

AGENDA - COMMON COUNCIL MEETING – April 1, 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. Request from SUNY Fredonia/FACE Center for permission to hold beach cleanups at Wright Park Beach and Point Gratiot Beach on April 27TH from 12:00 PM until 2:00 PM.
 2. Request from the Dunkirk Historical Lighthouse to use city bandstands, picnic tables and trash cans on August 16th and 17th.
 3. Harbor Commission requesting approval of Commercial Bait Fishing Applications.
 4. Request from Southtowns Walleye Association of WNY, Inc. to use city facilities from June 7th thru June 14th for their annual fishing tournament.
 5. Notice of Claim from:
 - a) Francisco Rivera for damages to his vehicle allegedly caused by a pothole on Roberts Road.
 - b) Twila Robbins for damages to her yard allegedly caused by city sidewalk plow.
 6. Loudspeaker applications from:
 - a) Dunkirk Police Benevolent Association for use of a stereo system on June 20th at the large pavilion at Point Gratiot from 6:00 PM until 10:00 PM.
 - b) Rookies on the Lake for live bands, loudspeakers and amplifiers from May 1st thru October 1st.
 - c) Dunkirk Historical Lighthouse for loudspeakers on August 16th and 17th from 7:00 PM until 11:00 PM.
 - d) Bart's Cove for live bands from May 1st thru November 30th.
7. Reports of Standing Committees, Boards and Commissions.
8. Unfinished Business:

9. Pre-filed Resolutions:

27. Resolution authorizing Local Cable Program Director Agreement (William Smock).
28. Resolution authorizing contract for July 4th Fireworks Display.
29. Resolution authorizing Boardwalk Lease Agreement Extension (Papaya Arts, Inc.).
30. Resolution authorizing Budget Modifications (April 2014).
31. Resolution introducing Local Law #1-2014 modifying Chapter 63 of the Dunkirk City Code entitled "Sewer Use".

10. New Business:

11. Adjournment.

Nicole Joiner
City Clerk



Department of English

City of Dunkirk
342 Central Avenue
Dunkirk, NY 14048

March 14, 2014

Dear Mayor Dolce and Members of the City of Dunkirk Common Council:

I am writing to request your approval for an Earth Week event that has been planned to enhance the health and appearance of specific beaches in the City of Dunkirk. Specifically, I would like to obtain permission to hold beach cleanups at Wright Park Beach and Pt. Gratiot Beach on Sunday, April 27, 2014 from 12:00 p.m. to 2:00 pm.

Both beach cleanups are part of SUNY Fredonia's Earth Week activities, and are sponsored by the FACE Center. The beach cleanups are also part of the Great Lakes Alliance's Adopt-a-Beach program. In keeping with that program's requirements, all participants will be required to sign a liability waiver.

The majority of volunteers at both events will be SUNY Fredonia students, staff and faculty members, although community members will participate as well. SUNY Fredonia students from Professor Kuns' "Environmental Biology" and my "Writing and Social Change" classes will be the primary participants in the beach cleanups. I estimate that approximately 40-50 campus volunteers will be involved in the two cleanups.

As you know, the beach cleanups are not new events. I personally have led beach cleanups at Pt. Gratiot since 2009. There have never been any injuries or problems at any of these events. On the contrary, the events have been well received by Dunkirk residents and have yielded important environmental benefits.

Thank you in advance for your assistance with these proposed projects. Should you have further questions about Earth Week or these specific projects, please contact me at 716 673 3430 or jarvisc@fredonia.edu.

Sincerely,

Christina Jarvis
Community Projects Coordinator, FACE Center
Professor of English

RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.
2014 MR 18 AM 10:26



Dunkirk Historical Lighthouse and Veteran's Park Museum
1 Lighthouse Point Drive
PO Box 69
Dunkirk, NY 14048-0069
716 366 5050

Website: www.DunkirkLighthouse.com
e-mail: dunkirkighthouse@gmail.com

BUILT 1875 ON LAKE ERIE

March 23, 2014

Dear Mayor Dolce and Council Members:

The Lighthouse, The Dunkirk Historical Society, and The 64th Virginia Mounted Infantry are once again sponsoring a Civil War Reenactment on the lighthouse grounds. This event will take place on August 16th and 17th, 2014.

