

**COMMON COUNCIL PROCEEDINGS**  
**March 21, 2017**

The meeting was called to order at 5:30 PM by Councilman-at-large Woloszyn followed by the Pledge of Allegiance.

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

Also present: Mayor Rosas, City Attorney Connolly, Public Works Director Bankoski, City Treasurer Woods, City Engineer Woodbury, Clerk, Board of Assessors Mleczeko, Personnel Administrator Heyden, Executive Assistant to the Mayor Westling, Director of Development Yanus, Building Inspector Zurawski, Festivals and Special Events Coordinator Rosas, Fire Chief Edwards and Police Chief Ortolano.

Councilman-at-large Woloszyn excused Councilwoman Szukala and Fiscal Affairs Officer Pinkoski from tonight's meeting.

Certification of Tuesday, March 7<sup>th</sup>, 2017 Common Council Meeting was read by City Clerk Ramos.

**RESOLVED:** That the reading of Tuesday, March 7<sup>th</sup>, 2017 Common Council Meeting be dispensed with.

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

Carried, all voting aye.

**PUBLIC COMMENTS:**

Steve Rees, representing Revitalize Dunkirk, advised that Resolution #13-2017 on the agenda for tonight's meeting should be for 32 hanging baskets, not 31 as stated, and that there is no term of service defined but hopes that if the season extends into September/October the baskets would continue to be cared for by the Public Works Department.

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

Appointment of Larry Napieralski to the City of Dunkirk Plumbing Board effective March 22, 2017 and to expire December 31, 2020.

Received and filed.

Mayor Rosas explained that the Planning & Development Department is moving forward with the update of the City's Comprehensive Plan and advised that he will be leaving for Albany for the weekend and will report back once he returns.

**COMMUNICATIONS FROM THE PUBLIC AND PETITIONS:**

Request from Section VI (NYSPHSAA) to use Promenschenkle Stadium on May 25<sup>th</sup>, 26<sup>th</sup>, 30<sup>th</sup>, 31<sup>st</sup>, June 3<sup>rd</sup> and June 4<sup>th</sup> to host Softball Sectionals as well as requesting the closure of Wright

Park Drive at Pine Street cross section and Warsaw Street at the skating park access road cross section.

Councilman Bamonto thanked Al Gens & John Sliwa for all their help in setting Dunkirk up as a permanent location and asked Festivals & Special Events Coordinator Rosas for an update on what the City can do to market the City for this event.

Festivals and Special Events Coordinator Rosas thanked Mr. Gens and Mr. Sliwa for their work in bringing this event to Dunkirk and advised that once the teams have been finalized he will work to develop a marketing packet together for them.

Councilman-at-large Woloszyn advised that 3 dates were scheduled for games and 3 were rain dates for those games.

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 moved to approve. Seconded by Councilman Williams.

Carried, all voting aye.

Request from Sue Chaffee to hold free Zumba classes at the Dunkirk Pier Saturday mornings at 9:00 AM during the months of July and August.

Councilman Gonzalez advised that this was discussed at the workshop and that due to the Air Show/4<sup>th</sup> of July fireworks the stand where Ms. Chaffee would have her events would need to be moved.

Councilman-at-large Woloszyn explained that there were some safety concerns with the use of the City Pier but that the area that she is requesting will be sectioned off for protection, when it is time for the Fireworks/Air Show she can move along to Wright Park with the stage and advised City Clerk Ramos to send a letter to her explaining this.

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 moved to approve. Seconded by Councilman Gonzalez.

Carried, all voting aye.

Request from Terry Frazier to have a bounce house at the Lower Pavilion at Point Gratiot on July 23<sup>rd</sup>, 2017.

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 moved to approve. Seconded by Councilman Bamonto.

Carried, all voting aye.

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

Councilman Williams advised that his next Public Works Committee meeting will be Tuesday, March 28<sup>th</sup> at the Water Maintenance Department and that the City Recycling Calendars will be in the Penny Saver the weekend of April 1<sup>st</sup>-2<sup>nd</sup>.

Public Works Director Bankoski advised that there will also be a blurb in the Dunkirk Observer advising of the placement of the Recyclable Calendars.

Councilman Bamonto advised that April 15<sup>th</sup> is the closing date for the Recreation Center at the Fairgrounds and that Men’s Floor Hockey just concluded with Mayor Rosas dropping the puck to start the final game.

