

AGENDA - COMMON COUNCIL MEETING – July 7, 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 Cassadaga Job Corps Academy for permission to conduct horse and carriage rides at Point Gratiot on July 23rd from 7:00 PM until 9:45 PM for their annual prom.
 2. Request from The Chautauqua Center to use Washington Park on August 13th from 1:00 PM until 3:00 PM for their "Annual Family Health Day." Also requesting the presence of the Mayor, Common Council, City Clerk, City Hall Staff and a donation from the city to assist with the purchase of backpacks.
 3. Request from Kosciuszko Polish Home to close Nevins Street to traffic between East Doughty Street and the end of their parking lot for their "Inaugural Cornhole Tournament" on July 25th from 12:00 PM until 5:00 PM.
 4. Request from The Resource Center and Filling the Gap, Inc. for permission to sell newspapers at City designated intersections on July 8th from 6:00 AM until 10:00 AM. Also, requesting Police assistance from the Dunkirk/Fredonia line from Central Avenue to Washington Park and to use Washington Park to host their Victory Celebration on Friday, July 17th for their "Annual Laurel Run."
 5. Request from Northern Chautauqua County Youth Hockey Association to use Wright Park basketball courts on August 29th for their Inaugural Street Hockey Tournament. Also, requesting permission to have a bounce house and the presence of the Mayor and Council for the honorary puck/ball drop at approximately 9:00 AM.
 6. Request from Evelyn Hernandez-Ruiz to purchase the vacant lot located at 209 Deer Street.
 7. Loudspeaker applications from:
 - a) Kosciuszko Club to use DJ equipment, speakers and amplifiers on July 25th from 1:00 PM until 5:00 PM.
 - b) Darnell Baldwin to use speakers, microphones and DJ equipment on July 25th from 1:00 PM until 5:00 PM at the Wright Park basketball courts.

7. Reports of Standing Committees, Boards and Commissions.
8. Unfinished Business:
9. Pre-filed Resolutions:
 44. Resolution authorizing change for the first August 2015 Common Council Meeting.
 45. Resolution accepting grant for Summer Better than Others Camp (Northern Chautauqua Community Foundation).
 46. Resolution accepting grant for Summer Better than Others Camp (Chautauqua County).
 47. Resolution authorizing Employee Assistance Program Contract (Family Service of the Chautauqua Region, Inc.)(August 1, 2015 through July 31, 2017).
 48. Resolution authorizing agreement with Selective Insurance Company of NY for General Liability, Property, Auto and Professional Insurance.
 49. Resolution authorizing amendment to shared services agreement (County of Chautauqua).
 50. Resolution authorizing Change Order No. 1 – Lakefront Boulevard Seawall Replacement (S. St. George Enterprises, Inc.).
 51. Resolution transferring funds from the William Cease Fund.
 52. Resolution awarding bid for Dredging City Boat Launch Recreational Channel.
10. New Business:
11. Adjournment.

Nicole Joiner
City Clerk

Cassadaga Job Corps Academy

8115 Glasgow Road
Cassadaga, New York 14718
716/595-8760
716/595-4396 Fax



June 10, 2015

City of Dunkirk Common Council
342 Central Ave
Dunkirk NY, 14048

Dear Common Council Members:

We are writing today to request permission to conduct horse and carriage rides at Point Gratiot on Thursday, July 23, 2015 from 7:00-9:45pm, during the Cassadaga Job Corps annual prom. Groups of students would be shuttled from the prom location, the Dunkirk Moose Lodge, and taken to a loading area at Point Gratiot. The carriage would complete a ride around the City Park and the students would return to the Moose with another shuttle departing upon their return. The last ride would be completed by 9:45pm. We invite feedback from City Police and Officials regarding the safest, most convenient route, to ensure a positive experience for all parties.

The Cassadaga Job Corps Prom has been an annual event conducted in the City of Dunkirk for many years, most years utilizing a horse and carriage ride which, is often the highlight of the evening for many students. We look forward to offering this service again and appreciate your time and consideration.