We are requesting the use of the bandstand, picnic tables and trash cans. We are also asking permission to use loudspeakers during different portions of the event. One of the events will be a concert being held Saturday evening the 16th.

Enclosed are the applications for each of the items requested. If you have any questions or concerns, please do not hesitate to contact us.

Sincerely,

Michael Vinciguerra, President

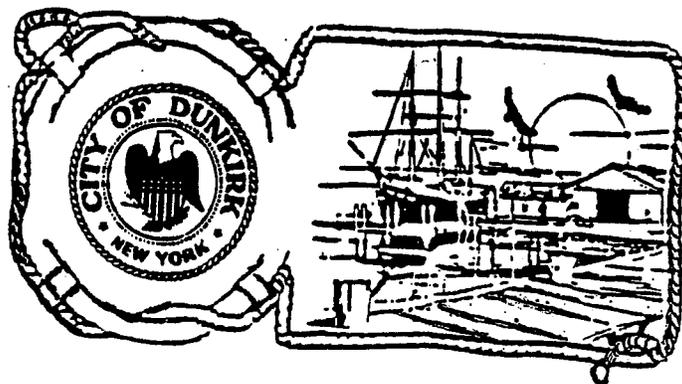
RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.
2014 MAR 25 AM 11:54



On the Seaway trail
off Route 5.

Site of the first shots in the War of 1812
A 501 C3 Not For Profit Corporation

The GREATER DUNKIRK AREA HARBOR COMMISSION



MEMORANDUM

TO: Members of Common Council
FROM: Dunkirk Harbor Commission
DATE: March 21, 2014
RE: Application Permits for Commercial Bait Fishing

Dear Common Council Members:

According to the City Code Section 24 "L"(5), any applications for commercial bait fishing must be reviewed by this Commission prior to Common Council approval.

After reviewing said applications at the March 19, 2014 meeting, it was unanimously agreed upon to approve the applications from:

- | | | | |
|----|--------------------|-------------------------|-------------|
| 1. | William VanCamp | Big Catch Bait & Tackle | Buffalo, NY |
| 2. | Raymond Pauszek II | Ray Pauszek | Dunkirk, NY |
| 3. | Ricky Miller | Miller's Bait & Tackle | Irving, NY |

In order to facilitate these applications, we would like to suggest that this Common Council act on the approval of these application permits as soon as possible.

Thank you.

Jim Nichols
Jim Nichols
Dunkirk Harbor Commission

JN/pjp
Attach.

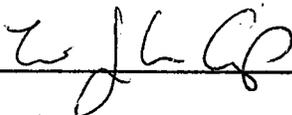
2014 MAR 21 PM 3:29
RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.

CITY OF DUNKIRK
APPLICATION PERMIT FOR COMMERCIAL BAIT FISHING

Application for permit must be made 60 days prior to bait fishing. Application must be reviewed by the Dunkirk Harbor Commission prior to the approval by the Common Council and Harbormaster. Permit is revocable at any time by the Dunkirk Police Department or Harbormaster for any poor bait fishing practices or violations of the New York Department of Environmental Conservation Regulations. Bait fishing will be limited to two (2) permit holders at any one time. The City of Dunkirk reserves the right to control the amount of bait taken by any bait fisherman. The bait fishing permit will be effective until the end of the year that it is issued. A new permit application shall be filled out each year. Photo copy of bait license to be presented with application for permit for commercial bait fishing. Window permit time-frame is November 1st – January 31st.

