

AGENDA - COMMON COUNCIL MEETING – June 21, 2016 - 5:30 PM  
REGULAR MEETING

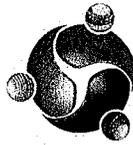
1. Call to order, Roll Call and Pledge of Allegiance to the flag.
2. Certification of prior meetings. Resolution dispensing with reading of minutes.
3. Reading of Privilege of the Floor Regulations.
4. Privilege of the Floor.
5. Communications from the Mayor including disapproval messages.
6. Communications from the public and petitions:
  1. Request from The Resource Center and Filling the Gap, Inc. for permission to sell newspapers at City designated intersections on July 6<sup>th</sup> 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 15<sup>th</sup> for their "Annual Laurel Run."
  2. 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 14<sup>th</sup> from 10:00 AM until 6:00 PM for their "Annual Summer Festival."
  3. Request from Christian Worship Center WNY to use Washington Park on Wednesday, July 20<sup>th</sup> (Rain Date Wednesday July 27<sup>th</sup>) from 5:00 PM until 9:00 PM to host a Church picnic with food, drinks as well as an outdoor concert of Christian Music.
  4. Loudspeaker Application from:
    - a) Don Williams Jr. for a live band at the Koch's Pavilion at Point Gratiot on Sunday, July 10<sup>th</sup> from 3:00 PM until 5:00 PM.
    - b) Blessed Mary Angela Parish for Radio equipment and live music August 14<sup>th</sup> from 12:00 PM until 4:00 PM.
    - c) Christian Worship Center WNY for live music at Washington Park on Wednesday, July 20<sup>th</sup> from 5:00 PM until 9:00 PM.
  5. Notice of Claim from Evelyn Clancy for alleged damages to the rims on her vehicle while driving on Williams Street in Dunkirk.
7. Reports of Standing Committees, Boards and Commissions.
8. Unfinished Business:
9. Pre-filed Resolutions:
  57. Resolution authorizing submission of Fiscal Year 2015 Consolidated Annual Performance & Evaluation Report (CAPER).

58. Resolution authorizing Agreement for Animal Control Services.
  59. Bond Resolution, dated June 21, 2016, of the Common Council of the City of Dunkirk, Chautauqua County, New York (the "City"), authorizing a Capital Improvements Project primarily at the Water Pollution Control Plant in the City, at an estimated maximum cost of \$2,500,000, and authorizing the issuance of Serial Bonds in an aggregate principal amount not to exceed \$2,500,000 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.
  60. Resolution authorizing Agreement for Engineering Services Waste Water Treatment Facility (Wendel).
  61. Resolution authorizing SEQRA Lead Agency Designation – Wastewater Treatment Plant Improvements.
  62. Resolution authorizing State Environmental Quality Review Act Designation Wastewater Treatment Plant Improvements.
  63. Resolution authorizing Grant Application New York State Environmental Facilities Corporation Clean Water State Revolving Fund.
  64. Resolution establishing Standard Work Day and Reporting Resolution (NYS Comptroller RS 2417-A).
  65. Resolution authorizing Ratification and Consent to Assignment of Water Rights Easement.
10. New Business:
  11. Adjournment.

Lillian R. Divine  
City Clerk



LAUREL HOTELLING



# Filling The Gap INCORPORATED

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



June 12, 2016

Mayor Willie Rosas and the Dunkirk Common Council  
342 Central Avenue  
Dunkirk, NY, 14048

Dear Mayor Rosas 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 20th 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 6, 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 15, 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. Again this year, representatives from the Lakeview Shock Incarceration Facility will be leading the last group of runners from Fredonia to the finish at Washington Park. Due to the size of the group, they like to jog in the street. Having marked patrol cars lead the procession helps ensure the runners' safety. We anticipate the runners will arrive at the D&F Plaza between 12:15 and 12:45.

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 has already 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.

2016 JUN 13 AM 10:41

Filling the Gap, Inc., is a 501(c)(3) tax-exempt organization. For a copy of our latest annual report, write us at: 92 Fairmount Avenue, Jamestown, NY, 14701, or write the Attorney General, Charities Bureau, 120 Broadway, New York, NY, 10271.

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  
JUN 13 2016  
MAYOR'S OFFICE

June 8, 2016

City of Dunkirk, New York  
Mayor Willie Rosas  
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 14<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 of our request.

Sincerely,

*M. Paulette Pacos*

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

2016 JUN 13 AM 11:27

COMMUNICATIONS SECTION  
CITY OF DUNKIRK, NY



# Christian Worship Center – WNY

Pastor John Dueñas

**Dunkirk Common Council  
June 14<sup>th</sup>, 2016**

**My name is John Duenas. I am the Senior Pastor of the Christian Worship Center of WNY church located at 101 Eagle St. in Fredonia, NY. I am requesting use of your city park (Washington Park) on Wednesday July 20<sup>th</sup> (Rain date would be Wednesday July 27<sup>th</sup>). We wish to hold an outdoor concert of Christian Music featuring our church band and singers. This event is open to any member of the Dunkirk community. We would need the use of the electrical system located within the park. Christian Worship Center WNY has been in Fredonia since 2006. Many members of our church reside in the Dunkirk area.**

**During the event we will host a church picnic with food and drinks . This is also at no charge to any member of the community that attends. We plan on being in the park from about 5 pm until 9pm. The live music portion of the event will end no later that 8:30 pm. We have a clean-up staff that will insure that the park will be cleaner when we leave than we arrived. We are insured by Preferred Mutual Insurance Company and will have an attached rider before the event.**

