

**COMMON COUNCIL PROCEEDINGS**  
**February 06, 2018**

The meeting was called to order at 5:35 PM by Councilman-at-Large Woloszyn followed by the Pledge of Allegiance and a moment of silence in memory of Jim Nichols, "Harbor Front Commissioner, small business owner and a big cheerleader for the City of Dunkirk", who passed away this weekend.

Present: Councilman Williams, Councilman Bamonto, Councilman Heenan, Councilman Civiletto, and Councilman-at-Large Woloszyn.

Also present: Mayor Rosas, City Attorney Morrisroe, City Treasurer Woods, Board of Assessors Mleczko, City Clerk, Public Works Director Woodbury, Fiscal Affairs Officer Beach, Building Inspector Zurawski, Personnel Administrator Heyden, Executive Assistant to the Mayor Westling, Director of Development Yanus, Festivals & Special Events Director Rosas, Fire Chief Edwards and Police Chief Ortolano.

Certification of the Tuesday, January 16, 2018 Common Council Meeting was read by City Clerk Ramos.

**RESOLVED:** That the reading of the Tuesday, January 16, 2018 Common Council Meeting be Dispensed with.

Councilman Williams made a motion to dispense with the minutes. Seconded by Councilman Bamonto.

Carried, all voting aye.

**PUBLIC COMMENTS:**

Stephen E. Rees of 433 Dove Street commented on Resolution 21 that will raise the fine for overtime meter violations. He suggested an alternative to the use of parking meters that could potentially result in a larger income stream, suggested the possibility of removing all meters and allowing free parking, and advised he looks forward to hearing others ideas for solution to the parking meter issue.

Valerie Pawlak of 10 Ruggles Street advised: she is proud to be part of Revitalize Dunkirk, Revitalize Dunkirk needs some things from the City, gave a list and packet regarding those things to Councilman Heenan, and asked Councilman Heenan review and share it with others. Additionally Ms. Pawlak commented on the Observer and a WDOE interview in which Police Chief Ortolano was a guest.

Jim Fisher of Revitalize Dunkirk announced the next meeting for Revitalize Dunkirk will be held next Thursday, February 15, 2017 at 6:30 PM at the Incubator and advised the Beautification Committee is still accepting donations for the Hanging Flower Baskets Project and the baskets should be ready by the end of May or early June.

**COMMUNICATIONS FROM THE MAYOR INCLUDING DISAPPROVAL MESSAGES:**

Mayor Rosas announced Jim Nichols was a friend of the City, served as the Chair on the Dunkirk City Harbor Commission, and cared about the City of Dunkirk. The Mayor extended the City's prayers and thoughts to the family of Mr. Nichols.

Mayor Rosas advised the Chautauqua County IDA held its Public Hearing today for the Cold Storage Warehouse Project for the land located at 320 South Roberts Road. The property will be developed for Fieldbrook Foods frozen products. The project will be going forward to the City Zoning Board in February and the Planning Board in March. This will clean up a major Brownfield site and bring new jobs to the City. Mayor Rosas also advised the City is receiving \$50,000 from the NYS Department of Transportation to create a more pedestrian friendly cross walk at the intersection of Central Avenue and Lake Shore Drive.

**COMMUNICATIONS FROM THE PUBLIC AND PETITIONS:**

Letter from Samantha Vacanti, Pitching for Paws founder, thanking the City for allowing her group to use the City's softball fields for their 1<sup>st</sup> Annual Pitching for Paws Co-ed Softball Tournament in 2017.

Received and filed.

Request from the Lakeshore Humane Society to hold the annual Pat McGee Memorial Dog Walk at Point Gratiot on Saturday, June 16, 2018 (rain date Sunday, June 17, 2018) at the Koch's Pavilion.

Councilman –at-Large Woloszyn advised groups and organizations that their communication letter does not automatically reserve the use of the pavilions. Organizations still have the responsibility of going into the City Clerk's Office to reserve the pavilions.

Councilman-at-Large Woloszyn advised a motion was needed to refer to appropriate departments as well as approve subject to appropriate insurances and usual conditions.

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

Carried, all voting aye.

Request from Lauren Klenosky on behalf of the WNY Chapter of the Alzheimer's Association to use Point Gratiot, the Large Pavilion, as well as the neighborhood and accompanying bike path for the annual Walk to End Alzheimer's fundraising event on Saturday, September 29, 2018 from approximately 7:00 AM until 12:00 PM. Also requesting to use pop up tents, vendors, and live music.