BAIT PERMIT

Date: 3-18-14 Net Tag Number: 110
Name: WILLIAM J. VAN CAMP City: BUFFALO
Business Name: BIG CATCH BAIT & TACKLE County: ERIE
Bait License Serial Number: 7857 Zip Code: 14207
Home Phone: (716) 867-9012 Business Phone: (716) 877-0971

Applicant Signature  Date 3-18-14

Approved by _____ Date _____
Signature of City Clerk

- ◆ Approved permit application is to be posted in window of vehicle being used to transport bait.

(Rev) 82-19-25 (10/11)

NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
BAIT LICENSE

7857	
BAIT LICENSE NUMBER	
\$24.50	110-Minnow
FEE	TAG NO.

LICENSE TO:

- Operate one seine not over 100 feet long to take bait fish in private ponds with written permission of owner or in specially designated waters as listed in Section 35.2 of Title 6 of New York Codes, Rules and Regulations (6NYCRR).
- Operate one cast net not over 10 feet in diameter in the Hudson River south of Troy Dam including tributaries to first barrier.
- Operate _____ minnow traps not exceeding 3 x 1 1/2 feet, in private ponds with written permission of owner or in specially designated waters as listed in Section 35.2 of 6NYCRR.
- Operate _____ minnow fykes, not exceeding 2 foot hoop in private ponds only. Written permission of owner required.
- Sell bait fish at address below.
- Take and sell aquatic insects.

PURSUANT TO THE PROVISIONS OF THE ENVIRONMENTAL CONSERVATION LAW AND RULES AND REGULATIONS OF THIS DEPARTMENT

NAME AND ADDRESS OF LICENSEE

BIG CATCH BAIT
2287 NIAGARA ST
BUFFALO NY 14207

DATE ISSUED
03/14/2014
DATE EXPIRES
12/31/2014
ISSUED BY
D. Gill

ORIGINAL COPY



CITY OF DUNKIRK
OFFICE OF THE CITY CLERK
 CITY HALL, DUNKIRK, NY 14048

ANTHONY J. DOLCE
 MAYOR
 (716) 366-9882
 FAX (716) 366-2049

NICOLE JOINER
 CITY CLERK
 (716)366-9766
 FAX (716)363-0058

GRACE TARNOWSKI
 DEPUTY CLERK
 (716)366-9766
 FAX (716)363-0058

CITY OF DUNKIRK
APPLICATION PERMIT FOR COMMERCIAL BAIT FISHING

Application for permit must be made 60 days prior to bait fishing. Application must be reviewed by the Dunkirk Harbor Commission prior to approval by the Common Council and Harbormaster. Permit is revocable at any time by the Dunkirk Police Department or Environmental Conservation Regulations. Bait fishing will be limited to two (2) permit holders at any one time. City of Dunkirk reserves the right to control the amount of bait taken by any bait fisherman. The bait fishing permit will be effective until the end of the year that it is issued. A new permit application shall be filled out each year. Photo copy of bait license to be presented with application shall be filled out each year. Photo copy of bait license to be presented with application for permit for commercial bait fishing. The window permit time-frame is November 1st – January 31st.

2014 APR 17 AM 11:10
 RECEIVED
 CITY CLERK'S OFFICE
 DUNKIRK, N.Y.

BAIT PERMIT

Date: 3/17/14 Net Tag Number: 99

Name: RAYMOND PAUSZEK II

Street/Road Address: 106 E PINE ST

City: DUNKIRK Zip Code: 14048 County: CHAUT.

