaration of the City's "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

**SECTION 9.** The City Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution, and any notes issued in anticipation thereof as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

**SECTION 10.** The City Treasurer is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

**SECTION 11.** The City has complied with applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQRA"), comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issued a negative declaration and/or other applicable documentation, and therefore, no further action under the State Environmental Quality Review Act is necessary.

**SECTION 12.** In the absence or unavailability of the City Treasurer, the Deputy Treasurer is hereby specifically authorized to exercise the powers delegated to the City Treasurer in this resolution.

**SECTION 13.** The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

- (1) (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or  
(b) if the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or
- (2) such obligations are authorized in violation of the provisions of the Constitution of New York.

**SECTION 14.** The City Clerk is hereby authorized and directed to publish this resolution or a summary thereof, together with a notice in substantially the form provided

by Section 81.00 of said Local Finance Law, in a newspaper having a general circulation in said City and hereby designated as the official newspaper of said City for such publication.

**SECTION 15.** This Resolution is effective immediately.

**RESOLUTON #54-2014**

**JUNE 17, 2014**

**BY: COUNCILMAN RIVERA**

**AUTHORIZATION TO GRANT EASEMENTS FOR NATURAL GAS PIPELINE TO NRG**

**WHEREAS**, NRG's subcontractor for easements and rights-of-way acquisition has determined that the new natural gas pipeline needed to refuel the Dunkirk generating station must be built through a vacant parcel owned by the City of Dunkirk designated as parcel 79.17-1-79; and

**WHEREAS**, the NRG subcontractor made formal requests for the easements to accomplish this construction through said City parcel on June 10, 2014, and provided the name of the corporation that will build this pipeline for NRG, and such is Dunkirk Gas Corporation ("Dunkirk Gas") with a corporate address of 211 Carnegie Center, Princeton, NJ 08540; and

**WHEREAS**, Dunkirk Gas has formally offered to pay the City of Dunkirk a fee for these necessary easements through said City parcel; and

**WHEREAS**, the City Department of Public Works has examined the proposed location of these requested easements necessary to re-power NRG with natural gas and, with due diligence, recommends rapid approval by Council to authorize and direct City granting of these easements so as to minimize or avoid any interference with the 2014 reconstruction in the City of Dunkirk of New York State Route 5 by the New York State Department of Transportation; now, therefore, be it hereby

**RESOLVED**, that the Mayor is authorized and directed to execute the easements for Dunkirk Gas through City parcel 79.17-1-79 and to authorize the City Treasurer to accept the fee payment for these easements and deposit such in the appropriate City revenue account.