Councilman –at-Large Woloszyn advised groups and organizations that their communication letter does not automatically reserve the use of the pavilions. Organizations still have the responsibility of going into the City Clerk's Office to reserve the pavilions

Councilman-at-Large Woloszyn advised a motion was needed to refer to appropriate departments as well as approve subject to appropriate insurances and usual conditions.

Councilman Williams made a motion to approve. Seconded by Councilman Civiletto.

Carried, all voting aye.

Request from the Lake Shore Street Rod Association to use the Koch's, Large, and Lower pavilions, use of Point Gratiot main parking lot, permission for vendors, extra trash barrels, and trash pick-up on July 8, 2018 or their Annual Harbor Cruise.

Councilman –at-Large Woloszyn again advised that communication letters do not automatically reserve the use of the pavilions. Groups and organizations still have the responsibility of going into the City Clerk's Office to reserve the pavilions.

Councilman-at-Large Woloszyn advised a motion was needed to refer to appropriate departments as well as approve subject to appropriate insurances and usual conditions.

Councilman Williams made a motion to approve. Seconded by Councilman Civiletto.

Carried, all voting aye.

Notice of Petition and Verified Petition from Level 3 Communications, LLC to address assessment and collection of real property taxes.

Received and filed.

Prior Notice from David Kleparek of a rotted tree at Point Gratiot that needs attention.

Received and filed.

Loudspeaker application from Israel Navarro for a DJ and speaker on June 23, 2018 at the Large Pavilion of Point Gratiot.

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

Carried, all voting aye.

Loudspeaker application from Phyllis Crockett on behalf of the Fredonia Class of 1968 for speakers on August 3, 2018 at the Large Pavilion of Point Gratiot.

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

Carried, all voting aye.

Loudspeaker application from Minnie DeBose on behalf of the Apostolic House of Prayer for a cassette player on July 28, 2018 at the Large Pavilion.

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

Carried, all voting aye.

Loudspeaker Application from Keith Ossman on behalf of the Lake Shore Rod Association for a live band and DJ on July 8, 2018 at Point Gratiot.

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

Carried, all voting aye.

#### **REPORTS OF STANDING COMMITTEES, BOARDS AND COMMISSIONS:**

Councilman Williams requested an update on the SRO position with the school district and commented the streets have looked good through the last few storms.

Mayor Rosas advised he met with the PBA President, they are now waiting for direction from the Dunkirk School District and expect to hear soon from the Superintendent of Schools to schedule a meeting.

Councilman Bamonto requested an update on Howard Street from Public Works Director Woodbury, thanked the Parks Department for the good job they do plowing city parking lots and the Fairgrounds, and thanked those who spoke at tonight's meeting.

Public Works Director Woodbury advised the material to replace the pipe has arrived so DPW is ready to put it in. He will meet with the contractor tomorrow to get that moving. Once the pipe is replaced it will take a little bit of work. Some notices will need to be made and little details worked out. The intersection between Bataan Street and Howard Street is tight. It will be a little tricky getting by some objects there. The City will need to coordinate so not to inconvenience Second Ward residents and so the Police and Fire Departments can get through there at all times.

Councilman Heenan inquired from Director of Development Yanus if there is anything new to report from the Development Department.

Director of Development Yanus advised the only thing at this time to report at this time is what Mayor Rosas announced earlier about the City receiving \$50,000 from the NYS Department of Transportation to create a more pedestrian friendly cross walk at the intersection of Central Avenue and Lake Shore Drive. Director of Development Yanus also announced the next Economic Development Committee Meeting will be held at 4:00 PM on February 20, 2018; the same day as the next Common Council Meeting.

Councilman-at-Large Woloszyn advised he has received calls from Hoyt Street and Lord Street residents inquiring if anything could be done about the train that nightly blows its horn at around midnight from the former Cliffstar toward Dunkirk Ice Cream. The train uses the tracks that have no crossing rails. Councilman-at-Large Woloszyn also inquired if the renovations at Point Gratiot would be done by Memorial Day.

Public Works Director Woodbury advised because that track is not a controlled railroad and does not have a railing in front of it regulation requires the train to blow its horn. Maybe the City can negotiate with the industry about the time it can use the tracks. Public Works Director Woodbury also advised in regards to Point Gratiot the City is on the contractors "every five minutes" about having the Point done by Memorial Day.