Business Name: _____

Bait License Serial Number: 7734

Home Phone: (716) 366-4090 Business Phone: (716) 467-2079 CELL

Applicant's Signature: Raymond J Pauszek II

APPROVED BY: _____ Date: _____
 Signature of Dunkirk City Clerk

**Approved permit application is to be posted in window of vehicle being used to transport bait.

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

2014 MAR 17 AM 11:10

(Rev) 82-19-25 (10/11)

NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
BAIT LICENSE

- LICENSE TO:
- Operate one seine not over 50 feet long to take bait fish in private ponds with written permission of owner or in specially designated waters as listed in Section 35.2 of Title 6 of New York Codes, Rules and Regulations (6NYCRR).
 - Operate one cast net not over 10 feet in diameter in the Hudson River south of Troy Dam including tributaries to first barrier.
 - Operate minnow traps not exceeding 3 x 1 1/2 feet in private ponds with written permission of owner or in specially designated waters as listed in Section 35.2 of 6NYCRR.
 - Operate minnow fykes, not exceeding 2 foot hoop in private ponds only. Written permission of owner required.
 - Sell bait fish at address below
 - Take and sell aquatic insects

BAIT LICENSE NUMBER	7734
FEI	1600
TAG NO.	99

PURSUANT TO THE PROVISIONS OF THE ENVIRONMENTAL CONSERVATION LAW AND RULES AND REGULATIONS OF THIS DEPARTMENT

NAME AND ADDRESS OF LICENSEE
Raymond P. Pappalardo II
106 Canal Pine St. Dunkirk, NY 14048

DATE ISSUED 3/12/14
DATE EXPIRES 3/31/14
ISSUED BY R. M. [Signature]
Reg. 9 - Allegany

ORIGINAL COPY

CITY OF DUNKIRK

APPLICATION PERMIT FOR COMMERCIAL BAIT FISHING

Application for permit must be made 60 days prior to bait fishing. Application must be reviewed by the Dunkirk Harbor Commission prior to the approval by the Common Council and Harbormaster. Permit is revocable at any time by the Dunkirk Police Department or Harbormaster for any poor bait fishing practices or violations of the New York Department of Environmental Conservation Regulations. Bait fishing will be limited to two (2) permit holders at any one time. The City of Dunkirk reserves the right to control the amount of bait taken by any bait fisherman. The bait fishing permit will be effective until the end of the year that it is issued. A new permit application shall be filled out each year. ~~X~~ Photo copy of bait license to be presented with application for permit for commercial bait fishing. Window permit time-frame is November 1st - January 31st.

BAIT PERMIT

Date: 3/18/14 Net Tag Number: 98
Name: Rick J Miller City: Irving NY
Business Name: Miller's Bait Tackle County: Chaut
Bait License Serial Number: 7732 Zip Code: 14081
Home Phone: (716) 934-2477 Business Phone: (716) 934-2477

Applicant Signature Rick J Miller Date 3/18/14

Approved by _____ Date _____
Signature of City Clerk

- ◆ Approved permit application is to be posted in window of vehicle being used to transport bait.



NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

BAIT LICENSE

7732	
BAIT LICENSE NUMBER	
\$ 12.50	98
FEE	TAG NO.

LICENSE TO:

- Operate one seine not over 60 feet long to take bait fish in private ponds with written permission of owner or in specially designated waters as listed in Section 35.2 of Title 6 of New York Codes, Rules and Regulations (6NYCRR).
- Operate one cast net not over 10 feet in diameter in the Hudson River south of Troy Dam including tributaries to first barrier.
- Operate ___ minnow traps not exceeding 3 x 1 1/2 feet, in private ponds with written permission of owner or in specially designated waters as listed in Section 35.2 of 6NYCRR.
- Operate ___ minnow fykes, not exceeding 2 foot hoop in private ponds only. Written permission of owner required.
- Sell bait fish at address below.
- Take and sell aquatic insects.

PURSUANT TO THE PROVISIONS OF THE ENVIRONMENTAL CONSERVATION LAW AND RULES AND REGULATIONS OF THIS DEPARTMENT.

