

COMMON COUNCIL INAUGURAL MEETING

January 1, 2018

The Inaugural Meeting was called to order at 12:00 PM by Councilman-at-Large Woloszyn.

Old Council Present: Councilmen Williams, Bamonto, and Councilman-at-Large Woloszyn.

New Council Present: Councilman Heenan and Civiletto.

Also present: Mayor Rosas, City Attorney Morrisroe, City Treasurer Woods, Board of Assessors Mleczo, City Clerk, Public Works Director Woodbury, Fiscal Affairs Officer Beach, Personnel Administrator Heyden, Executive Assistant to the Mayor Westling, Fire Chief Edwards and Police Chief Ortolano.

Councilman-at-Large Woloszyn led the assemblage in the Pledge of Allegiance and Brunilda Pagan-Soto sang the National Anthem. Former Third Ward Councilman Adelino Gonzalez, also Associate Pastor of the Iglesia Getsemani Assemblies of God Church, delivered the invocation.

The Honorable Mayor Wilfred Rosas administered as a group the Oath of Office to the re-elected Council consisting of First Ward Councilman Donald J. Williams Jr., Second Ward Councilman Martin Bamonto, and Councilman-at-Large Andrew Woloszyn and to the newly elected councilmen Third Ward Councilman Shaun P. Heenan, and Fourth Ward Councilman Michael Civiletto.

The council took their respective seats and Councilman-at-Large Woloszyn continued on with the ceremony.

The Honorable Mayor Wilfred Rosas administered the Constitutional Oath of Office to City Treasurer Mark A. Woods and Clerk, Board of Assessors Thomas F. Mleczo.

Councilman-at-Large Woloszyn advised the City also has a newly elected full time City Court Judge, Judge Kuzdale, who unfortunately could not be present today due to training that starts tomorrow in New York City. Judge Kudale had his swearing-in ceremony at an earlier date.

COMMUNICATIONS:

Communication from City Treasurer Mark Woods re-appointing Richard Olrogg as Deputy City Treasurer, effective January 1, 2018 and expiring on December 31, 2019.

Received and filed.

PRE-FILED RESOLUTIONS:

RESOLUTION #1-2018
JANUARY 1, 2018

BY: ENTIRE COUNCIL

ESTABLISHING PAYROLL PROCEDURE

RESOLVED, that the salaries of all officials and employees of the City of Dunkirk be paid weekly on the Thursday following the pay period, and that the City Treasurer be hereby authorized to draw a general payroll check to be deposited in the payroll fund, and be directed to draw warrants from the payroll fund at the prevailing rates in payment of the same upon receiving the duly certified payroll.

Carried, all voting aye.

RESOLUTION #2-2018
JANUARY 1, 2018

BY: ENTIRE COUNCIL

BOND PAYMENT AUTHORIZATION

RESOLVED, that the City Treasurer be and hereby is authorized and directed to draw warrants on the proper funds to cover payments of principal and interest of bonds as they mature.

Carried, all voting aye.

RESOLUTION #3-2018
JANUARY 1, 2018

BY: ENTIRE COUNCIL

ESTABLISHING OFFICIAL DEPOSITORIES

RESOLVED, that First Niagara Bank/Bank of America, Key Bank, Community Bank, Manufacturers and Traders Trust Co., and Chase Bank, be and hereby are designated depositories for all monies and funds belonging to the City of Dunkirk or which shall be received by the City Treasurer from any and all sources during the years 2018 and 2019, it being understood that all monies referred to above shall be deposited with the City Treasurer, subject to withdrawal as provided for in the Charter of the City of Dunkirk.

Carried, all voting aye.

RESOLUTION #4-2018
JANUARY 1, 2018

BY: ENTIRE COUNCIL

ESTABLISHING CASH MANAGEMENT AND INVESTMENTS POLICY

RESOLVED, that this Common Council hereby adopts the Cash Management and Investments Policy adopted by the Common Council on January 1, 1988, and amended on January 1, 1990, for the years 2018 and 2019, as recommended by the New York State Department of Audit and Control.

Carried, all voting aye.

RESOLUTION #5-2018
JANUARY 1, 2018

BY: ENTIRE COUNCIL

DESIGNATION OF OFFICIAL CITY NEWSPAPER

RESOLVED, that the Observer, published in the City of Dunkirk, New York, is hereby designated as the official newspaper of the City of Dunkirk, New York for the years 2018 and 2019.