**UNFINISHED BUSINESS:****RESOLUTION #17-2018****January 16, 2018****BY: COUNCILMAN CIVILETTO, COUNCILMAN BAMONTO, and  
COUNCILMAN WILLIAMS****AUTHORIZATION TO BAG ALL INOPERABLE PARKING METERS IN THE  
CITY UNTIL DEEMED OPERABLE**

**WHEREAS**, some parking meters in the City of Dunkirk do not function properly;  
and

**WHEREAS**, this situation creates a disadvantage to certain businesses  
throughout the business district within the City of Dunkirk; and

**WHEREAS**, this same situation creates an undue burden to the City Clerk's  
office, the Treasurer, the Judge and the Police Department; and

**WHEREAS**, the citizens who park their vehicles are not aware of the current  
situation concerning the working order of the meters and the correct procedures  
to follow if they do not function properly; and

**WHEREAS**, the City of Dunkirk Common Council recognizes that the situation  
creates inequity, as some businesses and owners of the parked vehicles confront  
inoperable meters; now, therefore be it

**RESOLVED**, the City of Dunkirk Common Council authorizes the Mayor and the  
responsible departments to bag and tag said meters with an "Out of Order"  
message until such time that these meters can be deemed to be in working  
order.

Councilman-at-Large Woloszyn advised a motion was needed to remove from the table.

Councilman Civiletto made a motion to remove from the table. Seconded by Councilman  
Williams.

Carried, all voting aye. **REMOVED.**

Councilman Heenan thanked Councilman Civiletto for putting this resolution together, but  
advised he would be voting "No" to bagging the broken meters because of the confusion it may  
cause. He advised the Mayor and Police Chief said they would have the meters fixed in the next two  
weeks and that is satisfactory for him.

Councilman Civiletto advised he is not satisfied with being told the meters would be fixed in the next two weeks. He has been working on the meter situation for four years, a blizzard could come along and prevent the seven broken meters from getting replaced, the resolution states the bags will have the words "Out of Order" printed on them and that should stop the confusion. It also will prevent the inconvenience to residents from coming into the City Clerk's Office because they are worried about getting a ticket or have to deal with court if they do get a ticket. This is a short term solution until the city comes up with a long term solution.

Councilman Bamonto advised he is OK with bagging the meters for two weeks, but does not want to see them bagged for much longer.

Councilman Williams advised Councilman Civiletto has been trying to address this issue for years so sees no issue with voting "Yes".

Councilman-at- Large Woloszyn advised he was going to vote "Yes" to this resolution until the Mayor promised the meters would be fixed in the next two weeks, so he sees no reason to confuse people by bagging the meters.

Public Works Director Woodbury advised the City is going to make it a command to have the seven meters working by the end of the two weeks.

Vote on Resolution:

Ayes: Councilmen Williams, Bamonto, and Civiletto.

No: Councilman Heenan and Councilman-at-Large Woloszyn.

Carried, 3-2.

**PRE-FILED RESOLUTIONS:**

**RESOLUTION # 20-2018**  
**February 6, 2018**

**BY: ENTIRE COUNCIL**

**CONSENT TO APPOINTMENT OF FULL-TIME DIRECTOR OF HUMAN RESOURCES**

**WHEREAS**, Section 2-12.01 of the City Code provides that the Director of Human Resources shall be appointed by the Mayor, with the consent of the Common Council; and

**WHEREAS**, pursuant to Section 2-12.01 of the City Code, Mayor Wilfred Rosas has appointed Mr. David Campola, 19 Lakeview Avenue, Fredonia, New York, to the position of full-time Director of Human Resources for the City of Dunkirk, an appointed, non-competitive position subject to the consent of the Common Council; now, therefore, be it

**RESOLVED**, that Mr. David Campola, 19 Lakeview Avenue, Fredonia, New York, be confirmed as Director of Human Resources for the City of Dunkirk, effective February 7, 2018, at the rate of Sixty Thousand (\$60,000.00) Dollars per year full-time, at forty (40) hours per week.

Councilman-at- Large Woloszyn advised he will be voting “No” to this Resolution, believes it is a systemic issue, if things can’t get done we need to get to the root of the problem and not add another layer.

Councilman Williams advised a Human Resource Director would get to the root of the problem, see things get done, and save the City money in the long run.

Councilman Civiletto advised many of the problems the city has could be because it does not have a HR Director, the City is setting itself up for a huge amount of liability, the City is already out of compliance with many things, and the new person comes with lots of experience.

Councilman Bamonto advised this position was created because the City of Dunkirk has been out of compliance for so long, this will help the City get into compliance and save the City money in the long run.