NAME AND ADDRESS OF LICENSEE	
<i>Recky J. Miller</i>	
<i>12787 Allegany Rd</i>	
<i>Jewell, Cheat Co, NY</i>	
<i>14081</i>	
DATE ISSUED	<i>01/01/14</i>
DATE EXPIRES	<i>12/31/14</i>
ISSUED BY	<i>R. Muscare</i>

ORIGINAL COPY

Reg 9 - Allegany

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

2014 HR 21 AM 9:15

City of Dunkirk
342 Central Avenue
Dunkirk, New York 14048

Mayor Anthony J. Dolce,

I am writing you in regards to our annual Southtowns Walleye Tournament which will be taking place from June 7, 2014 thru June 14, 2014. Previously you have generously donated your facility and a season pass to our organization during tournament time. We would be grateful if you were able to do so again this year.

Bob Fessler can be reached at 716-462-9576. Please feel free to contact him at your earliest convenience.

Respectfully Yours,

Antoinette Grote
Corresponding Secretary

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CITY CLERK'S OFFICE
DUNKIRK, N.Y.
2014 MR 27 AM 11:13

Notice of Claim
City of Dunkirk, N.Y.

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CITY CLERK'S OFFICE
DUNKIRK, N.Y.

2014 MAR 27 AM 11:25

PLEASE TAKE NOTICE, that the undersigned, pursuant to the applicable 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: Francisco Rivera
Claimant Address: 3711 E. Lake Rd. Lot 41
Dunkirk, NY 14048
Claimant Telephone Number: (716) 224-2872

This claim is for (injuries/damages alleged): To Front Tire & Rim on
2003 Saturn

This claim is alleged to have arisen on the 16 day of March, 2014 at approximately 2 a.m./(p.m.) on that date at S. Roberts Rd & Talcott.

The injuries and/or damages sustained by the Claimant arose in the following manner:
I was Driving and get A hole on Roberts Rd brake the tire
& Damage the Rim . . .

The amount and type of injuries and/or damages sustained by the Claimant consist of the following: Rim & Tire on my car

TAKE Me Time Because I was Admitted to Brooks & Transfer to ECMC
I Got Sick.

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

Respectfully yours,
Francisco Rivera 3/24/14
Claimant (date)

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

Francisco Rivera, 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
27 day of March, 2014.

Cathleen Gatto
Notary
CATHLEEN GATTO
Notary Public, State of New York
Qualified in Chautauqua County
Commission Expires Sept. 22, 2015

VALLEY TIRE - DUNKIRK

47 LAKESHORE DR.
DUNKIRK, NY 14048

Phone: 716-366-6500
Fax: 716-366-6514
store50@valleytireco.com

QUOTE

Quote Nbr	Date & Time
017505-00	03/27/14 10:08 AM

VALLEY TIRE - DUNKIRK

Customer: 50
FRANK RIVERA

Bill:
CASH SALES-DUNKIRK

Customer Reference #		Quoted By:	Salesperson	Terms			
		Front Counter	Front Counter				
Line	Item Number	Description	U/M	Qty Ord	Unit Price	FET	Extended
1	M41	M-OUT CUSTOM WHEELS	EA	1	\$160.00	\$0.00	\$160.00
2	140701	205/55R16 PRECISION TOURING	EA	1	\$107.00	\$0.00	\$107.00
4	9001	SPIN BALANCES	EA	1	\$8.00	\$0.00	\$8.00
5	93000	MISC MATERIALS SHOP MATERIALS	EA	1	\$0.50	\$0.00	\$0.50
6	93001	SCRAP TIRE REMOVAL	EA	1	\$2.00	\$0.00	\$2.00
7	RUBBER	VALVE	EA	1	\$2.00	\$0.00	\$2.00
8	200	RUBBER VALVE \$2.50/TIRE NEW YORK TIRE TAX FEE	EA	1	\$2.50	\$0.00	\$2.50

Subtotal:	\$282.00
7.5% Sales Tax:	\$20.96
Freight:	
TOTAL:	\$302.96

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: Twila Robbins
Claimant Address: 86 Maple Ave
Dunkirk NY 14048
Claimant Telephone Number: (716) 366-0056

This claim is for (injuries/damages alleged): to the yard!
The measurements are 76 feet long
by 5 feet wide.