For any questions, concerns or comments, please contact Adam Dolce, Business and Community Liaison, at 716-595-4237, by email to dolce.adam@jobcorps.org, or by mail to 8115 Glasgow Rd, Cassadaga NY, 14718. As in years past, we will forward needed insurance paperwork to the City upon approval.

Respectfully,

A handwritten signature in black ink, appearing to read "Ann Anderson".

Ann Anderson
Academy Director

CC: Dunkirk Police Dept.

2015 JUN 12 AM 10:16
DUNKIRK, N.Y.

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

June 12, 2015

City of Dunkirk Clerk's Office
ATT: Nicole Joiner, City Clerk
342 Central Avenue, 1st Floor
Dunkirk, New York 14048

Ms. Joiner,

I am writing on behalf of The Chautauqua Center, the federally qualified health center in Dunkirk. We offer primary care services to individuals of all ages and turn no one away, even in uninsured. We offer programs for uninsured individuals by offering a sliding scale fee based on household income and we assist with finding them reasonable health insurance.

We are planning our "2nd Annual Family Health Day" on Thursday August 13 from 1-3pm in recognition of National Health Center Awareness Week. Our 1st event last year proved to be a success with over 600 unexpectedly were in attendance, it was apparent last year that we would need change the events venue. There were over 35 agencies in attendance and more are asking to participate this year.

We are requesting permission to host our event at Washington Park or Memorial Park whichever, is available, preferable Washington Park. This year we have family activities to include a larger backpack and school supply give away. Unfortunately, we only had 100 backpacks last year so many children went without backpacks and school supplies. We are also wondering if the City may have any funds to assist with the event as our goal is to purchase 500 backpacks this year or if there is any funding we can apply for.

We would also like to invite the Mayor, Common Council members, yourself and City Hall staff to the event. Would the Mayor be willing to sign a proclamation for "National Health Center Week".

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

Sincerely,

Rebecca Ruiz

Rebecca Ruiz, Outreach Coordinator
The Chautauqua Center
319 Central Avenue
Dunkirk, New York 14048
rruiz@thechautauquacenter.org
716-397-7301

2015 JUN 15 AM 9:01

DUNKIRK
CITY CLERK'S OFFICE

Kosciuszko Polish Home
252 Nevins Street
Dunkirk, NY 14048
716-366-1044

June 15, 2015

City of Dunkirk Common Council:

The Kosciuszko Club will be hosting their 1st Annual "Cornhole" Tournament outside the Club in the parking lot on Saturday, July 25th, 2015 from approximately 12:00 PM until 5:00 PM. For the safety of the players and spectators we would like to request to close off Nevins Street to traffic between East Doughty Street and the end of our parking lot only as to limit the disruption to neighbors.

If you have any questions please feel free to call us at the number provided.

We appreciate your time and consideration in this matter.

Sincerely,



James Stelmack
President
Kosciuszko Polish Home

2015 JUN 15 PM 1:02
POLICE SERVICE
DUNKIRK, NY



LAUREL HOTELLING



Filling The Gap
INCORPORATED

92 Fairmount Avenue ♦ Jamestown, NY 14701 ♦ 716-661-4735



June 12, 2015

Mayor Anthony Dolce and the Dunkirk Common Council
342 Central Avenue
Dunkirk, NY, 14048

Dear Mayor Dolce and Council Members:

On behalf of the Hotelling family, the Laurel Run Planning Committee and everyone here at The Resource Center and Filling the Gap, Inc., I want to thank you for the City's past support of Laurel Run. The 19th annual Laurel Run takes place next month, and I'm writing to seek the City's support for several initiatives connected with this event.

On Wednesday, July 8, we will be conducting our Laurel Run newspaper sale in conjunction with the Observer. As in past years, we would like to have volunteers sell papers between 6:00 and 10:00 a.m. at locations that have been approved by the City. If our request is granted, please let me know if any of the approved locations have changed since last year.