Councilman Gonzalez thanked everyone for the support of the zero sort recycling program as all the schedules that have been printed have been picked up and advised that there was a presentation from Chautauqua Striders at the Economic Development Meeting held prior to tonight’s Council Meeting.

Councilman-at-large Woloszyn thanked Public Works Director Bankoski for meeting him at the railroad crossing on Franklin Avenue and addressing his concerns.

**PRE-FILED RESOLUTIONS:**

**RESOLUTION # 12 -2017**  
**March 21, 2017**

**BY: COUNCILMEN WILLIAMS AND GONZALEZ:**

**AUTHORIZING BUDGET LINE MODIFICATIONS**  
**For Fiscal Year 2017**

**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 2017, ending December 31, 2017; now, therefore, be it

**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>
001.8020.4010	Development	Subscription/memberships	\$ 1,600
001.8020.1003	Development	Pers Serv CDBG Reimb	\$ (1,600)
		<b>TOTAL</b>	\$ -

**Fund 1 - General Fund**

<b>Account Number</b>	<b>Department</b>	<b>Line</b>	<b>Change</b>
001.3410.2000	Fire Dept	Equipment	\$ 34,000

001.3410.1000	Fire Dept	Personal Services	\$ (34,000)
		<b>TOTAL</b>	\$ -

**Fund 1 - General Fund**

Account Number	Department	Line	Change
001.1010.4002	Legislative Board	Supplies	\$ 200
001.1620.4004	Building City Hall	Supplies	\$ (200)
		<b>TOTAL</b>	\$ -

Carried, all voting aye.

**RESOLUTION #13-2017**  
**MARCH 21, 2017**

**BY: THE ENTIRE COUNCIL**

**ACCEPTING HANGING FLOWER BASKET DONATION**

**WHEREAS**, the *Beautification Committee of Revitalize Dunkirk* has generously initiated a Central Avenue Hanging Basket Project, has solicited donations and has purchased thirty-one (31) hanging flower baskets; and

**WHEREAS**, *Revitalize Dunkirk* has donated, and the City has by resolution accepted the donation, of hanging baskets in order to help beautify Central Avenue; and

**WHEREAS**, the City is desirous of continuing the program in order to facilitate the beautification of Central Avenue; and

**WHEREAS**, *Revitalize Dunkirk* is now offering a donation of \$2000.00 to offset the labor cost of Parks Department personnel for watering the baskets through the summer of 2017, in four payments of \$500 to be made at the end of May, June, July, and August; now, therefore, be it

**RESOLVED**, that the City hereby gratefully appreciates and accepts the donation from the *Beautification Committee of Revitalize Dunkirk*.

Councilman Bamonto thanked Revitalize Dunkirk for all they do for the City.

Carried, all voting aye.

**RESOLUTION # 14-2017**  
**MARCH 21, 2017**

**BY: ENTIRE COUNCIL**

**AUTHORIZING IMMEDIATE REPLACEMENT AND REPAIR OF PUBLIC  
SEWER UTILITIES IMPACTED BY THE BRIDGE REHABILITATION  
PROJECT AT CENTRAL AVENUE OVER CROOKED BROOK**

**WHEREAS**, it was identified by County bridge engineers that the old stone bridge culvert on Central Avenue over Crooked Brook has failing stones in its arch that adversely affect the integrity of City sewer mains embedded in the old stone bridge culvert; and

**WHEREAS**, the Department of Public Works has observed and reported that there is imminent potential of complete failure of some stones in the bridge culvert that support and encase public sewer utilities, and that such failure could allow unsafe and unpermitted sewage discharge; and

**WHEREAS**, the County bridge engineers have agreed through shared services to perform needed repairs to the stones in the old bridge/culvert, but that the City is responsible for the public sewer utilities impacted by this bridge rehabilitation project; and

**WHEREAS**, potential failure of public sewer utilities impacted by the required bridge rehabilitation project constitutes a public emergency as defined by GML §103-4 requiring immediate action that could not await competitive bidding procedures; and

**WHEREAS**, Pipe-Eye Sewer Services, Inc., 75 Holley Avenue, Bradford PA, has camera-investigated the interior of the two sanitary sewer pipes that require their interiors to be replaced because of the failing stone bridge culvert and can do the replacement work quickly at a cost of \$68,309; and

**WHEREAS** NYSDOT guidelines specify: "Eligible CHIPS Project Activities [include] Replacement of public utilities impacted by a bridge rehabilitation project (in-kind replacement costs);" and

**WHEREAS** due to recent extra allocations of CHIPS funding, there are sufficient CHIPS funds to cover the cost of the repair without use of funds earmarked for other essential CHIPS projects; now therefore be it

**RESOLVED**, that the Director of Public Works is hereby authorized to replace and rehabilitate the public sewer utilities impacted by the required bridge rehabilitation project on an emergency basis, pursuant to General Municipal Law §103-4, and in the manner described and specified above; and be it finally

**RESOLVED**, that the appropriations for this repair shall be paid from the CHIPS fund.

Councilman Bamonto asked City Engineer Woodbury to explain this process.

