

COMMON COUNCIL PROCEEDINGS
May 15, 2012

The meeting was called to order at 6:00 PM by Councilwoman-at-large Kiyak followed by the Pledge of Allegiance.

Present: Councilmen Michalski, Rivera, Gonzalez, Councilwoman Szukala and Councilwoman-at-large Kiyak.

Also present: Mayor Dolce, City Attorney Szot, Public Works Director Gugino, City Treasurer Woods, Fiscal Affairs Officer Briggs, Building Inspector Zurawski, Clerk, Board of Assessors Mleczo, CDBG Administrator Gornikiewicz, Personnel Administrator Heyden, Fire Chief Ahlstrom and Police Chief Ortolano. Absent: Director of Development Neratko.

Councilwoman-at-large Kiyak stated that Director of Development Steve Neratko was excused from tonight's meeting.

Certification of May 1, 2012 meeting was read by City Clerk Lawrence.

RESOLVED: That the reading of the minutes of Tuesday, May 1, 2012 be dispensed with.

Motion by Councilman Michalski to accept the minutes as presented. Seconded by Councilman Gonzalez.

Carried, all voting aye.

PUBLIC COMMENTS:

No one spoke.

COMMUNICATIONS FROM THE MAYOR INCLUDING DISAPPROVAL MESSAGES:

Mayor Dolce thanked everyone who made the effort to attend Senator Schumer's Press Conference, along with the people in-house that helped put this on.

Mayor Dolce also spoke relative to the Department of Development in regard to grants, advising that we were looking to put solid applications together to increase our chances of receiving these grants, and we were working with other groups/agencies to form partnerships to strengthen our chances for these grants.

In closing, Mayor Dolce stated that the Cable Board needed three new members, we are accepting letters of interest which can be mailed to City Hall, and hopefully there will be a revised Board by the end of June.

COMMUNICATIONS FROM THE PUBLIC AND PETITIONS:

Petition from Loretta Slaton Torain for Fire & Police assistance, monetary donation, and picnic tables for their Juneteenth Celebration on June 9th at the Fairgrounds.

Councilman Gonzalez moved that permission be granted and referred this to the Fire, Police, Public Works and Law Departments. Seconded by Councilwoman Szukala.

Carried, all voting aye.

Petition from Susan P. Chaffee for use of the city pier on June 8th or 9th, or a Thursday before Music on the Pier with use of the assembled stage for a free Zumba event.

Received and filed.

Notice of Claim from Robert W. Curry for a broken window to his vehicle allegedly caused by a weed whacker while parked at the Wastewater Treatment Plant.

Councilwoman Szukala moved to refer this claim to the Law Department. Seconded by Councilman Rivera.

Carried, all voting aye.

Notice of Claim from Robert A. Adamczak for damages to his car allegedly caused by a city truck backing into him.

Councilman Rivera moved to refer this claim to the Law Department. Seconded by Councilwoman Szukala.

Carried, all voting aye.

Loudspeaker application from Cott Beverages, Inc. for a DJ at the large pavilion on July 15th for their company picnic.

Councilwoman Szukala moved that this application be approved. Seconded by Councilman Michalski.

Carried, all voting aye.

REPORTS OF STANDING COMMITTEES, BOARDS AND COMMISSIONS:

Councilman Michalski spoke relative to Senator Schumer's recent visit, stating that although he was not in attendance, he read the comments and questioned Senator Schumer's motive on what he said relative to the payments, which contradicts what City Treasurer Woods reported. Councilman Michalski stated that NRG has never been delinquent on their payments to the City or IDA. He stated that although he has our best interest at heart, hopefully these comments will not "ruffle feathers" with NRG, as they have made these payments for the last eight years.

Councilman Rivera stated that his Personnel Meeting was cancelled today, and will be held on June 5th at 4:30 PM.

Councilman Gonzalez spoke relative to a dog problem on the 700 block of Deer Street stating that there may be too many dogs, and the inability of the person(s) to spend the time with them. He advised that the smell was so bad in that section making it unable for the neighbors to sit in their own yards. He stated that this needed to be cleaned up, questioned if the ACO could

check on this, and that the person responsible pays a fine, but continues to do what they are doing. Councilman Gonzalez questioned the possibility of a bigger fine, and if this can be addressed further.

Building/Zoning Inspector Zurawski advised that this determination was up to the Judge, and Councilman Gonzalez stated to have this looked at again to see what else could be done.

Police Chief Ortolano also stated that he spoke to the ACO, and would follow up with him on this.

Councilwoman Szukala advised of the 11th annual Senior Sweep on Thursday, June 21st at City Hall at 9:00 AM. She advised of the senior students cleaning different areas in the city with lunch, raffles, and different give-aways to follow. She further stated if anyone would like to help out, to please call her (cell phone), stated that this was a great program, the kids enjoyed it, and it should continue on with its success.

Councilwoman Szukala also requested a short synopsis from the Mayor in regard to the plans for the seawall.

Mayor Dolce advised that he met with Tony (Gugino) and local engineers awhile back explaining that there was another option involving gutting the wall and putting in concrete and cinder. At this time, Public Works Director Gugino advised that there was an alternate proposal (technology) to the original design work. He explained that it was like an interlocking stack-stone to keep it simplistic, with the technology of gravity walls, and many possibilities of decorative facia and colors. He further advised that this was a new technology used in different parts of the Country, and if we alter the original design plan, we can save significantly less. He also advised that we would be keeping Phase 3 of the bike path in there, which was very important with the original design plan or this one to make sure all of the sidewalks and railings are re-done to make certain we are basically killing two birds with one stone. He stated that we want to do the seawall project and Phase 3 of the bikepath at the same time. He further informed that we have \$250,000 earmarked and guaranteed in grant money to use for the Phase 3 bikepath. Therefore, if we change the design, we can incorporate getting the seawall done and Phase 3 for the bikepath with \$250,000 going towards the total.