Carried, all voting aye.

RESOLUTION #6-2018
JANUARY 1, 2018

BY: ENTIRE COUNCIL

DESIGNATION OF OFFICIAL CABLE TV STATION

RESOLVED, that Cable Access Channel 12 (Digital Channel 21.3), overseen by the Cable Television Advisory Board, in the City of Dunkirk, New York, is hereby designated as the official Cable TV Station of the City of Dunkirk, New York for the years 2018 and 2019.

Carried, all voting aye.

RESOLUTION #7-2018
JANUARY 1, 2018

BY: ENTIRE COUNCIL

PROCEDURES FOR JANUARY 2018 MEETINGS

RESOLVED, that the regular Common Council meetings in January, 2018 be held on January 2nd and January 16th, and, be it further

RESOLVED, that pre-filing for the January 16th meeting will be January 11th.

Carried, all voting aye.

RESOLUTION #8-2018
JANUARY 1, 2018

BY: ENTIRE COUNCIL

RULES OF ORDER OF THE COMMON COUNCIL

The following rules shall be the rules of order of the Common Council and shall govern proceedings of this Body subject to controlling provisions of the Charter of the City of Dunkirk:

I. MEETINGS.

1. The regular meetings of the Common Council shall be held the first and third Tuesday of every month at 5:30 P.M.^{1, 4} in the Common Council Chambers in the City Hall, unless changed at a prior meeting. Preview workshops shall convene at 5:00 on the day of each regular meeting.⁵
2. Special meetings of the Common Council shall be called in accordance with Article IV, Section 4.05 of the City Charter.
3. At all public hearings held by the Council and any other meetings of the Council, when requested by the Presiding Officer, the Chief of Police shall designate one of his uniformed officers to the Council Chambers to act as a Sergeant-at-Arms.

II. QUORUM.

1. A majority of the whole number of Councilmen shall constitute a quorum as provided by Article IV, Section 4.04 of the City Charter.

III. PRESIDING OFFICER.

1. The Councilman-at-Large shall be the presiding officer of the Common Council. In the event of the absence of the presiding officer, the other members of the Council may appoint one of their number to preside.

IV. ORDER OF BUSINESS.

1. Call to order, roll call, and pledge of allegiance to the flag.
2. Approval of the minutes of previous meeting. (Certification of prior meeting.)
3. Privilege of the floor.
4. Communications from the Mayor, including disapproval messages.
5. Communications from the public and petitions.
6. Reports of Standing Committees, Boards and Commissions.
7. Unfinished business, including items referred to Department Heads.
8. Pre-filed Resolutions.
9. New Business.
10. Adjournment.

V. PUBLIC PRIVILEGE OF THE FLOOR.

1. The privilege of the floor shall be extended to any person appearing for himself, in which case each individual appearing shall be limited to three minutes; and to any person representing any group, who shall be limited to a maximum time of five minutes.
2. The City Clerk shall have the duty of maintaining such time limits, and the Chairman may determine, in his discretion, whether individuals are speaking for themselves or representing groups. The Chairman shall maintain good order and may require any speaker to cease speaking if remarks are made in bad taste or are slanderous or not germane to any action taken or contemplated by the Council. The time limits specified above shall be adhered to, except that the Chairman may allow any person speaking to complete a statement or thought started before such

time expires, and a longer time may be allowed by the Chair with approval of a majority of the Council.

VI. RESOLUTIONS.

1. The term "resolution" shall mean a formal written or oral proposed action bearing the name of the sponsoring member of the Common Council. A resolution may be sponsored by any member of the Common Council except the presiding officer.
2. Each resolution, except oral resolutions, must be filed with the City Clerk no later than 5:00 P.M. of the Thursday preceding regularly scheduled meetings. Action upon pre-filed resolutions shall not require a second.
3. Any resolution not pre-filed with the City Clerk may be acted upon only after a second. In the event there be no second, said resolution shall be laid on the table for consideration as a pre-filed resolution at the next regular meeting.
4. Motions to lay on the table shall always be in order and shall be decided without a second or debate.