On Friday, July 17, we would like to hold our annual Jamestown-to-Dunkirk relay run. As in past years, we would like to have police cruisers escort the last group of runners as they make their way up Central Avenue. We anticipate that again this year, representatives from the Lakeview Shock Incarceration Facility will be leading the last group of runners, and having marked patrol cars lead the procession helps ensure the runners' safety.

Finally, we are wondering if the City is willing to again hold a Victory Celebration to mark the end of the relay run. That celebration has been held in Washington Park the past few years, and that has been a great location. The individuals with disabilities supported by our agencies, as well as the runners themselves, appreciate the City's generosity in hosting the Victory Celebration every year. Typically, the celebration has run from noon to 2:00, and the celebration is a wonderful way to cap off the first day of Laurel Run.

I believe our Risk Administrator may already have forwarded to the Clerk's Office a certificate of liability regarding the newspaper sale and the relay, but if not, let me know and I'll make sure we get the certificate to you.

Thanks again for your past support of Laurel Run. Proceeds from the event support disability awareness and prevention efforts in Chautauqua County; money raised through Laurel Run also is used to provide employment and work training opportunities for adults with disabilities.

Thanks for considering my request. Please let me know if you have any questions or require additional information.

Sincerely,

Steve Waterson
Community Relations Director
The Resource Center/Filling the Gap, Inc.

2014 NCCYHA STREET HOCKEY TOURNAMENT

Mayor Dolce,

I am writing this letter on behalf of the Northern Chautauqua County Youth Hockey Association (NCCYHA) to request the use of the Wright Park basketball courts located on August 29th 2015 for our 1st Annual Street Hockey Tournament. The tournament is being viewed as a community event and is not limited to just NCCYHA players, it is open to the everyone. It will also be used as a fund raiser for our organization.

The NCCYHA has procured the involvement of both Charlies' Curlyfries and One Stop Food Mart to help out with concessions. We are also looking to have a bounce house and possibly an announcer for our event but that will only happen if we have sufficient electrical supply available. I have attached a waiver form that we are having each player sign. Safety is always a big concern that is why we are mandating that every player must wear a helmet.

We would also like to extend the invitation to Mayor Dolce and any other Council member to join us at approx. 9am for the honorary puck/ball drop.

It's the board's sincere hope that this will become an annual event to support various charitable causes with a heavy and dedicated participation that continues to grow. We also believe this new annual event will bring focus to all that Dunkirk and the lake have to offer during wintertime, when activity is typically scarce along the waterfront. The NCCYHA thanks the City of Dunkirk for its consideration of this urgent request and anxiously awaits the board's reply.

Sincerely,

Brian Madurski

NCCYHA Board Member

2015 JUL - 1 - 11 PM 2:46

CITY CLERK'S OFFICE
DUNKIRK, N.Y.

NCCYHA STREET HOCKEY TOURNAMENT

I, _____ am participating in the
(Please print name above.)

NCCYHA Street Hockey Tournament with the Northern Chautauqua Youth Hockey Association (NCCYHA), on Saturday, August 29, 2015.

I hereby release the City of Dunkirk and the Northern Chautauqua Youth Hockey Association (NCCYHA) of all liability in case of injury.

PARENTAL AUTHORIZATION AND RELEASE

We, (I), the parent(s) or guardian of the above candidate for the NCCYHA, Inc. program, hereby give our (my) approval to his/her participation in the volunteer NCCYHA Street Hockey Tournament. We (I) assume all risks and hazards incidental to such participation, including transportation to and from such activities: and we (I) do hereby waive, release, absolve, indemnify and agree to hold harmless the NCCYHA, Inc., its officers, directors, members, employees, agents, organizers, sponsors, participants, persons and its successors from any and all claims for damages due to injuries to person or property of any kind which our (my) child may sustain while in the NCCYHA, Inc. which our (my) child may participate in the volunteer NCCYHA Street Hockey Tournament.

