

AGENDA - COMMON COUNCIL MEETING – January 7, 2014 - 5:30 P.M.
REGULAR MEETING

1. Call to order, Roll Call and Pledge of Allegiance to the flag.
2. Certification of prior meetings. Resolution dispensing with reading of minutes.
3. Reading of Privilege of the Floor Regulations.
4. Privilege of the Floor:
5. Communications from the Mayor including disapproval messages.
6. Communications from the public and petitions:
 1. Petition from Richard J. Clark on behalf of "Score This" requesting the use of roads and facilities to host a triathlon event on August 24, 2014 from 7:00 AM to 1:00 PM in the City of Dunkirk called "Tri Dunkirk".
 2. Notice of Claims from:
 - a) Jon Muntz for damages to his mailbox allegedly caused by a city snowplow.
 - b) Stella Michalak for damages to her mailbox allegedly caused by a city snowplow.
7. Reports of Standing Committees, Boards and Commissions.
8. Unfinished Business:
9. Pre-filed Resolutions:
 11. Resolution authorizing utility work agreement with NYSDOT (Route 60 and Route 5 re-surfacing Project).
 12. Resolution awarding bids for treatment chemicals (Water Pollution Control Facility).
10. New Business:
11. Adjournment.

Nicole Joiner
City Clerk



SCORE THIS!!!, INC.
15 RANCH TRAIL CT.
ORCHARD PARK, NEW YORK 14127

November 20th, 2013

Mr. Tim Gornikiewicz
Director, Planning and Development
Department of Development, City of Dunkirk
342 Central Avenue
Dunkirk, New York 14048

To whom it may concern from the City of Dunkirk, Town of Dunkirk, Town of Sheridan and the Village of Silver Creek:

On behalf of Score This!!!, I am requesting the use of the roads and facilities in your city or town in order to host our annual multisport event on August 24th, 2014 in the City of Dunkirk. The name of the event is "Tri Dunkirk" and it will be in a triathlon format that will include an open water swim, a bike race, and a running race. The race will take place on a Sunday and run from approximately 7:00 a.m. to 1:00pm.

This event in its fourth year should attract as many as 375-425 participants and approximately 300 spectators and volunteers. The 2013 race attracted 335 participants in its third year. Score This!!! has been organizing multisport events since 1995 and has hosted the 2011-2013 Tri Dunkirk in the City of Dunkirk. This area makes an excellent venue to host this style of event with athletes commenting on this being their new favorite venue. For the last six years, our triathlon races in Western New York have all sold out in advance of race day and we would expect to realize that potential with a race in Dunkirk within the next year.

We are writing this letter in advance to work out all of the details for the course and to help all parties take advantage of this athletic tourism influx. Many triathletes travel beyond their state borders. Many triathletes surveyed 150 to a triathlon which would include participants from as far away as the Syracuse, Albany and Brooklyn regions of New York State as well as from surrounding cities like Cleveland of states like Ohio, Pennsylvania, Maryland, New Jersey, Connecticut, Tennessee, California, Michigan and Vermont.

Tri Dunkirk can help increase visitation to Chautauqua County. Multisport athletes like to explore the areas they visit in many different ways. If they are provided the information about the surrounding areas activities they will return to explore this in the future. Advertising for this event would involve, but not be limited to the following:

- Postcards handed out at all other Score This!!! timed events (120 plus in 2013)
- Race posters throughout the county
- Email updates to a 2900+ athlete Score This!!! dedicated email group
- Email updates to a 35,000 plus athlete online registration email system
- Dedicated webpage(s) at <http://tridunkirk.com> (30,000 plus views in 2013)
- Dedicated ad placement on score-this.com and trifind.com
- Facebook and Twitter advertising to a dedicated Score This!!! fan pages
- Tri Dunkirk oval car stickers

Sincerely,

Richard J Clark
Race Director/Vice President
Score This!!!, Inc.
716.940.6294
rich@score-this.com
<http://score-this.com>

RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.
2013 NOV 22 AM 9:23

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: Jon A. Muntz, MD
Claimant Address: 16 Beach Road
Dunkirk NY
Claimant Telephone Number: 716 673 5404

This claim is for (injuries/damages alleged):
Damaged residential mail box
broken post & support.