This claim is alleged to have arisen on the 13th day of March, 2014 at approximately 10³⁰ a.m./p.m. on that date at 86 Maple Avenue.

The injuries and/or damages sustained by the Claimant arose in the following manner:
Sides Plow tore up lawn.
walk

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

RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.
2014 MAR 27 PM 1:36

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

Respectfully yours,
Twila L Robbins 3-27-2014
Claimant (date)

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

Twila L. Robbins, 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
28 day of March, 2014.

[Signature]
Notary
MAGALY A. MYERS
Notary Public, State of New York
Qualified in Erie County
Reg. No. 01MY6287831
My Commission Expires 10/28/2017

APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO.

(DCC-47-6-C)

DATE OF APPLICATION (must be 30 days Prior to event): 3-18-14

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

DATE: 6/20/14 **TIME:** 6pm - 10pm **LOCATION OF EVENT:** Point Grattan

SPONSOR:

NAME: DUNKIRK POLICE BENEVOLENT ASSOCIATION **PHONE NO.** 366-2266

ADDRESS: 342 CENTRAL AVE DUNKIRK, NY 14098

INDIVIDUAL CORPORATE CHARITABLE COMMUNITY

RESPONSIBLE INDIVIDUAL:

NAME: CHRISTOPHER WITKOWSKI **PHONE:** 366-2266

ADDRESS: 342 CENTRAL AVE, DUNKIRK, NY

REASON: CHARITABLE EVENT, FUND RAISING

AUDIO DEVICE TO BE USED: STEREO SYSTEM

PUBLIC EVENT PRIVATE EVENT

RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, NY
2014 MAR 18 PM 3:37

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 01C 3/19/14 @		
DEPT OF PUBLIC WORKS 3/20/14 AS		
DEPT OF LAW PAS 3/18/14		
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 <u>Prior</u> to event):		3/20/14
*No more than 3 days TOTAL per Individual or Group - per year EVENT SPECIFICS * EXCLUDES HARBORFRONT AREA		
DATE: <u>MAY 1 - OCT 1</u>	TIME: <u>11AM - 1AM</u>	LOCATION OF EVENT: <u>ROCKES ON THE LAKE</u>
SPONSOR:		
NAME: <u>Rob Curry</u>	<u>ROCKES ON THE LAKE</u>	PHONE NO. <u>410-6196</u>
ADDRESS: <u>68 GRECO LANE</u>		<u>19 LAKESHORE DR. E</u>
<input type="checkbox"/> INDIVIDUAL <input checked="" type="checkbox"/> CORPORATE <input type="checkbox"/> CHARITABLE <input type="checkbox"/> COMMUNITY		
RESPONSIBLE INDIVIDUAL:		
NAME: <u>Rob Curry</u>		PHONE: <u>410-6196</u>
ADDRESS: <u>68 GRECO LN DK NY 14048</u>		
REASON:		
AUDIO DEVICE TO BE USED: <u>LIVE MUSIC, LOUD SPEAKERS, AMPLIFIERS</u>		
<input 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: _____		<u>Rob Curry</u>
DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT <u>OK 3/21/14</u>		
DEPT OF PUBLIC WORKS <u>OK 3/24/14</u>		
DEPT OF LAW <u>OK 3/24/14</u>		
OTHER		
COMMON COUNCIL ACTION		
RECEIPT OF REVIEW		
APPROVAL		
CONDITIONS:		
DISAPPROVED		

RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.
2014 MAR 20 PM 4:51

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

DATE OF APPLICATION (must be 30 days Prior to event): 3-25-14

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

DATE: 8/16-17/14 **TIME:** 7pm-10pm **LOCATION OF EVENT:** Dk: Historical Lighthouse