Mayor Dolce also advised that this new technology does include green elements which will strengthen our chance of receiving grant money.

Councilwoman Szukala questioned where we were as far as the extension for the permits.

Public Works Director Gugino advised that we did not physically have these, but assured they were forthcoming, and he could not change the footprint of the original design. He explained that we cannot encroach 1/2" into the water, and even then whatever we decide to do for alternate thoughts, he would have to submit something to them to change the original design, but so far we are fine.

Councilwoman Szukala stated this was important for the residents to know that we are still working on this, and we are trying to move forward.

Councilwoman-at-large Kiyak advised of the new beach behind the High Rise encouraging everyone to see this, and thanked Tony Gugino and his department, Chautauqua County and the Lakeview prison crew for making this stunning. She further stated that with

yearly maintenance it should never turn into a garbage dump as it has been for so many years, and is an area that residents and tourists can enjoy.

Councilwoman Kiyak further commended three members of Dunkirk Hose Co. #1 for their service, dedication, and volunteerism to the community. She advised that Gerald Newman, David Jagoda and David Curll were honored for fifty years of service along with Samuel Fote for thirty years of service.

Councilwoman Kiyak also advised that Dunkirk has been selected by the Nate Shinagawa campaign as their official headquarters for Chautauqua County. She informed that he is running for the Democratic Seat for Congress, and related that our City has such a wonderful feel, with a beautiful waterfront which made it an easy choice.

Councilwoman Kiyak advised of the Economic Development Committee Meeting on May 29th at 11:00 AM in the Conference Room, and the Dunkirk Citizens' Dialogue on the same date at 6:00 PM in the Conference Room.

CDBG Administrator Tim Gornikiewicz advised that on Friday, June 1st the first series of movies in the park would be shown at the First Ward Falcons parking lot, and on Monday, May 21st our new city web-site will be ready for the public with viewing at 4:00 PM. He stated that this was more user-friendly for the public to download documents and see what is going on in the city.

Clerk, Board of Assessors Mleczek advised that the next Board of Assessment Review Meeting would be held on Tuesday, June 5th, and if more information is needed to call his office.

PRE-FILED RESOLUTIONS:

RESOLUTION #43-2012
May 15, 2012

BY COUNCILWOMAN SZUKALA:

**TRANSFER FROM THE COMMON COUNCIL'S CONTRIBUTION FUND
TO JUNETEENTH 2012 CELEBRATION COMMITTEE**

WHEREAS, the Juneteenth 2012 Celebration Committee provides a family-oriented event that promotes and enhances the unity and spiritual strength of the African-American community and is seeking donations for its annual Juneteenth Celebration; and

WHEREAS, the Common Council would like to give a donation of \$50 to the Juneteenth 2012 Celebration Committee; now, therefore, be it

RESOLVED, that the Common Council will donate \$50 to the Juneteenth 2012 Celebration Committee, 415 Mullet Street, Dunkirk, NY 14048 for its 2012 Juneteenth Celebration; and, be it further

RESOLVED, that this donation will be taken from account #001-1010-4109-0000 Legislative Board Contributions.

Carried, all voting aye.

RESOLUTION #44-2012
MAY 15, 2012

BY COUNCILWOMAN SZUKALA:

AUTHORIZING AGREEMENT
CARFAX POLICE CRASH ASSISTANCE PROGRAM

WHEREAS, the City, through its Police Department, from time-to-time is required to provide data entry detailing motor vehicle accidents and, subsequently provides such information to eligible recipients; and

WHEREAS, CARFAX, Inc. operates a program that provides a free eCommerce site to distribute such accident reports, enabling the savings of supplies and staff time; and

WHEREAS, CARFAX, Inc. is offering the City participation in such program whereby the City will still obtain the customary per form fee for any such reports accessed through the CARFAX eCommerce site; now, therefore, be it

RESOLVED, that the Mayor and/or Chief of Police is hereby authorized and directed to execute an Enrollment Form and/or other appropriate documentation with CARFAX Inc, 5860 Trinity Pkwy Ste 600, Centreville, VA 20120, to participate in the CARFAX Police Crash Assistance program.

Carried, all voting aye.

RESOLUTION #45-2012
MAY 15, 2012

BY COUNCILMAN GONZALEZ:

AUTHORIZING MAYOR TO EXECUTE
LEASE AGREEMENT – POSTAGE METERING MACHINE

WHEREAS, in order to more properly account for and allocate postage usage by the City and various Departments, it is in the best interests of the City to lease a new postage metering machine; and,

WHEREAS, Pitney Bowes, Inc. is ready, willing and able to provide such machine to the City; now, therefore, be it

RESOLVED, that the Mayor is hereby authorized and directed to execute a lease agreement with Pitney Bowes, Inc., 3939 West Ridge Road, Suite 105A, Erie, PA 16506-

1880, for a Pitney Bowes postage metering machine, for the sixty (60) months, from June 2012 through May 2017; and, be it finally

RESOLVED, that funds for this lease be allocated from budget account #001-1670-4150, Central Copying & Mailing.

Councilwoman Szukala moved to adjourn. Seconded by Councilman Gonzalez. Carried, all voting aye.

Adjourned at 6:25 PM

Lacy Lawrence, City Clerk