VII. RULES OF VOTING.

1. All members of the Common Council present shall vote upon every question, except that a Councilman may abstain from voting with permission from a majority of the Council because of a direct interest in the questions presented.

VIII. AGENDA.

1. The City Clerk shall prepare an Agenda of each regularly scheduled Common Council meeting, including pre-filed resolutions, and have delivered a copy thereof to each member of the Common Council no later than the Monday preceding regularly scheduled meetings. The Clerk shall cause a copy of the Agenda to be printed in the local newspaper and posted on the bulletin board in City Hall no later than one day prior to the date of the regular meeting.
2. No Agenda need be prepared or submitted to the Common Council for any Special Meeting of the said governing body.

IX. COMMUNICATIONS FROM THE PUBLIC AND PETITIONS.

1. All written communications should be submitted to the City Clerk's Office and may be addressed to a specific member of the Council. Said written communications must bear a signature.
2. Written communications should not exceed more than 100 words in length.
3. Council shall retain the right to table any action in reference to Communication, for further consideration.
4. Council may refuse to have read any communication considered in poor taste or language.
5. All communications must be received by the City Clerk's Office on Thursday, prior to the scheduled meeting.

X. MISCELLANEOUS.

1. All pre-filed resolutions, communications, reports and items referred to Department Heads directed to the Common Council must be submitted to the City Clerk not later than 5:00 P.M. of the Thursday preceding regularly scheduled meetings in order to be considered at such meeting. Copies shall be made and delivered to each member of the Common Council no later than the Monday preceding regularly scheduled meetings. Any items not received by 5:00 P.M. on Thursday preceding regularly scheduled meetings shall be held for the next regular meeting.
2. The Clerk shall summarize communications and present to the Council for action thereon.
3. All correspondence and communications not germane to the meeting shall not be read by the Clerk, but copies made thereof and sent to each member of the Council. (Monthly reports of Department Heads, etc.)
4. The Clerk shall note the receipt of all communications and the decisions thereon.
5. The Clerk will send minutes of Council meetings to members of the Council within three (3) business days after such meetings.
6. At the organizational meeting of each Common Council to be held on January 1st of every even-numbered year, the Council, by resolution, shall appointed two members of the Council, one of whom shall be designated the Chairman, to each of the following Standing Committees:
 - (a) Finance, Insurance and Property;
 - (b) Personnel, Judicial and General Welfare, Recreation, Library, Regional Planning;
 - (c) Public Works, Streets, Sidewalks, Public Utilities, Parks, Harbor, Buildings, and Transportation;
 - (d) Public Safety, Fire, Police, Emergency Action;
 - (e) Economic Development (added 1/1/86).
7. Except as otherwise provided herein and in the Charter of the City of Dunkirk, the proceedings of the Common Council shall be governed by the Roberts Rules of Order.
8. **FINANCE COMMITTEE POLICY/PROCEDURE²**

Any resolutions that are within the purview of the Finance Committee, for which full Common Council action is requested, must first be presented to and reviewed by the Council's standing Finance Committee.

The Finance Committee shall convene a regular meeting, on the second and fourth Monday of the month, as needed prior to pre-file Thursday.³

There are adequate opportunities to present any relevant information to the Finance Committee without having to delay any necessary action or to bottleneck City operations.

Any matters/resolutions that need action on an emergency nature may be brought to the Common Council, either as "pre-filed" or as "new business." However, an explanation to the Council of the emergency nature of the matter to be considered must be provided.

Before such items are to be considered, the emergency nature should be described and agreed to by a majority of the Common Council.

Matters that need to be presented to the Finance Committee for approval shall include, but not be limited to:

- (a) Resolutions dealing with the expenditure or receipt of funds, including the hiring of contractor, vendors, *etc.*;
- (b) The transfer of funds between and among accounts;
- (c) The establishing of new accounts.

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- ¹ Time of meeting changed to 7:00 p.m. by DCC Res #170-98 on 11-17-98; time of meeting changed to 6:00 p.m. by DCC Res #62-2010 on 9-21-10.
 - ² Subd. 8 (Finance Committee Policy/Procedure) add by DCC Res #60-98 on 4-7-98.
 - ³ Finance Committee meeting frequency changed by DCC LL#1-2008.
 - ⁴ Time of meeting changed to 5:30 p.m.
 - ⁵ Preview workshops shall convene at 5:00 p.m. changed, by DCC Res #51-2016 on 5-3-16

Carried, all voting aye.

