

COMMON COUNCIL PROCEEDINGS
March 01, 2016

The meeting was called to order at 5:32 PM by Councilman-at-large Woloszyn followed by the Pledge of Allegiance.

Present: Councilmen Williams, Bamonto, Gonzalez, Councilwoman Szukala and Councilman-at-large Woloszyn.

Also present: Mayor Rosas, City Attorney Brautigam, City Treasurer Woods, Fiscal Affairs Officer Halas, Public Works Director Bennice, Building Inspector Zurawski, Director of Development Beard, Clerk, Board of Assessors Mleczko, CDBG Administrator Gawronski, City Engineer Woodbury, Fire Chief Edwards and Police Chief Ortolano.

Excused: Personnel Administrator Heyden.

Certification of Tuesday, February 16, 2016 meeting was read by City Clerk Divine.

RESOLVED: That the reading of the minutes of Tuesday, February 16, 2016 be dispensed with.

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

Carried, all voting aye.

PUBLIC COMMENTS:

Frank Gawronski, 230 Lincoln Avenue, advised that with the loss of revenue from NRG, the City should look into some cost saving alternatives. He suggested looking into cost vs. expense for a City/Local retirement incentive, energy alternatives to power the Water Plants as well as looking into upgrading the press system at the Waste Water Treatment Plant to a centrifuge system as the cost of sludge/lime is substantial.

COMMUNICATIONS FROM THE MAYOR INCLUDING DISAPPROVAL MESSAGES:

Mayor Rosas advised that the City has received the \$100,000 County Bed Tax check for the emergency repairs at the seawall and invited City Engineer Woodbury and Director of Development Beard to speak in regards to the Parks Amenities Grant.

City Engineer Woodbury detailed history of the City Park system, advised that under the direction of the previous Administration the Grant was started, under Mayor Rosas's Administration it has been brought back from the "orange list" with Governor Cuomo and has been revived.

Development Director Beard advised that this is a more modest re-scope of the original project, the Resolution associated with the grant is on the agenda to be approved and there should be an agreement signed within 30-40 days to get the project underway this year.

Mayor Rosas advised that this teamwork is what can be expected from his Administration.

COMMUNICATIONS FROM THE PUBLIC AND PETITIONS:

Communication from Harbor Commission requesting approval of Commercial Bait Fishing Application for Eugene Pauszek.

Received and filed.

Request from Dunkirk Fast-Pitch Team to use the Stadium, Kochs & School #7 Fields on July 15th to the 17th, waiver of the curfew for all three days, and permission for a food stand around the Stadium for that weekend.

Councilman Bamonto advised that, for decades, teams from all over the US as well as Canada have visited the area to participate in this event and that he would like to see the fields ready earlier and in better shape.

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 Tim Wdowiasz on behalf of the First Ward Falcons Club to use The Stadium on May 21, 2016 for an Early Bird Fast Pitch Softball Tournament.

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 Scott Mekus on behalf of Dunkirk Senior High School's Class of 1989 to host their annual "Marauder Trotter 5K Run/Walk" along the Lake Erie Waterfront Saturday, July 2nd beginning at 8:45 AM as well as post-race activities immediately following in Wright Park.

Councilwoman Szukala inquired to Police Chief Ortolano if he had any concerns with the date or route.

Police Chief Ortolano advised he met with both event organizers who were extremely accommodating to the changes and he had no issues with this event

Councilman-at-large Woloszyn explained that a loudspeaker application for this event was submitted after pre-file so it will be presented on the next Council Agenda.

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

Carried, all voting aye.

Loudspeaker application from Rookies on the Lake for live music, loudspeakers and amplifiers May 1st thru October 1st.

Loudspeaker application from Northern Chautauqua Conservation Club, Inc. for live bands and speakers from May 1st thru October 1st.

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

Carried, all voting aye.

REPORTS OF STANDING COMMITTEES, BOARDS AND COMMISSIONS:

Councilman Williams thanked Public Works Director Bennice for the “no truck” signs that were posted along Chestnut and Stegelski and inquired for the status of 4 locations (including Roberts/2nd Street & 2nd/Webster) that he informed of potholes.

Director of Public Works Bennice advised that all potholes mentioned were repaired today and that blacktop can be used after the plant opens on April 1st.

Councilman Williams inquired to City Attorney Brautigam about the liability of the City in regards to these potholes.

City Attorney Brautigam advised that prior written notice must be served to the City Clerk before the City is considered liable.

Councilman Williams informed of recent events/meetings he has attended, some of which spoke in regards to “regional solutions to local problems” and advised that the Labor Council is collecting bottled water that will be donated to the residents of Flint, Michigan.

Councilman Bamonto advised that the new padding that was installed at the Rec. Center was recently installed and looks great.

Councilman Gonzalez inquired to Chief Ortolano for the time that vehicles should move for alternate parking as residents in his area are moving early and causing congestion as well as possible problematic situations for school busses trying to pass through.

Police Chief Ortolano advised that patrol usually gives “about an hour” for residents on each side and will have officers address the situation and write tickets for vehicles that are moving too early.

Councilman Gonzalez advised details of what was discussed at his Economic Development Meeting that was held earlier today, thanked Frank Gawronski for his ideas and informed that at the NALEO Conference he just attended, discussion was had on similar ideas.