**Thank you for considering our request. You can contact me at (716) 785-3461 if you have any questions or concerns that need answering.**

**Thank you**

**Pastor John Duenas  
Christian Worship Center WNY  
101 Eagle St.  
Fredonia, NY 14063  
(716) 785-3461 (cell)  
(716) 672-6262 (office)**

2016 JUN 15 PM 2:51

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

**DATE OF APPLICATION (must be 30 days Prior to event):** 6/2/2016

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

**DATE:** 7/10/16 **TIME:** 2-5 pm **LOCATION OF EVENT:** Pont Grabet

**SPONSOR:**

**NAME:** Don Williams Jr

**PHONE NO.** 680-2549

**ADDRESS:** 106 Webster St

Dunkirk ny 14048

INDIVIDUAL     CORPORATE     CHARITABLE     COMMUNITY

**RESPONSIBLE INDIVIDUAL:**

**NAME:** Don Williams Jr

**PHONE:** 680-2549

**ADDRESS:** 106 Webster St

Dunkirk ny 14048

**REASON:**

Graduation Party

**AUDIO DEVICE TO BE USED:** live band

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:** Donald J. Williams Jr.

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT <i>OK KAL 6/3/16</i>		
DEPT OF PUBLIC WORKS <i>[Signature]</i>		
DEPT OF LAW <i>[Signature]</i>		
OTHER		

**COMMON COUNCIL ACTION**

**RECEIPT OF REVIEW**

**APPROVAL**

**CONDITIONS:**

**DISAPPROVED**

2016 JUN -2 PM 4:19  
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):** June 14, 2016

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

**DATE:** 8/14/16 **TIME:** 12:00-4:00PM **LOCATION OF EVENT:** 296 Lake Shore Drive East

**SPONSOR:** Blessed Mary Angela Parish **PHONE NO.** 366-2307

**NAME:** Fr. Matt Nycz

**ADDRESS:** 324 Townsend Street  
Dunkirk, NY 14048

INDIVIDUAL  CORPORATE  CHARITABLE  COMMUNITY

**RESPONSIBLE INDIVIDUAL:**

**NAME:** Mr. Matt Nycz/Pastor Paulette Pacos/Chairman **PHONE:** 366-2307

**ADDRESS:** 324 Townsend Street

**REASON:** Blessed Mary Angela Annual Festival

**AUDIO DEVICE TO BE USED:** Live Band

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:** Paulette Pacos

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT 012 6/15/16 		
DEPT OF PUBLIC WORKS 		
DEPT OF LAW 		
OTHER		

**COMMON COUNCIL ACTION**

**RECEIPT OF REVIEW**

**APPROVAL**

**CONDITIONS:**

**DISAPPROVED**

2016 JUN 14 PM 4:29

# APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO.

(DCC-47-6-C)

**DATE OF APPLICATION (must be 30 days Prior to event):** JUNE 15, 2016

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

**DATE:** 7-20-16 **TIME:** 5PM-9M **LOCATION OF EVENT:** WASHINGTON PARK

**SPONSOR:** CHRISTIAN WORSHIP CENTER WNY

**NAME:** JOHN DUENAS **PHONE NO.** 716 672-6262

**ADDRESS:** 101 EAGLE ST  
FREDONIA, NY 14063

INDIVIDUAL  CORPORATE  CHARITABLE  COMMUNITY

**RESPONSIBLE INDIVIDUAL:**

**NAME:** JOHN DUENAS **PHONE:**

**ADDRESS:** 13 VENTURA CIRCLE FREDONIA, NY 14063

**REASON:** MUSIC CONCERT

**AUDIO DEVICE TO BE USED:** LIVE MUSIC, AMPLIFIERS, SOUND EQUIP.

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:** [Signature] 2016 JUN 15 PM 2:51

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT <u>[Signature]</u>		
DEPT OF PUBLIC WORKS <u>CB</u>		
DEPT OF LAW <u>ADG</u>		
OTHER		

**COMMON COUNCIL ACTION**

**RECEIPT OF REVIEW**

**APPROVAL**

**CONDITIONS:**

**DISAPPROVED**

Notice of Claim  
City of Dunkirk, N.Y.

PLEASE TAKE NOTICE, that the undersigned, pursuant to the applicable NY State statutes, hereby makes claim against the CITY OF DUNKIRK, NEW YORK for injuries and/or damages sustained by me as hereinbelow detailed:

Claimant Name: EVELYN CLANCY  
Claimant Address: P.O. Box 602  
Dunkirk NY 14048  
Claimant Telephone Number: (618) 751-3874

This claim is for (injuries/damages alleged): The Claim is for  
Damages on the rims I have in  
my truck.

This claim is alleged to have arisen on the 2nd day of June, 2016 at  
approximately 10:00 a.m./(p.m) on that date at Thursday, June 2nd 2016

The injuries and/or damages sustained by the Claimant arose in the following manner:  
I was driving on W. Williams St. going towards  
main st. and I went over the railroad tracks. Approximately 50  
feet from the tracks on your right hand side on the road there's a  
big pothole and I happen to go over it and it bent the over

The amount and type of injuries and/or damages sustained by the Claimant consist of the following: The Amount on the rims are 500.00 dollars.  
a piece. The Damage sustained by the Pothole on W. Williams  
st. are ① Bent Right Rim and ② Scraped Back Rim.