SPONSOR: Dunkirk Historical Lighthouse and Dunkirk Historical Society

NAME: Dunkirk Historical Lighthouse **PHONE NO.** 716 366 5050

ADDRESS: PO Box 69 1 Lighthouse Point Dr.
Dunkirk, NY 14048

INDIVIDUAL CORPORATE CHARITABLE COMMUNITY

RESPONSIBLE INDIVIDUAL:

NAME: David Briska **PHONE:** 716 366 5050

ADDRESS: 22 Ahrens Place Fredonia, NY 14063

REASON: Civil War Re-enactment

AUDIO DEVICE TO BE USED: Loudspeakers

PUBLIC EVENT PRIVATE EVENT

NOTIFICATION OF AFFECTED PERSONS

YES **IF YES, PROOF:**

NO

RECEIVED
 CITY CLERK'S OFFICE
 DUNKIRK, N.Y.
 2014 APR 25 AM 11:53

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

Signature: David Briska

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT OK 3/25/14 (D)		
DEPT OF PUBLIC WORKS A 3/27/14		
DEPT OF LAW UG 3/25/14		
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 <u>Prior</u> to event):		3-27-14
*No more than 3 days TOTAL per Individual or Group - per year EVENT SPECIFICS *EXCLUDES HARBORFRONT AREA		
DATE: 5-1-11-30-14		TIME: 1pm - 1AM
LOCATION OF EVENT: Bart's Cove Marina		
SPONSOR:		
NAME: Bart's Cove		PHONE NO. 366-8243
ADDRESS: 1/2 Woodrow Ave		
<input type="checkbox"/> INDIVIDUAL <input checked="" type="checkbox"/> CORPORATE <input type="checkbox"/> CHARITABLE <input type="checkbox"/> COMMUNITY		
RESPONSIBLE INDIVIDUAL:		
NAME: Jason Schrantz		PHONE: 672-4125
ADDRESS: 3464 Stone Quarry Rd. Fredonia, N.Y 14063		
REASON: Band's - Inside + outside From May 1 st until Nov. 30-2014. Times will varie From 1pm ending by 1AM		
AUDIO DEVICE TO BE USED:		
Live Band's		
<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: <u>Jason Schrantz</u>		
DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT OK 3/27/14 <i>QD</i>		
DEPT OF PUBLIC WORKS <i>al 3/28/14 RB</i>		
DEPT OF LAW <i>lts 3/27/14</i>		
OTHER		
COMMON COUNCIL ACTION		
RECEIPT OF REVIEW		
APPROVAL		
CONDITIONS:		
DISAPPROVED		

RECEIVED
 CITY CLERK'S OFFICE
 DUNKIRK, N.Y.
 2014 APR 27 PM 1:09

RESOLUTION #27-2014

APRIL 1, 2014

BY: THE ENTIRE COUNCIL

**AUTHORIZE LOCAL CABLE PROGRAM DIRECTOR AGREEMENT
(William Smock)**

WHEREAS, it would be in the best interests of the City of Dunkirk to revitalize the opportunities for local access programming on the City's local cable access channel; and

WHEREAS, William Smock provides a unique prospect for such revitalized opportunities and has agreed to provide the primary production oversight and operational management for the City's local access channel; and

WHEREAS, it would be in the best interest of the City to contract for such program director services; and

WHEREAS, William Smock is ready, willing and able to provide such services to and on behalf of the City in a good and workmanlike manner; now, therefore, be it

RESOLVED, that the Mayor is directed and authorized to execute any and all agreements necessary to engage the services of **William Smock, 7038 Main Street, Cherry Creek, NY 14723**, to provide primary production oversight and operational management for the City's local access channel for the period April 2, 2014 through March 31, 2015, at the cost of One Thousand Dollars and Zero Cents (\$1,000.00) per month, *pro rata*; and, be it finally

RESOLVED, that the payments for such services be made from Account No. 001-8050-4036-0000 (Contracted Services).