Vote on Resolution:

Ayes: Councilmen Williams, Bamonto, Heenan, and Civiletto.

No: Councilman-at-Large Woloszyn.

Carried, 4-1.

**RESOLUTION #21-2018**  
**February 6, 2018**

**BY: ENTIRE COUNSEL**

**AUTHORIZATION TO UPDATE CITY CODE: INCREASING PARKING FINES  
FOR THE 1<sup>ST</sup> TIME IN DECADES**

**WHEREAS**, the City of Dunkirk (“Dunkirk”) has parking fines for various parking violations established under the Dunkirk City Code § 76; currently APO violations are \$20.00, Parking Meters are \$6.00, Handicapped are \$50.00 and all the rest of the violations are \$10.00; and,

**WHEREAS**, Dunkirk has not raised its parking fines in at least two decades, if not three; and,

**WHEREAS**, according to the Bureau of Labor Statistics consumer price index, the dollar experienced an average inflation rate of 2.99% per year. Prices in 2017 are 197.1% higher than prices in 1980; that is, \$100.00 in the year 1980 is equivalent in purchasing power to \$297.07 in 2017, a difference of \$197.07 over 37 years<sup>1</sup>; and,

**WHEREAS**, peer municipalities such as Fredonia<sup>2</sup> and Westfield<sup>3</sup> have since raised their parking fines, such that at \$6.00, Dunkirk's parking meter fines are the lowest in the area; and

**WHEREAS**, these increased fines can be allocated toward a fund to replace the old parking meters with new meters on an annual rotation until all parking meters are replaced; now, therefore be it

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<sup>1</sup> <http://www.in2013dollars.com/1980-dollars-in-2017>

<sup>2</sup> <http://fredoniapolice.org/vital-info/parking/>

<sup>3</sup> <https://ecode360.com/11159917>

**RESOLVED**, the City of Dunkirk Common Council authorizes the following changes to Section 76 of the Dunkirk City Code, contingent on first holding the necessary public hearing:

- § 76-96 A & B (Meters) would need to be amended to change the fine from \$6.00 to \$10.00
- § 76-85 (Overnight) would be amended and add the following at the end of the section: Every person convicted of violating section 76-85 shall be punishable by a fine of \$20.00 for the offense.
- § 76-83 (All other Prohibited Violations) would be amended and add the following at the end of the section: Every person convicted of violating section 76-83 shall be punishable by a fine of \$20.00 for the offense.

Councilman-at-Large Woloszyn advised a motion was needed to table Resolution #21-2018 for a Public Hearing to be held Tuesday, February 20, 2018 at 5:20 PM.

Councilman Williams made a motion to table the resolution. Seconded by Councilman Civileto.

Carried, all voting aye. TABLED.

**RESOLUTION # 22-2018**

**February 6, 2018**

**BY COUNCILMAN WILLIAMS:**

**HYDRAULIC BULKHEAD GATE CHANGE ORDER  
FOR WASTEWATER TREATMENT PLANT**

**WHEREAS**, the City of Dunkirk (Dunkirk) has recognized it must address inadequacies at the City's wastewater treatment plant that urgently require repair and/or replacement; and

**WHEREAS**, the New York State Environmental Facilities Corporation (NYS EFC) granted the City of Dunkirk's application for funding in the amounts of \$2,543,750 in grant funds and \$7,602,250 in zero-interest loan funds for these replacements and repairs at the Wastewater Treatment Plant; and

**WHEREAS**, the low bid of \$2,295,000 from STC Construction, 63 Zoar Valley Road, PO Box 459, Springville, New York 14141 (STC Construction), was accepted by Common Council Resolution 86-2017; and

**WHEREAS**, the hydraulic bulkhead gate requires removal and replacement to continue this work, a \$149,500 change order is recommended by DPW and the City's consulting engineers; now, therefore, be it

**RESOLVED**, that the Mayor is hereby authorized and directed to execute a \$149,500 change order for removal and replacement in general construction contract 17-1G with STC Construction, which will still keep this portion of the project under budget, and contingent upon the contractor first supplying all necessary approvals from EFC to meet their funding requirements for this work, and that payment for such work will come from City Fund #21.

Councilman-at-Large Woloszyn advised there have been some amendments made to this Resolution, read the amendments, and made a motion to amend.

Vote to amend Resolution:

Carried, all voting aye. AMENDED.