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

Respectfully yours,  
Evelyn Clancy  
Claimant (date)

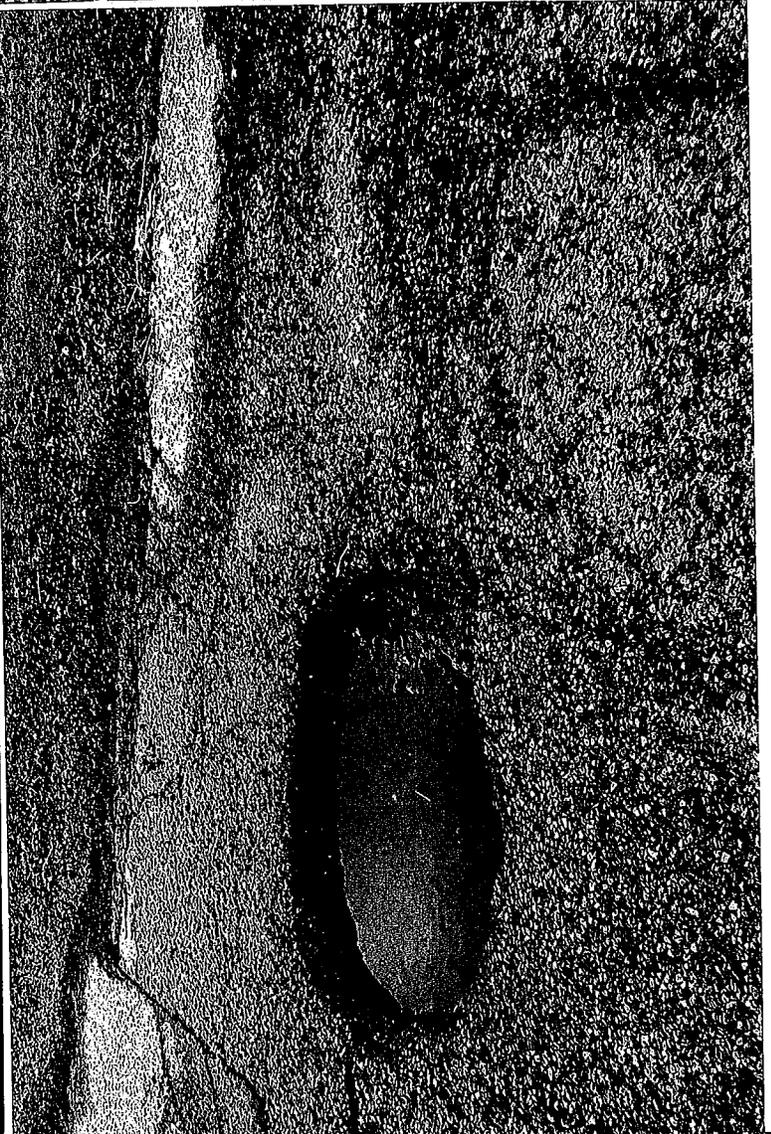
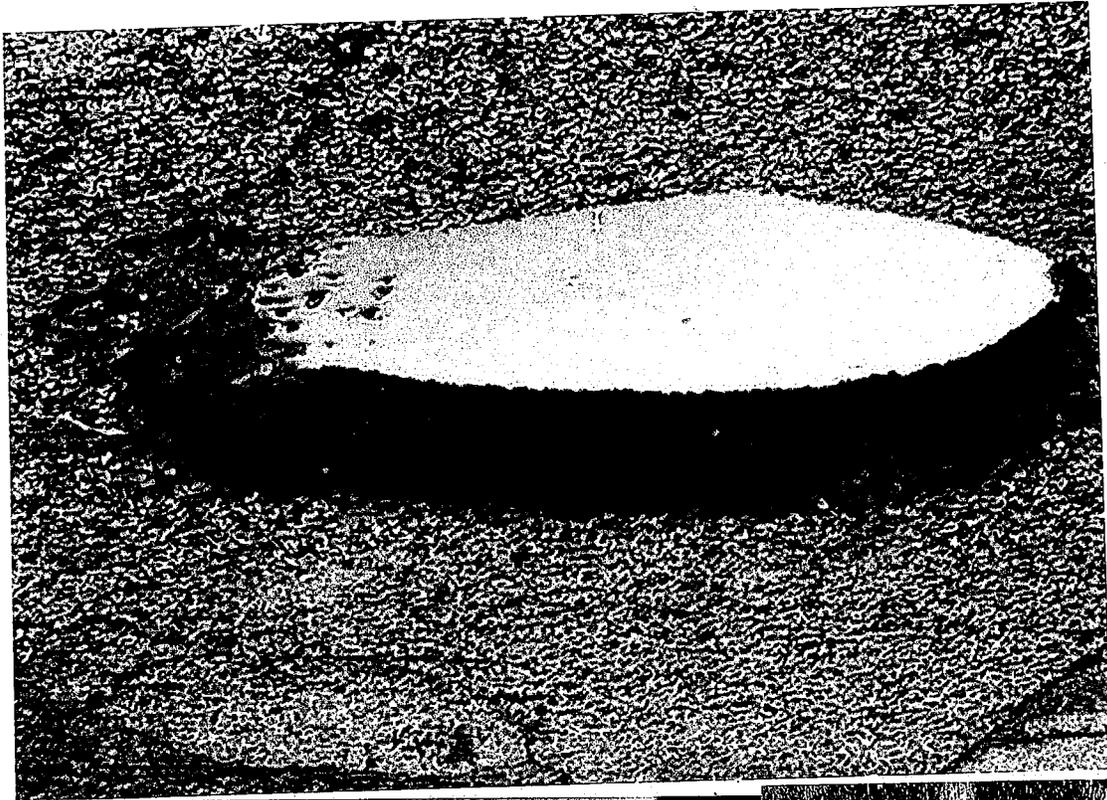
State of New York )  
County of Chautauqua ) ss.:

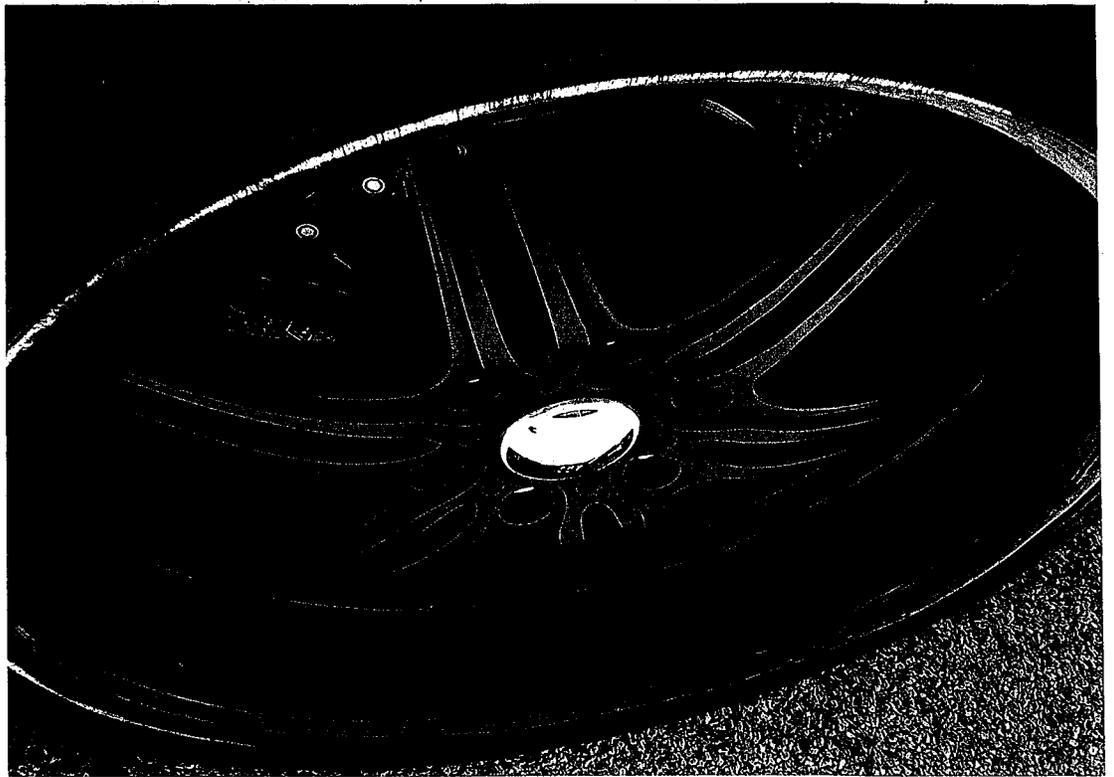
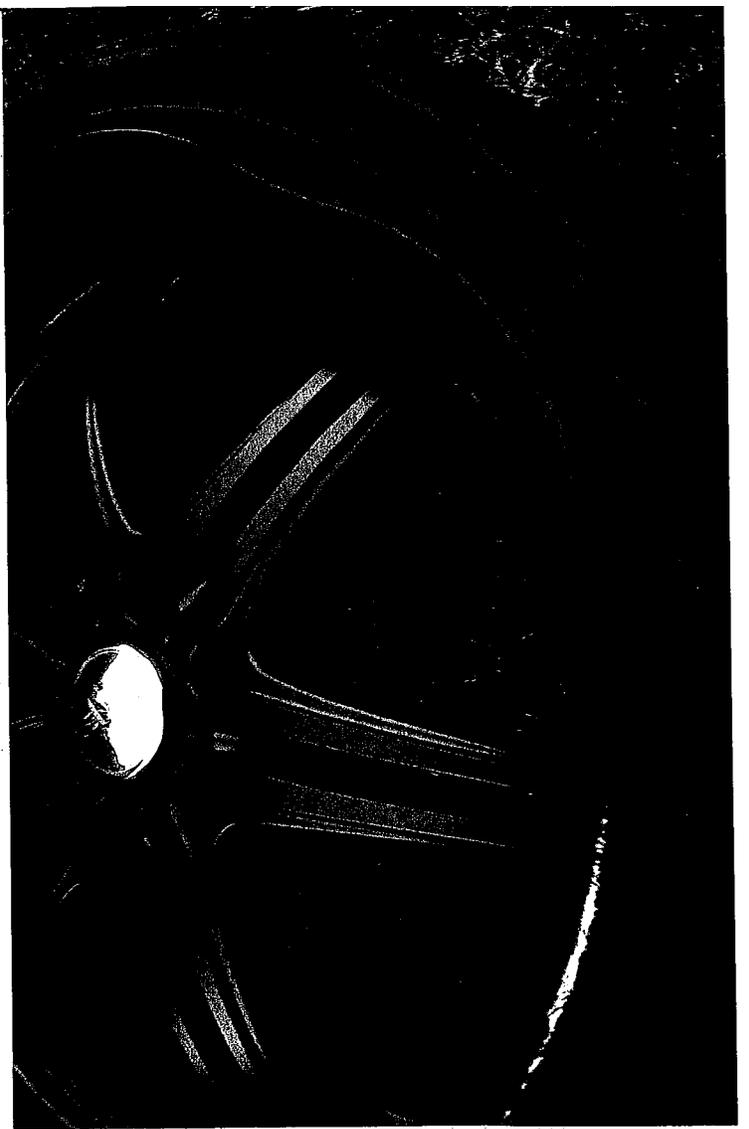
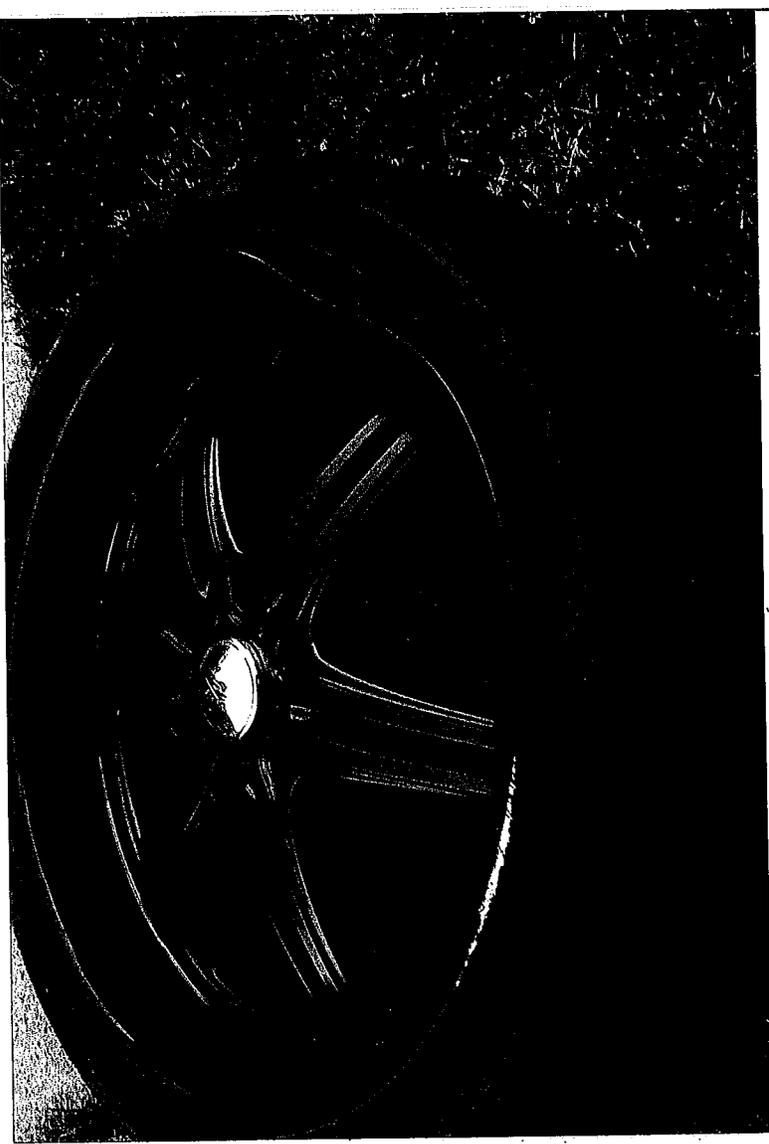
Evelyn Clancy, being duly sworn, deposes and say that he/she is the claimant herein; that he/she has read the foregoing claim and knows the contents thereof; that the same is true to the knowledge of the deponent, except as to matters therein stated to be alleged upon information and belief, and, as to those matters, he/she believes it to be true.