RESOLUTION #28-2014

APRIL 1, 2014

BY THE ENTIRE COUNCIL:

AUTHORIZING CONTRACT FOR JULY 4TH FIREWORKS DISPLAY

WHEREAS, the City has solicited proposals for the annual July 4th fireworks display with proposals from three (3) vendors being received and reviewed, now, therefore, be it

RESOLVED, that the Mayor be, and hereby is, authorized to execute a contract, on behalf of the City of Dunkirk, with **Zambelli Fireworks Interationale**, PO Box 1463, New Castle PA 16103-1463, in the amount of \$30,000 for the July 4, 2014 (rain date July 5, 2014) fireworks display in accordance with the proposals as opened on March 24, 2014.

RESOLUTION #29-2014

APRIL 1, 2014

BY: THE ENTIRE COUNCIL

**AUTHORIZING BOARDWALK LEASE AGREEMENT EXTENSION
(Papaya Arts, Inc.)**

WHEREAS, the City of Dunkirk has developed and marketed the **Dunkirk Boardwalk Project** (the "Board walk") located at 8-22 Central Avenue, Dunkirk, New York, to help create and to encourage the vibrancy of the City's harbor district; and

WHEREAS, the City of Dunkirk currently has lease arrangements for space in the Boardwalk with **Papaya Arts, Inc.**, to lease a portion of the Boardwalk for retail sales of Lake Erie Beach Glass Jewelry, wall art, and museum-quality reproductions of pre-Columbian pottery; and

WHEREAS, **Papaya Arts, Inc.** has properly requested a two-year renewal of the lease for such premises; now, therefore, be it

RESOLVED, that the Mayor, is hereby authorized to execute a lease agreement with **Papaya Arts, Inc.**, c/o Kenia Ciraulo, 22 Central Avenue, Dunkirk, New York 14048, for rental of 22 Central Avenue, Dunkirk, New York 14048, for a two (2) year period (April 1, 2014 through March 31, 2016) at an annual rental of Six Thousand Thirty-Seven Dollars and Fifty Cents (\$6,037.50).

RESOLUTION #30-2014

APRIL 1, 2014

BY: THE ENTIRE COUNCIL

AUTHORIZING BUDGET MODIFICATIONS

(April 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 3

Description: Refrigerated All-Weather Sampler (new) and associated equipment.

<u>Account Number</u>	<u>Department</u>	<u>Line</u>	<u>Change</u>
003.8135.2000	Waste Water Treatment	Equipment	\$ 11,000
003.1900.1991	Waste Water Treatment	Capital Replacement Proj	\$ (11,000)
TOTAL			\$ -

RESOLUTION #31-2014

APRIL 1, 2014

BY ENTIRE COUNCIL:

**INTRO NO. 1 TO
LOCAL LAW #1-2014
CITY OF DUNKIRK, NEW YORK**

**A LOCAL LAW MODIFYING CHAPTER 63 OF THE DUNKIRK CITY CODE
ENTITLED "SEWER USE"**

BE IT ENACTED by the Common Council of the City of Dunkirk as follows:

Section 1 Intent.

It is the intent of this Local Law to modify a certain definition contained in the City of Dunkirk's Sewer Use Ordinance, to wit: SLUG, in order that the Sewer Use Ordinance conform to the general pre-treatment requirements contained in 40 Code of Federal Regulations Part 403.

Section 2 Amendment of City Code.

Chapter 63, Article II – Definitions, Section 63-2 – Terms Defined, Subsection 52 "Slug" of the Dunkirk City Code is hereby amended as follows:

DELETE Section 52. " **Slug**" shall mean any discharge of water, sewage, or industrial waste which, in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration or flows during normal operation.

ADD Section 52. " **Slug**" shall mean any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW's regulations, local limits or permit conditions.

Section 3 Effective Date.

This local law shall take effect immediately upon filing with the Secretary of State.