RESOLUTION #9-2018
JANUARY 1, 2018

BY: ENTIRE COUNCIL

ESTABLISHING STANDING COMMITTEES

RESOLVED, that for the years 2018 and 2019, the Committees of the Dunkirk Common Council shall be as follows:

FINANCE, INSURANCE AND PROPERTY
Chairman

Councilman-at-Large Woloszyn,
Councilman Williams
Councilman Heenan

PERSONNEL, JUDICIAL & GENERAL

Councilman Bamonto, Chairman

**WELFARE, RECREATION, LIBRARY
REGIONAL PLANNING**Councilman Williams
Councilman Heenan**PUBLIC WORKS, STREETS, SIDEWALKS,
PUBLIC UTILITIES, PARKS, HARBOR,
BUILDINGS AND TRANSPORTATION**Councilman Williams, Chairman
Councilman Civiletto
Councilman Bamonto**PUBLIC SAFETY, FIRE, POLICE
EMERGENCY ACTION**Councilman Civiletto, Chairman
Councilman-at-Large Woloszyn
Councilman Bamonto**ECONOMIC DEVELOPMENT**Councilman Heenan, Chairman
Councilman Civiletto
Councilman-at-Large Woloszyn**APPOINTMENT DLDC**

Councilman Heenan

Ex Officio TO DLDC

Councilman-at-Large Woloszyn

Carried, all voting aye.

COMMENTS:

Mayor Rosas thanked all present for taking the time on their New Year's Day to attend Inauguration 2018, congratulated all the elected officials who were sworn in today, and welcomed the two new councilmembers. The Mayor also advised that when he took office there were things that needed to be changed, change was the platform he ran on, believes a lot of positive change has occurred for the City in the first two years of his term, and hopes to continue to work with the councilmembers in the best interest for the City of Dunkirk.

Councilman-at-Large Woloszyn advised councilmembers take in a serious manner what is placed before them, it is an exciting time in the city of Dunkirk, finances will always be a worry due to the closing of NRG and closing of local factories, but there are lots of positives thing going on and would like to see them all come to fruition. Councilman-at-Large Woloszyn opened the meeting the Councilmembers, City Treasurer, and City Assessor to comment "...as we are all individual speakers."

Councilmember Williams thanked those present for coming to the first meeting of the year, advised the City has many projects ready to start or be completed in the next two years, welcomed Councilman Heenan and Councilman Civiletto onto the council, and advised he looks forward to working with the Council and Mayor for the next two years.

Councilman Bamonto thanked those present for coming, wished all a Happy New Year, advised he looks forward toward working with the council, the Mayor and this administration, and looks forward to big things in 2018.

Councilman Heenan advised he is excited to work for the City of Dunkirk, looks forward toward working with the council, Mayor, and Department heads to move Dunkirk forward, and advised residents and businesses to feel free to contact him with questions or concerns.

Councilman Civileto shared a lesson he learned from his parents as a child that taught him there are people in society that contribute to the community without expecting anything back. Councilman Civileto advised he recognizes this quality in the people present with him today, is happy to be part of this group, and will do what it takes to help the City of Dunkirk progress in a positive manner.

City Treasurer Woods thanked everyone for their support, advised he looks forward to working together with everyone in the future, and wished everyone a Happy New Year. City Assessor Mleczo advised his comment mirrors the City Treasurer's comments and reminded those present that they are here to help.

Councilman-at-Large Woloszyn concluded the meeting by welcoming Councilman Heenan and Councilman Civileto onto the council and thanking the two outgoing councilmembers, Councilman Gonzalez and Councilwoman Szukala, for their years of service to the City.

Marjorie Bohn closed the ceremony by singing "God Bless America," and Reverend Carlos Llera of the Iglesia Getsemani Assemblies of God Church gave the benediction.

Councilman-at-Large Woloszyn announced a reception will be held in the Conference Room.

ADJOURNMENT:

Councilman Williams made a motion to adjourn. Seconded by Councilman Bamonto.

Carried, all voting aye.

Adjourned at 12:24 PM

Edwin C. Ramos, City Clerk