City Engineer Woodbury thanked all of Council for sponsoring this Resolution, advised of the project details, why this improvement was needed and that the funds for this project will come from CHIPS funding.

Carried, all voting aye.

**RESOLUTION #15-2017**  
**MARCH 21, 2017**

**BY: COUNCILMAN BAMONTO**

**AUTHORIZING AGREEMENT FOR ENGINEERING/ARCHITECTURE SERVICES  
POINT GRATIOT PARK IMPROVEMENTS  
LABELLA**

**WHEREAS**, the City of Dunkirk proposes to build, repair, or renovate certain structures located in Point Gratiot Park, including picnic shelters, restrooms and pavilions; and

**WHEREAS**, professional engineering and architecture services are required to complete these key components, and LaBella Associates, D.P.C., is ready, willing and able to provide such services for the City in a good and workmanlike manner as determined by the Director of Planning and Development under her responsibility and authority by the City Code, and with further consideration that LaBella Associates has an abundant amount of experience in municipal park improvement projects, and comes highly recommended from the nearby communities that have produced similar projects; now, therefore be it

**RESOLVED**, that the Mayor is authorized and directed to execute an agreement of services, on behalf of the City of Dunkirk, with LaBella Associates, D.P.C., 500 East Sixth Street, Jamestown, NY, to design, provide engineering and architecture services, and construction administration with a cost not to exceed a total of forty two thousand and five hundred dollars (\$42,500); and be it further

**RESOLVED**, that the revenue, and appropriations for this project be set up by Fiscal Affairs as an income and expense in a separate City Fund, and that any and all engineering/architecture services be paid from the engineering line of said Fund.

Carried, all voting aye.

**RESOLUTION #16-2017**  
**MARCH 21, 2017**

**BY: COUNCILMAN BAMONTO**

**AUTHORIZING AGREEMENT FOR ENGINEERING/ARCHITECTURE SERVICES  
WRIGHT PARK IMPROVEMENTS  
BARTON & LOGUIDICE**

**WHEREAS**, the City of Dunkirk proposes to build, repair, or renovate certain structures located in Wright Park, including the addition of a Splash Pad, Playground, ADA Compliant Restrooms, Pickleball Court, Baseball Field Improvements, and Pine Street Reconstruction; and

**WHEREAS**, professional engineering and architecture services are required to complete these key components, and Barton & Loguidice, is ready, willing and able to provide such services for the City in a good and workmanlike manner as determined by the Director of Planning and Development under her responsibility and authority by the City Code, and with further consideration through an RFP process that has narrowed down 6 firms to Barton & Loguidice, which has an abundant amount of experience in municipal park improvement projects, and comes highly recommended from the nearby communities that have produced similar projects; now, therefore be it

**RESOLVED**, that the Mayor is authorized and directed to execute an agreement of services, on behalf of the City of Dunkirk, with Barton & Loguidice, 11 Centre Park, Suite 203 Rochester, NY 14614 to design, provide engineering and architecture services, and construction administration with a cost not to exceed a total of seventy five thousand dollars (\$75,000 ); and be it further

**RESOLVED**, that the revenue, and appropriations for this project be set up by Fiscal Affairs as an income and expense in a separate City Fund, and that any and all engineering/architecture services be paid from the engineering line of said Fund.

Carried, all voting aye.

Councilman Williams motioned to meet in Executive Session to discuss the employment history of a particular person or matter leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person and it is expected that no new business will be taken after the Executive Session concludes. Seconded by Councilman Gonzalez.

Carried, all voting aye.

Executive Session called to order at 5:55 PM.

Councilman Bamonto moved to adjourn the Executive Session at 6:35 PM and reconvene to the regular Council Meeting. Seconded by Councilman Gonzalez.

Carried, all voting aye.

**ADJOURNMENT:**

Councilman Gonzalez moved to adjourn. Seconded by Councilman Bamonto.

Carried, all voting aye.

**Adjourned at 6:36 PM**

**Edwin Ramos, City Clerk**

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