**RESOLUTION # 22-2018**  
**February 6, 2018**

**BY COUNCILMAN WILLIAMS:**

**HYDRAULIC BULKHEAD GATE CHANGE ORDER  
FOR WASTEWATER TREATMENT PLANT**

**WHEREAS**, the City of Dunkirk (Dunkirk) has recognized it must address inadequacies at the City's wastewater treatment plant that urgently require repair and/or replacement; and

**WHEREAS**, the New York State Environmental Facilities Corporation (NYS EFC) granted the City of Dunkirk's application for funding in the amounts of \$2,543,750 in grant funds and \$7,602,250 in zero-interest loan funds for these replacements and repairs at the Wastewater Treatment Plant; and

**WHEREAS**, the low bid of \$2,295,000 from STC Construction, 63 Zoar Valley Road, PO Box 459, Springville, New York 14141 (STC Construction), was accepted by Common Council Resolution 86-2017; and

**WHEREAS**, it was identified that the influent chamber isolation gates, sewer lines from the pump station to the grit system and the storm water pump piping have failed and are no longer functioning as intended, and

**WHEREAS**, the failure of the gates and sewer piping screen limit the ability for the City to pump sewage through the treatment plant, potentially resulting in sewage backups and discharges,

**WHEREAS**, the City's engineers on the project have submitted a memorandum to the City that opines the failing gates, sewer lines and storm water pump piping constitutes a danger to the health, safety and property of City residents, and

**WHEREAS**, the hydraulic bulkhead gate requires removal and replacement to continue this work, a \$149,500 change order is recommended by DPW and the City's consulting engineers; now, therefore, be it

**RESOLVED**, that said gate, sewer line and storm pump piping failure constitutes a public emergency as that term is defined by GML §103(4) requiring immediate action that could not await comparative bidding procedures; now, therefore, be it further

**RESOLVED**, that the Mayor is hereby authorized and directed to execute a \$149,500 change order for removal and replacement in general construction contract 17-1G with STC Construction, which will still keep this portion of the project under budget, and contingent upon the contractor first supplying all necessary approvals from EFC to meet their funding requirements for this work, and that payment for such work will come from City Fund #21.

Vote on Resolution as Amended:

Carried, all voting aye.

**RESOLUTION # 23-2018**

**February 6, 2018**

**BY ENTIRE COUNCIL:**

**AUTHORIZING BUDGET LINE MODIFICATIONS  
For Fiscal Year 2018**

**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 2018, ending December 31, 2018; now, therefore, be it

**RESOLVED**, that the Fiscal Affairs Officer is hereby authorized and directed to make the following modifications to the Fiscal Year 2018 budget:

**Fund 1 - General Fund**

<b>Account Number</b>	<b>Department</b>	<b>Line</b>	<b>Change</b>
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001.0001.2264	Police	Restricted Drug Enforce	\$ (43,271.59)
001.3120.4240	Police	Restricted Drug Purch	\$ 43,271.59
001.0001.2265	Police	Restricted-K9	\$ (833.86)
001.3120.4242	Police	Restricted K9 Purchases	\$ 833.86

**TOTAL** \$ -

(Carryforward Balance of Restricted Funds)

<b>Account Number</b>	<b>Department</b>	<b>Line</b>	<b>Change</b>
001.3120.4082	Police	Parking Tickets	\$ 2,500.00
001.1900.1990	General Services	Contingencies	\$ (2,500.00)

**TOTAL** \$ -

(Budget for Parking Ticket Books)

Vote on Resolution:

Carried, all voting aye.

**RESOLUTION # 24-2018**  
**February 6, 2018**

**BY ENTIRE COUNCIL:**

**AUTHORIZING TRANSFERS TO CLOSE CERTAIN CAPITAL PROJECTS  
 AND RELATED BUDGET LINE MODIFICATIONS  
 For Fiscal Year 2017**

**WHEREAS**, several capital projects have been completed and need to be closed,

**WHEREAS**, in addition to grants, operating funds (general, water, wastewater) loaned the projects money to cover the balance of project expenditures,

**WHEREAS**, the project resolutions were silent on operating fund contributions (transfers) to the projects,

**WHEREAS**, the projects were completed, the bills were paid, no money is available in the projects to repay the loans to the operating funds,

**RESOLVED**, the loans should be recognized as transfer expenditures in the operating funds and as transfer revenue in the projects, the interfund loans be eliminated, and the projects be closed.