Date: _____

Participant's Signature

Parent/Guardian's Signature

June 22, 2015

Evelyn Hernandez-Ruiz
211 Deer Street
Dunkirk, NY 14048

Mayor Dolce
Common Council
342 Central Avenue
Dunkirk, New York 14048

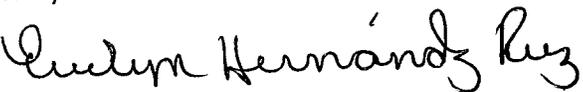
Re: 209 Deer Street

Mayor/Common Council;

I am the owner of the property at 211 Deer Street, which is next to the vacant lot located at 209 Deer Street which is owned by the City of Dunkirk.

I would like to purchase the lot at 209 Deer Street to use as an addition to my yard and I would be responsible to all the costs and expenses with closing the transfer, and know that the property would be placed back on the tax roll.

Thank you.

Sincerely, 

2015 JUN -2 AM 9:34
CITY CLERK'S OFFICE
DUNKIRK, N.Y.

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

DATE OF APPLICATION (must be 30 days Prior to event): 6/11/2015

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

DATE: 7/25/15 **TIME:** 1:00 - 5:00 **LOCATION OF EVENT:** 252 Nevins Street

SPONSOR: Kosciuszko Polish Home

NAME: Jim Stelmack **PHONE NO.** 716-366-1044

ADDRESS: 252 Nevins Street

INDIVIDUAL CORPORATE CHARITABLE COMMUNITY

RESPONSIBLE INDIVIDUAL:

NAME: Jim Stelmack **PHONE:** 366-1044

ADDRESS: 252 Nevins Street

REASON: Outdoor cornhole tournament

AUDIO DEVICE TO BE USED: DJ Equipment - speakers - amps.

PUBLIC EVENT PRIVATE EVENT

NOTIFICATION OF AFFECTED PERSONS

YES **IF YES, PROOF:**

NO

2015 JUN 15 PM 1:02
DUNBAR

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

Signature: James D. Stelmack

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT <i>6/15/15</i>		
DEPT OF PUBLIC WORKS <i>6/21/15</i>		
DEPT OF LAW <i>6/15/15</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 Prior to event): 6/30/15

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

DATE: 7/25/15 **TIME:** 1:00-5:00pm **LOCATION OF EVENT:** Wright park

SPONSOR: basketball courts

NAME: Darrell A Baldwin **PHONE NO.:** 716-679-5473

ADDRESS: 139 East 2nd st Dunkirk N.Y. 14018

INDIVIDUAL CORPORATE CHARITABLE COMMUNITY

RESPONSIBLE INDIVIDUAL:

NAME: Darrell Baldwin **PHONE:** 716-679-5473

ADDRESS: 139 East 2nd st Wright park (Basketball court)

REASON: Basketball tourney

AUDIO DEVICE TO BE USED: speakers Mic, DJ equipment

PUBLIC EVENT PRIVATE EVENT

2015 JUN 30 AM 11:41
DUNKIRK, N.Y.

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: Darrell A Baldwin

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT OK <u>6/30/15</u> <u>[Signature]</u>		
DEPT OF PUBLIC WORKS <u>7/2/15</u> <u>[Signature]</u>		
DEPT OF LAW <u>6/30/15</u>		
OTHER		

COMMON COUNCIL ACTION

RECEIPT OF REVIEW

APPROVAL

CONDITIONS:

DISAPPROVED

RESOLUTION #44-2015
JULY 7, 2015

BY: COUNCILWOMAN SZUKALA

**AUTHORIZING CHANGE FOR
FIRST AUGUST 2015 COMMON COUNCIL MEETING**

WHEREAS, the Common Council wishes to change the date of their first meeting in August; and

WHEREAS, the Tuesday, August 4th meeting will be changed to Monday, August 3rd in order to enable participation in the **National Night Out** program; now, therefore, be it

RESOLVED, that the August 4, 2015 Common Council Meeting shall be re-scheduled to Monday, August 3, 2015, in order to enable participation in the **National Night Out** program, with the pre-file date to be Wednesday, July 29, 2015.