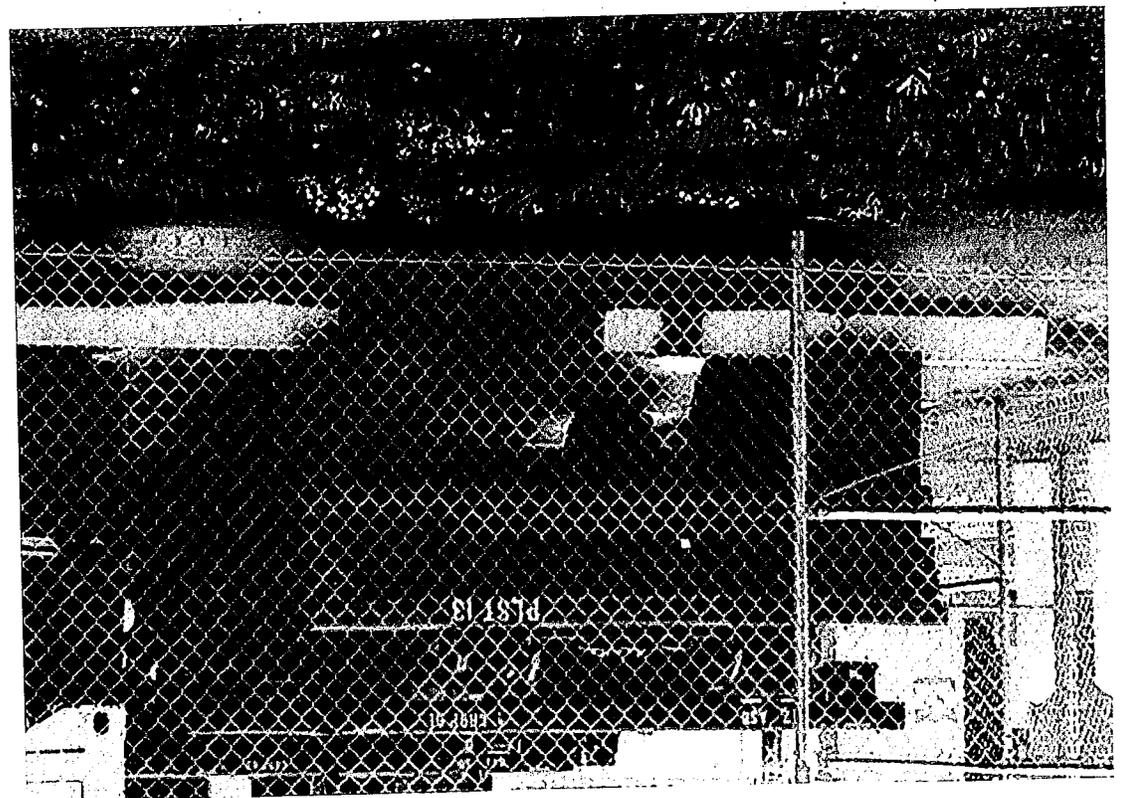
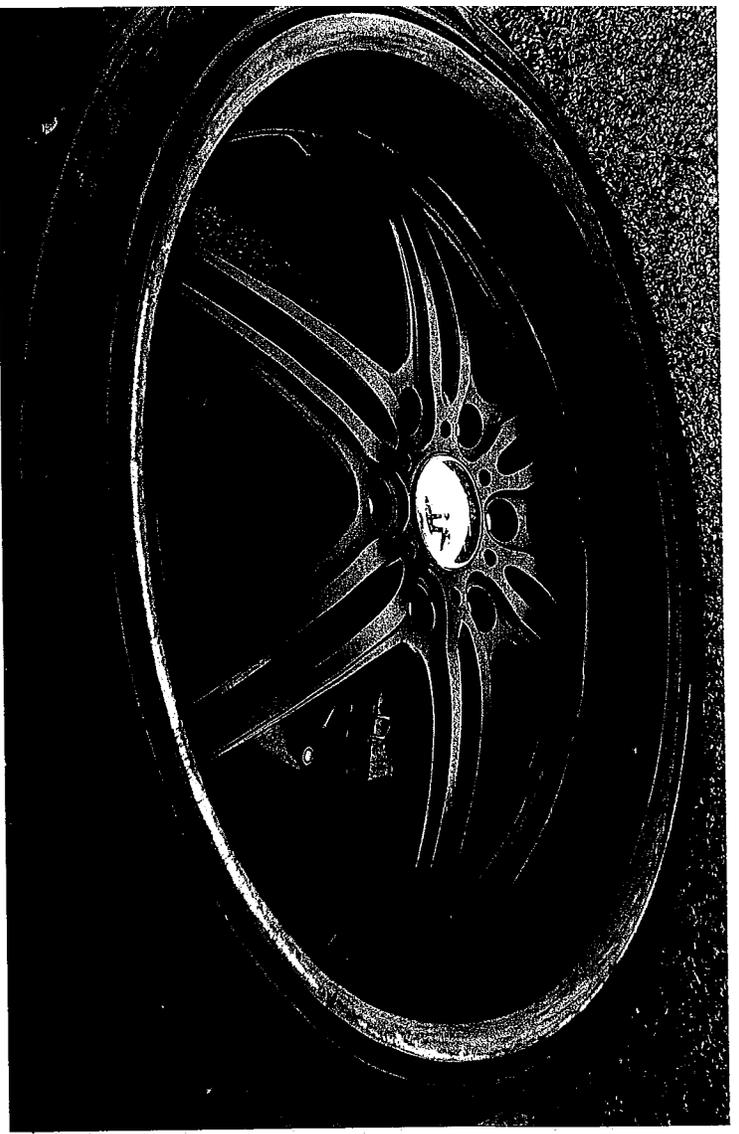
Sworn to before me this  
15<sup>th</sup> day of June, 2016.