This claim is alleged to have arisen on the 13th day of December, 2013 at
approximately ? a.m./p.m. on that date at 16 Beach Rd.

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

City snow plow hit
mail box

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

Broken & displaced mail box
wooden post & support box
@ residence

RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.
2013 DE 19 AM 10 20

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

Respectfully yours,

[Signature]
Claimant (date) 12/17/13

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

JON. MUNTZ, 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
17th day of December, 2013.

Carol L Ames
Notary

CAROL L AMES NO. 01AM5070058
Notary Public, State of New York
Qualified in Chautauqua County
My Commission Expires 12-9-14

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:

Stella Michalak

Claimant Address:

37 Otter St,
Dunkirk, NY 14048

Claimant Telephone Number:

(716) 366-3391

This claim is for (injuries/damages alleged):

Damage to the mailbox and the post holding the mailbox.

This claim is alleged to have arisen on the 15th day of December, 2013 at approximately a.m./p.m. on that date at 37 Otter St.
during the night hours

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

The driver of the snowplow ran into my mailbox and cracked it from the ground up. It was destroyed.

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

The mailbox and the 4x4 pressure treated post were damaged.

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

Respectfully yours,

Stella Michalak

Claimant

(date)

State of New York)

County of Chautauqua) ss.:

Stella Michalak 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.

Notary

Sworn to before me this 31 day of December, 2013.

PATRICIA L. HALAS
Notary Public, State of New York Rev. May 2012
Qualified in Erie County
Reg. No. 01HA5035643
My Commission Expires Nov 7, 2015

RESOLUTION #11-2014
JANUARY 7, 2014

BY: COUNCILWOMAN SZUKALA

AUTHORIZE UTILITY WORK AGREEMENT WITH NYSDOT
(Route 60 and Route 5 Re-surfacing Project)

WHEREAS, the New York State Department of Transportation ("NYSDOT") is administering a contract in 2014 to re-surface New York State Route 60 and New York State Route 5 through the City of Dunkirk ("re-surfacing project"); and,

WHEREAS, NYSDOT is requesting that the City allow the NYSDOT contractors for such re-surfacing project to adjust City-owned manholes within the NYS rights-of-way to complete the re-surfacing contract; now, therefore, be it

RESOLVED, that the City hereby authorizes the Mayor to enter into a Utility Work Agreement with the NYS Department of Transportation granting access to NYSDOT and/or its contractors to adjust City-owned manholes as may be required during the NYSDOT Route 60 and Route 5 re-surfacing project, provided any modifications or adjustments are made so that the City will continue to maintain its facilities using said manholes.

RESOLUTON #12-2014
JANUARY 7, 2014

BY: COUNCILWOMAN SZUKULA

**AWARDING BIDS FOR TREATMENT CHEMICALS
(WATER POLLUTION CONTROL FACILITY)**

WHEREAS, following published Legal Notice, sealed bids for the furnishing of two (2) wastewater treatment plant chemicals were opened and read aloud in the Dunkirk City Clerk's Office at 10:00 a.m. on January 2, 2014; and,

WHEREAS, the bids were received and reviewed by the Department of Public Works and the Department of Public Works recommends that the lowest responsible bidder(s) be awarded bids for such 2014 wastewater treatment plant chemicals; now, therefore, be it hereby

RESOLVED, that upon review and recommendation of the Director of Public Works, the following lowest responsible bids be accepted and awarded for furnishing wastewater treatment plant chemicals for 2014:

<u>Bidder</u>	<u>Item</u>	<u>Cost</u>
Amrex Chemical Co., Inc. 117 East Frederick Street PO Box 642 Binghamton, NY 13902	Aqua Ammonia Solution	\$ 0.2475 per pound NH ₄ OH
Amrex Chemical Co., Inc. 117 East Frederick Street PO Box 642 Binghamton, NY 13902	Phosphoric Acid	\$ 0.58 per pound

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 vendor, for the purchase of such treatment chemicals, 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.