RESOLUTION #45-2015
JULY 7, 2015

BY: THE ENTIRE COUNCIL

ACCEPTING GRANT FOR SUMMER BETTER THAN OTHERS CAMP
(Northern Chautauqua Community Foundation)

WHEREAS, the City submitted a request to the Northern Chautauqua Community Foundation (NCCF) for financial assistance for the City's Summer Camp Program; and

WHEREAS, such application was approved in the amount of Four Thousand Dollars and Zero Cents (\$4,000.00); now, therefore, be it

RESOLVED, that the City accepts the donation from the Northern Chautauqua Community Foundation in the amount of Four Thousand Dollars and Zero Cents (\$4,000.00) for the City's Camp Gross Summer Better Than Others program and the Mayor and/or Recreation Program Coordinator is hereby authorized to execute any and all contracts and related documents with the NCCF to accept and utilize funds; and, be it further

RESOLVED, that such funds be credited as a receivable in Revenue Line:

001.0001.2007

Donation – Summer Camp.

RESOLUTION #46-2015
JULY 7, 2015

BY: THE ENTIRE COUNCIL

**ACCEPTING GRANT FOR SUMMER BETTER THAN OTHERS CAMP
(Chautauqua County)**

WHEREAS, the City submitted a request to the County of Chautauqua, which through its County Youth Services Bureau has agreed to act as a local sponsor for the receipt and disbursement of NYS Office of Children & Family Services ("OCFS") funding; and

WHEREAS, such application was approved in the amount of Nine Thousand Five Hundred Dollars and Zero Cents (\$9,500.00); now, therefore, be it

RESOLVED, that the City accepts NYS Office of Children & Family Services funding through the County of Chautauqua, in the amount of Nine Thousand Five Hundred Dollars and Zero Cents (\$9,500.00) for the City's Camp Gross Summer Better Than Others program and the Mayor and/or Recreation Program Coordinator is hereby authorized to execute any and all contracts and related documents with the County of Chautauqua to accept and utilize funds; and, be it further

RESOLVED, that such funds be credited as a receivable in Revenue Line:

001.0001.3820.8201 NYS Aid Youth & Family Services.

RESOLUTION #47-2015
JULY 7, 2015

BY: THE ENTIRE COUNCIL

**AUTHORIZING EMPLOYEE ASSISTANCE PROGRAM CONTRACT
(FAMILY SERVICE OF THE CHAUTAUQUA REGION, INC.)
(AUGUST 1, 2015 THROUGH JULY 31, 2017)**

WHEREAS, Family Service of the Chautauqua Region, Inc., 332 East Fourth Street, Jamestown, New York, has developed a comprehensive education and counseling program servicing employees, retirees, and the employees' immediate family members; and

WHEREAS, the contract will be for the period of August 1, 2015 through July 31, 2017; and

WHEREAS, the annual cost for the program will be Three Thousand Four Hundred Twenty-Five Dollars and Zero Cents (\$3,425.00), based upon the current employee census; now, therefore, be it

RESOLVED, that the Mayor is hereby authorized and empowered to execute a contract, on behalf of the City of Dunkirk, with **Family Service of the Chautauqua Region, Inc.**, 332 East Fourth Street, Jamestown, New York 14701, for the provision of an Employee Assistance Program to cover eligible City employees for the period from August 1, 2015 through July 31, 2017, at a cost of Twenty-Five Dollars (\$25) per covered employee *per annum*; and, be it finally

RESOLVED, that the funds for the above will come from Account #001-1430-4036 Personnel Department Employee Services EAP.