Mary L. Vercant  
Notary  
MARY L. VERCANT #01VE5078259  
Notary Public, State of New York  
County of Chautauqua  
Commission Expires May 19, 2018

and it bent the <sup>Front</sup> rim and it Scraped the back Rim on my truck.







**RESOLUTION #57-2016**  
**June 21, 2016**

**BY: ENTIRE COUNCIL**

**Submission of Fiscal Year 2015  
Consolidated Annual Performance & Evaluation Report (CAPER)**

**WHEREAS,** the City of Dunkirk receives funding each year from the United States Department of Housing and Urban Development (HUD) through the Community Development Block Grant (CDBG) program, and

**WHEREAS,** the City develops a *CAPER* each year which outlines the city's accomplishments for Fiscal Year 2015, and

**WHEREAS,** according to the City's approved CDBG Citizen Participation Plan, the City's proposed allocations have been presented to the public and interested elected representatives via one public hearing and a fifteen-day public review and comment period has been afforded to City residents until June 30, 2016, now, therefore, be it

**RESOLVED,** the following accomplishments have been documented and the *CAPER* will be submitted to HUD for review on June 30, 2016.

**RESOLUTION #58-2016**

**June 21, 2016**

**BY: COUCILWOMAN SZUKALA**

**AUTHORIZING AGREEMENT  
FOR ANIMAL CONTROL SERVICES**

**WHEREAS**, the City of Dunkirk requires the services of a Dog Control Officer on a part-time basis, and

**WHEREAS**, Steven A. Purol, is ready, willing and able to provide such services to the City of Dunkirk on a contract basis, and will provide such services in a good and workmanlike manner, and

**WHEREAS**, this agreement will commence on July 1, 2016 and terminate on June 30, 2017, now, therefore, be it

**RESOLVED**, that the Mayor is hereby authorized to execute an agreement, on behalf of the City, with Steven A. Purol, 17 University Park, Fredonia, for various dog control services at a monthly cost of Two Thousand Dollars (\$2,000.00) and a quarterly fuel stipend of two hundred dollars (\$200), and, be it further

**RESOLVED**, that this agreement will commence on July 1, 2016 and terminate on June 30, 2017; and, be it finally

**RESOLVED**, that payment for these services is to be made out of Account #001-3510-4036 Control of Animals – Contracted Services.

**RESOLUTION #59-2016**

**June 21, 2016**

**BY: COUNCILMAN GONZALEZ**

**A BOND RESOLUTION, DATED JUNE 21, 2016, OF THE COMMON COUNCIL OF THE CITY OF DUNKIRK, CHAUTAUQUA COUNTY, NEW YORK (THE "CITY"), AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT PRIMARILY AT THE WATER POLLUTION CONTROL PLANT IN THE CITY, AT AN ESTIMATED MAXIMUM COST OF \$2,500,000, AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,500,000 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 Common Council of the City of Dunkirk, County of Chautauqua, New York (the "City") desires to undertake a capital improvements project generally consisting of improvements to the water pollution control plant in the City; and

**WHEREAS**, the City 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 City is hereby authorized to undertake a capital improvements project consisting of the reconstruction of and the construction of improvements to the water pollution control plant in the City including, but not limited to, the installation of a new mechanical bar screen, compactor and control package equipment, improvements to one concrete tank involving the installation of a new grit removal system, and all preliminary work and necessary equipment, materials and site work, as well as other such improvements as more fully identified in a preliminary engineering report prepared by Wendel (the "Engineer") 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 \$2,500,000.

**SECTION 2.** The Common Council plans to finance the estimated maximum cost of the purpose by the issuance of serial bonds in an aggregate amount not to exceed \$2,500,000 of said City, hereby authorized to be issued

therefore pursuant to the Local Finance Law, such amount to be offset by any federal, state, county and/or local funds received. 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 will become due and payable.

**SECTION 3.** It is hereby determined that the purpose is an object or purpose described in subdivision 4 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the purpose is 40 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 the 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 will 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 will 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 such 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 details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of the sale of such bonds, and the renewals of such 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 may 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) 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.** To the extent applicable, the City Treasurer is hereby authorized to execute and deliver in the name and on behalf of the City a project financing agreement prepared by the New York State Environmental Facilities Corporation ("EFC") (the "SRF Project Financing Agreement"). To the extent applicable, the City Treasurer and the City Clerk and all other officers, employees and agents of the City are hereby authorized and directed for and on behalf of the City to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby, including, but not limited to, the SRF Project Financing Agreement.

**SECTION 13.** 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 14.** 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) the provisions of the 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 20 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 15.** 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 the City and hereby designated as the official newspaper of the City for such publication.

**SECTION 16.** This Resolution is effective immediately.

**RESOLUTION #60-2016**

**June 21, 2016**

**BY: COUNCILMAN GONZALEZ**

**AUTHORIZING AGREEMENT FOR ENGINEERING SERVICES  
WASTE WATER TREATMENT FACILITY  
(WENDEL)**

**WHEREAS**, the City of Dunkirk owns and operates a Water Pollution Control Plant, that contains a bar screening and grit removal system, which, due to age and wear, is inoperable and could cause damage to other equipment, and jeopardize the entire water pollution control plant operation; and

**WHEREAS**, professional engineering services are required for immediate replacement of these key components, and Wendel, is ready, willing and able to provide such services for the City in a good and workmanlike manner as determined by the Director of Public Works under his responsibility and authority by the City Code, and with the further consideration that Wendel Engineering of New York has over 70 years of water and wastewater experience, and comes highly recommended from the nearby communities that have replaced similar equipment; now, therefore be it

**RESOLVED**, that the Mayor is authorized and directed to execute an agreement of services, on behalf of the City of Dunkirk, with Wendel, Centerpointe Corporate Park, 375 Essjay Road, Suite 200, Williamsville, NY, to design, provide engineering and construction administration, and resident inspection services for the bar screening system(s) and the grit removal system, (including all design components) with a cost not to exceed a total of three hundred and fifty thousand dollars (\$350,000); and be it further

**RESOLVED**, that the revenue, and appropriations for this project be set up by Fiscal Affairs as an income and expense in a separate City Fund, and that any and all engineering services be paid from the engineering expense line of said Fund.

**RESOLUTION #61-2016**  
**June 21, 2016**

**BY: COUNCILMAN GONZALEZ**

**SEQRA Lead Agency Designation - Wastewater Treatment Plant Improvements**

**WHEREAS**, the City of Dunkirk proposes rehabilitation to its Wastewater System, including rehabilitation of the Wastewater Treatment Plant, and

**WHEREAS**, The City of Dunkirk, including the City Engineer, Finance Director, and Contract Engineering Firm has evaluated the project, as required by New York State Law under the State Environmental Quality Review Act (SEQRA), and determined and classified the proposed actions as "Type II" actions under SEQRA, now, therefore, be it