**WHEREAS**, the current operating fund budgets do not include transfers to the projects,

**RESOLVED**, that the Fiscal Affairs Officer is hereby authorized and directed to make the following modifications to the Fiscal Year 2017 budget:

**Fund 1 - General Fund**

<b>Account Number</b>	<b>Department</b>	<b>Line</b>	<b>Change</b>
001.9950.9004	Transfers	Transfer to Capital Projects	\$ 10,939.52
001.0001.0391	General	Due from Other Funds	10,939.52
		<b>TOTAL</b>	\$ -

**Fund 9 – Dredging Project (2014-2016)**

<b>Account Number</b>	<b>Department</b>	<b>Line</b>	<b>Change</b>
009.0009.0630	Dredging	Due to Other Funds	\$ 10,939.52
009.0009.5031	Dredging	Fund Transfer	\$ 10,939.52
		<b>TOTAL</b>	\$ -

**Fund 1 - General Fund**

<b>Account Number</b>	<b>Department</b>	<b>Line</b>	<b>Change</b>
001.9950.9004	Transfers	Transfer to Capital Projects	\$ 117,481.35
001.0001.0391	General	Due from Other Funds	117,481.35
<b>TOTAL</b>			<b>\$ -</b>

**Fund 13 – Boardwalk Market**

<b>Account Number</b>	<b>Department</b>	<b>Line</b>	<b>Change</b>
013.0013.0630	Boardwalk	Due to Other Funds	\$ 117,481.35
013.0013.5031	Boardwalk	Fund Transfer	\$ 117,481.35
<b>TOTAL</b>			<b>\$ -</b>

**Fund 3 – Waste Water Fund**

<b>Account Number</b>	<b>Department</b>	<b>Line</b>	<b>Change</b>
003.9950.9007	Transfers	Transfer to Other Funds	\$ 22,500.00
003.0003.0391.0005	Waste Water Funds	Due from Other Funds	\$ 22,500.00
<b>TOTAL</b>			<b>\$ -</b>

**Fund 5 – Capital Project 5**

<b>Account Number</b>	<b>Department</b>	<b>Line</b>	<b>Change</b>
005.0005.0630	CP5	Due to Other Funds	\$ 22,500.00
005.0005.5031	CP5	Fund Transfer	\$ 22,500.00
<b>TOTAL</b>			<b>\$ -</b>

Vote on Resolution:

Carried, all voting aye.

**RESOLUTION #25-2018**  
**February 6, 2018**

**BY: COUNCILMAN WILLIAMS**

## **CREATION OF LOCAL LAW ESTABLISHING RESPONSIBLE BIDDER REQUIREMENTS ON PUBLIC WORKS PROJECTS**

**WHEREAS**, it is the intent of this Local Law, a draft of which is attached herein, to enhance the City of Dunkirk's ("Dunkirk's") ability to identify the lowest "responsible bidder" on public works construction project by instituting more comprehensive submission requirements and an evaluation system which follows New York State General Municipal Law; and,

**WHEREAS**, The City, based on its experience, has determined that quality workmanship, efficient operation, safety and timely completion of projects are not necessarily assured by awarding a public works contract solely based on low price; and,

**WHEREAS**, this Local Law establishing uniformity of guidelines for determining the responsibility of bidders will assure efficient use of taxpayer dollars will promote public safety and is in the public interest; now, therefore be it

**RESOLVED**, the City of Dunkirk Common Council authorizes the attached local law to be added to the Dunkirk City Code, contingent on first holding the necessary public hearing.

Councilman Williams advised currently the City has a low bid procedure that we go through to procure the bids; the Responsible Bidder Requirements would allow the City to take into consideration when awarding a bid if the bidder has had a "shoddy work" history in the past.

Councilman Williams made a motion to table Resolution #25-2018 for a Public Hearing to be held Tuesday, February 20, 2018 at 5:25 PM. Seconded by Councilman Civiletto.

Carried, all voting aye. TABLED.

City Attorney Morrisroe advised the Council there are some real property issues the City needs to discuss and some personnel issues that have to go to Executive Session.

Councilman Bamonto made a motion to meet in Executive Session to discuss employment, the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation.

Councilman-at-Large Woloszyn asked for a roll call to go into Executive Session.

Carried, all voting aye.

Executive Session called to order at 6:18 PM.

Councilman Williams moved to adjourn the Executive Session at 6:55 PM and come to Regular Council Meeting. Seconded by Councilman Heenan.

**ADJOURNMENT:**

Councilman Williams moved to adjourn. Seconded by Councilman Heenan.

Carried, all voting aye.

**Adjourned at 6:55 PM**

**Edwin C. Ramos, City Clerk**

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