RESOLUTION #48-2015
JULY 7, 2015

BY: ENTIRE COUNCIL

**AUTHORIZING CONTRACT WITH SELECTIVE INSURANCE COMPANY OF NY
FOR GENERAL LIABILITY, PROPERTY, AUTO AND PROFESSIONAL INSURANCE**

WHEREAS, the City's General Liability, Property, Auto and Professional insurance has been bid by the City of Dunkirk's broker of record, Lawley Tradition, LLC; and

WHEREAS, Selective Insurance Company of New York submitted a proposal for Three Hundred Seventeen Thousand One Hundred Twenty-Nine Dollars and Eighteen Cents (\$317,129.18); now, therefore, be it

RESOLVED, the Mayor is hereby authorized and directed to sign any and all agreements necessary to contract with **SELECTIVE INSURANCE COMPANY OF NEW YORK**, 40 Wantage Avenue, Branchville, NJ 07890-1000, for the City's Commercial Insurance for the period July 8, 2015 through July 8, 2016; and, be it further

RESOLVED, that payment for this contract will be charged proportionately to City Budget Accounts: #001-1900-1910 (50 percent), #002-1900-1910(25 percent), and #003-1900-1910(25 percent).

RESOLUTION #49-2015

JULY 7, 2015

BY: THE ENTIRE COUNCIL

**AUTHORIZING AMENDMENT TO SHARED SERVICES AGREEMENT
(COUNTY OF CHAUTAUQUA)**

WHEREAS, pursuant to Resolution #53-2006 (July 5, 2006), the City agreed to participate with Chautauqua County in the County-wide public facilities shared services agreement; and

WHEREAS, pursuant to Chautauqua County Resolution #239-12, the County initiated an expansion to the County-wide shared services program to provide for construction and demolition waste at the County Landfill for derelict structures; and

WHEREAS, it is hereby determined that it will be in the best interest of the City of Dunkirk to be a party to such amendment to the County-wide shared services program; now, therefore, be it

RESOLVED, that the Mayor of the City of Dunkirk is hereby authorized to execute an agreement to participate in the County-wide shared services program, as amended by County Resolution 239-12.

RESOLUTION #50-2015

JULY 7, 2015

BY: THE ENTIRE COUNCIL

**AUTHORIZING CHANGE ORDER NO. 1 –
Lakefront Boulevard Seawall Replacement
(S. St. George Enterprises, Inc.)**

WHEREAS, by Resolution #46-2014 (June 3, 2014), S. St. George Enterprises, Inc., 3689 Webster Road, Fredonia, New York 14063, (St. George) was awarded a contract to undertake the Lakefront Boulevard Seawall Replacement; and

WHEREAS, the engineers providing assistance to the City's Department of Public Works, Nussbaumer & Clarke, Inc., have recommended that the City grant a request from St. George to extend the project substantial completion date from December 31, 2014 to August 31, 2015; and

WHEREAS, the proposed Change Order No. 1 has been reviewed and recommended by the Director of Public Works; now, therefore, be it

RESOLVED, that the Mayor, Anthony J. Dolce, is hereby authorized to execute contracts and agreements to approve Change Order No. 1 for the "Lakefront Boulevard Seawall Replacement" providing for an amendment to the project substantial completion date from December 31, 2014 to August 31, 2015, for the contract awarded to **S. St. George Enterprises, Inc.**, 3689 Webster Road, Fredonia, New York 14063.

RESOLUTION #51-2015

JULY 7, 2015

BY: THE ENTIRE COUNCIL

TRANSFERRING FUNDS FROM THE WILLIAM CEASE FUND

WHEREAS, the William Cease Fund (the "Fund") was created to support youth activities within the City of Dunkirk; and

WHEREAS, the Fund currently has the funds available and designated for youth use in a reserve account; and

WHEREAS, the Dunkirk Midget Football League, which provides positive recreational opportunities for many City youth, has requested financial assistance from the City through the Fund in order to purchase a storage shed in which to protect various pieces of equipment and gear for use by its youth program; now, therefore, be it

RESOLVED, that a transfer not exceeding Two Thousand Dollars and Zero Cents (\$2,000.00) be withdrawn from the William Cease Fund account in accordance with the terms of the reserve fund to contribute toward the storage shed for the Dunkirk Midget Football League; and, be it finally

RESOLVED, that the Fiscal Affairs Officer and the Treasurer's office make the following entries on the ledger of this City, to accommodate the City's share of this project:

<u>ACCOUNT NO.</u>	<u>LINE</u>	<u>INCREASE</u>	<u>DECREASE</u>
001-7140-4165	Midget League Football	\$2,000.00	
001-0001-5031	Inter-fund Transfer	\$2,000.00	
070-0070-2403	Reserve/Youth Programs	\$2,000.00	
070-0070-9901-9000	Transfer to General Fund	\$2,000.00	

The following journal entries will be recorded upon approval:

070-0070-0200-2016	Cash		\$2,000.00
070-0070-9901-9000	Transfer to General Fund	\$2,000.00	
001-0001-0200-0216	Cash	\$2,000.00	
001-0001-5031	Inter-fund Transfer		\$2,000.00

RESOLUTON #52-2015

JULY 7, 2015

BY: ENTIRE COUNCIL

AWARDING BID FOR DREDGING CITY BOAT LAUNCH RECREATIONAL CHANNEL

WHEREAS, the City of Dunkirk published a Legal Notice to Bidders for 10,000 cubic yards of contracted dredging and disposal of accumulated sediment, according to the City's current Federal and State permits at the City Boat Launch at the City Pier; and

WHEREAS, one (1) bidder responded, and did so by documented Federal Express pickup, one day before bids were due, although this sole bid arrived irregularly late by one day, due to a documented Federal Express National Service Disruption; and

WHEREAS, the City of Dunkirk reserved the right to waive bid irregularities, the City Department of Public Works opened and received this bid by Dean Marine & Excavating, 75 Avery Street, Mount Clemens, Michigan 48043, with the bid amounts of One Hundred Sixteen Thousand Five Hundred Dollars and Zero Cents (\$116,500.00) lump sum for dredging, transportation and disposal of dredged materials and Twenty Thousand Dollars and Zero Cents (\$20,000.00) lump sum for mobilization to and from the Dunkirk site, if the contractor also receives the dredging contract award bid concurrently for the Town of Hanover; and

WHEREAS, the Chautauqua County Watershed Coordinator has received funds for this dredging project in the amounts of Fifty Thousand Dollars and Zero Cents (\$50,000.00) from County tourist bed-tax water resource improvement funds, and One Hundred Thousand Dollars and Zero Cents (\$100,000.00) from New York State acquired for this project by State Senator Catherine Young; and

WHEREAS, the Director of Public Works finds this bid to be responsible and recommends that Common Council accept and award this bid for the total amount of One Hundred Thirty-Six Thousand Five Hundred Dollars and Zero Cents (\$136,500.00) and formally waive said bid irregularity, as being in the public interest to do so and causing no harm to contractors, as all others declined to bid; now, therefore be it

RESOLVED, that said bid irregularity is formally waived and the Mayor is hereby authorized and directed to enter into a contract with **Dean Marine & Excavating**, 75 Avery Street, Mount Clemens, Michigan 48043, for dredging and disposal per bid documents and permit documents, and at the lump sum payment of One Hundred Thirty-Six Thousand Five Hundred Dollars and Zero Cents (\$136,500.00), with said contract execution by the City, contingent upon confirmation of the above-referenced concurrent dredging bid acceptance in and by the Town of Hanover, to allow the Twenty Thousand Dollars and Zero Cents (\$20,000.00) lump sum mobilization charge, and also contingent upon fund transfer methods between the County Watershed Coordinator and the City being formalized to the satisfaction of the Fiscal Affairs Officer and the Treasurer of the City of Dunkirk; and, be it finally

RESOLVED, that the Mayor, Treasurer and Fiscal Affairs Officer are hereby authorized and directed, to seek reimbursement to the City of Dunkirk, from the above-described dredging project funds totaling One Hundred Fifty Thousand Dollars and Zero Cents (\$150,000.00) administered by the Chautauqua County Watershed Coordinator, for the Seven Thousand Five Hundred Dollars and Zero Cents (\$7,500.00) in 2014 City funds advanced per Purchase Order #2014-0939, for the permit-required "dredging project sediment sampling," making the total cost of this project \$116,500.00 plus \$20,000.00 plus \$7,500.00 (total \$144,000.00), and pledged to be paid by County-administered funds as described above.