**RESOLVED**, that the City of Dunkirk act as the Lead Agency under SEQRA.

**RESOLUTION #62-2016**

**June 21, 2016**

**BY: COUNCILMAN GONZALEZ**

**State Environmental Quality Review Act Designation  
Wastewater Treatment Plant Improvements**

**WHEREAS,** The Common Council of the City of Dunkirk, in compliance with the New York State Environmental Quality Review Act (SEQRA), has reviewed the Capital Improvement Program proposed at the City's Wastewater Treatment Plant located in and operated by the City of Dunkirk, and;

**WHEREAS,** The Common Council of the City of Dunkirk has classified the action as a "Type II" action under SEQRA, as the project consists of maintenance or repair of the existing Wastewater Treatment Plant, and those actions are not subject to SEQRA review; and

**WHEREAS,** the City of Dunkirk has determined that the proposed project, as a Type II action, will not have a significant impact on the environment or is otherwise precluded from environmental review under Environmental Conservation Law, article 8; now, therefore, be it

**RESOLVED,** that the Common Council of the City of Dunkirk, after considering the action proposed herein, has reviewed the criteria in Section 6 NYCRR 617.5(c)(2) and determines that the action is a Type II action and is not subject to SEQRA review; and, be it further

**RESOLVED,** that the Mayor is hereby authorized and directed to sign required documentation indicating that the proposed action is a Type II action.

**RESOLUTION #63-2016**  
**JUNE 21, 2016**

**BY: COUNCILMAN GONZALEZ**

**AUTHORIZING GRANT APPLICATION  
NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION  
CLEAN WATER STATE REVOLVING FUND**

**WHEREAS**, the City of Dunkirk is applying for funding for the reconstruction and redevelopment of the facilities and amenities of the City's wastewater treatment facilities through a grant of the New York State Environmental Facilities Corporation, Clean Water State Revolving Fund (CWSRF) Application; and

**WHEREAS**, it is in the best interest of the City to apply for State Grant funding for this project; now, therefore, be it

**RESOLVED**, that the Dunkirk Common Council does hereby authorize the Mayor to complete any paperwork or application necessary to achieve funding through the CWSRF.

**RESOLUTION #64-2016**  
**JUNE 21, 2016**

**BY: ENTIRE COUNCIL**

**ESTABLISHING STANDARD WORK DAY AND  
 REPORTING RESOLUTION (NYS COMPTROLLER RS 2417-A)**

**BE IT RESOLVED**, that the City of Dunkirk, New York (Location Code 20012) hereby establishes the following as standard work days for elected and appointed officials, and will report the officials to the New York State and Local Retirement System based on their record of activities:

Title	Name	SSN	Reg No	Standard Work Day (Hrs/day)	Term Begins/Ends	Record of Activities Result	Tier 1 (Check only if member in Tier 1)	Not Submitted (Check box if no record of activities completed or time-keeping system)
Elected Officials								
ASSESSOR	THOMAS MLECZKO	XXXX	XXXX	7	1/1/16-12/31/17	24.83	<input type="checkbox"/>	<input type="checkbox"/>
MAYOR	WILFRED ROSAS	XXXX	XXXX	7	1/1/16-12/31/19	-	<input type="checkbox"/>	<input type="checkbox"/>
TREASURER	MARK WOODS	XXXX	XXXX	7	1/1/16-12/31/17	26.82	<input type="checkbox"/>	<input type="checkbox"/>
Appointed Officials								
ATTORNEY	ANDREW BRAUTIGAM	XXXX	XXXX	7	1/1/16-12/31/17	12.42	<input type="checkbox"/>	<input type="checkbox"/>
CITY CLERK	LILLIAN R. DIVINE	XXXX	XXXX	6	1/1/16-12/31/17	21.5	<input type="checkbox"/>	<input type="checkbox"/>
DPW DIRECTOR	GREGORY BENNICE	XXXX	XXXX	7	1/1/16-12/31/17	-	<input type="checkbox"/>	<input type="checkbox"/>
Additional Elected Officials								
COUNCILMEMBER AT LARGE	ANDREW WOLOSZYN	XXXX	XXXX	6	1/1/16-12/31/17	4.27	<input type="checkbox"/>	<input type="checkbox"/>
COUNCILMEMBER	DONALD WILLIAMS JR.	XXXX	XXXX	6	1/1/16-12/31/17	3.83	<input type="checkbox"/>	<input type="checkbox"/>
COUNCILMEMBER	STACY SZUKALA	XXXX	XXXX	6	1/1/16-12/31/17	7.92	<input type="checkbox"/>	<input type="checkbox"/>

**RESOLUTION # 65 - 2016**

**June 21, 2016**

**By: ENTIRE COUNCIL**

**RATIFICATION AND CONSENT TO ASSIGNMENT OF WATER RIGHTS EASEMENT**

**WHEREAS**, the City of Dunkirk granted a Water Rights Easement to JSG Marina Holdings, LLC by Agreement dated April 21, 2011, recorded in the office of the Chautauqua County Clerk on April 25, 2011 in Liber 2718 of Deeds at page 442, which provided an easement to JSG Marina Holdings, LLC for the purpose of installing and maintaining boat docks from and appurtenant to the parcel situated at 24 Lakeshore Drive West; and

**WHEREAS**, JSG Marina Holdings, LLC desires to convey 24 Lakeshore Drive West to Pier LLC and to assign its rights under the said Water Rights Easement therewith;

**WHEREAS**, the City of Dunkirk has no objections to the current Water Rights Easement and supports its assignment to Pier LLC; now, therefore, be it

**RESOLVED**, that the City of Dunkirk hereby ratifies the current Water Rights Easement and consents to its assignment to Pier LLC.