Councilwoman Szukala welcomed her son, Jayden Szukala, who job shadowed Mayor Rosas for a few hours and thanked everyone for welcoming him.

Councilwoman Szukala thanked Mr. Gawronski for his suggestions and advised that solar power upgrades as well as the centrifuge system were ideas that she as well as Public Works Director Bennice will be looking further into.

Councilwoman Szukala inquired to Public Works Director Bennice and Mayor Rosas for an update on the North County Water District.

Public Works Director Bennice advised that he had a meeting today regarding grant money as well as a \$7 million low interest loan, is waiting for grant and loan finalization and will be sending out a proposal for Engineers.

Mayor Rosas advised he spoke to County Executive Horrigan, everything is on target and that shovels will be in the ground as soon the weather breaks.

Councilman Williams inquired as to why the City is looking for other Engineers for the project.

Mayor Rosas advised that, after a team meeting between City Treasurer Woods, Fiscal Affairs Officer Halas and Public Works, it was discussed and decided what was best for the City is to seek quotes and that it will not slow or extend the process any.

Councilwoman Szukala advised that there will be a webinar in a few weeks that will look at tapping into solar lighting along Lake Front Boulevard.

Councilman-at-large Woloszyn thanked Mr. Gawronski for his ideas and advised that the next Finance Meeting is scheduled for Thursday, March 24th at 4:00 PM in the Mayor's Conference Room.

Councilman-at-large Woloszyn inquired to Public Works Director Bennice for an update on the water breaks throughout the City as it has been a tame winter.

Public Works Director Bennice advised that everything is currently in good shape.

Building Inspector Zurawski advised that they are nearing completion with the 7 demolitions of the Land bank properties and will finish once the weather breaks.

Councilman-at-large Woloszyn thanked Building Inspector Zurawski and CDBG Administrator Gawronski for their work.

Director of Development Beard advised that, in his travels, he has seen biogas digesters used as well as a fertilizer product that is produced and then sold for revenue.

UNFINISHED BUSINESS:

RESOLUTION #25-2016
FEBRUARY 16, 2016

BY: COUNCILWOMAN SZUKALA

AUTHORIZING BOARDWALK LEASE AGREEMENT
(Robert Contiguglia)

WHEREAS, the City of Dunkirk has developed and marketed the **Dunkirk Boardwalk Project** (the "Boardwalk") 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 has available space in the Boardwalk and desires to enter into an agreement with **Robert Contiguglia**, to lease a portion of the Boardwalk for the sale of food products, and for the conduction of restaurant activities; now, therefore, be it

RESOLVED, that the Mayor, Wilfred Rosas, upon consultation, and, if necessary the consent of the Director of Development, Duane Beard, and/or the Board of Directors of the Dunkirk Local Development Corporation (DLDC), is hereby authorized to execute a lease agreement with **Robert Contiguglia**, 50 Eagle Street, Fredonia, New York 14063, for a rental to be more fully described in the lease agreement between the parties.

Councilman Gonzalez made a motion to remove Resolution #25-2016 from the table. Seconded by Councilman Williams.

Carried, all voting aye.

Councilman Gonzalez inquired as to an update on the 2 individuals who were switching locations mentioned before the meeting.

Councilman-at-large Woloszyn advised that the change in location is a Lease Addendum and this Resolution essentially gives Mayor Rosas permission to discuss and move forward.

Councilwoman Szukala inquired to the amount of rent that would be charged to Mr. Contiguglia.

Mayor Rosas advised that he is in negotiations with Mr. Contiguglia and will provide a copy of the lease once signed.

Vote on Resolution #25-2016:

Carried, all voting aye.

PRE-FILED RESOLUTIONS:

RESOLUTION #29-2016
MARCH 1, 2016

BY: THE ENTIRE COUNCIL

AUTHORIZING GRANT APPLICATION
(WRIGHT PARK AMENITIES GRANT)

WHEREAS, the City of Dunkirk is applying for funding for the reconstruction and redevelopment of the facilities and amenities of Wright Park through a grant of the New York State Office of Parks, Recreation, and Historic Preservation (NYSOPRHP); and

WHEREAS, as a condition of the grant the NYSOPRHP requires that the park amenities to be installed/constructed, be on city owned land dedicated in perpetuity for park use and also requires the submission of a SEQR and provision by the city of a 50% matching share; and

WHEREAS, as a requirement of these programs, the City must obtain approval and endorsement of the governing body of the municipality in which the project will be located; now, therefore, be it

RESOLVED, that the Dunkirk Common Council does hereby designate Wright Park for park use in perpetuity; and hereby agrees to provide the 50% matching share and the filing of a SEQR with a “negative declaration” i.e. a finding of “no significant environmental effect” and recommends the application to the Commissioner, and authorizes the Mayor, as an official of the City, which is the project sponsor, to execute documents necessary to the project.

Councilman-at-large Woloszyn inquired as to what updates this grant would cover.

Council, Mayor Rosas, City Engineer Woodbury and Director of Development Beard discussed the upgrades that will be completed, which items did not make the revised project and advised that there could be a possibility of more “phases” to this project in the future.

Carried, all voting aye.

ADJOURNMENT:

Councilwoman Szukala moved to adjourn. Seconded by Councilman Gonzalez.

Carried, all voting aye.

Adjourned at 6:17 PM

Lillian Divine, City Clerk
