

COMMON COUNCIL PROCEEDINGS
October 20, 2015

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

Present: Councilman Michalski, Rivera, Councilwoman Szukala and Councilman-at-large Rosas.

Also present: Mayor Dolce, City Attorney Szot, City Treasurer Woods, Fiscal Affairs Officer Halas, Public Works Director Gugino, Building Inspector Zurawski, Clerk, Board of Assessors Mleczo, Personnel Administrator Heyden, Fire Chief Edwards and Police Chief Ortolano.

Absent: Councilman Gonzalez

Certification of Tuesday October 06, 2015 meeting was read by City Clerk Joiner.

RESOLVED: That the reading of the minutes of Tuesday, October 06, 2015 be dispensed with.

Motion by Councilman Michalski to accept the minutes as presented. Seconded by Councilwoman Szukala.

Carried, all voting aye.

PUBLIC COMMENTS:

Councilman-at-large Rosas reminded the public that any comments made during privilege of the floor should pertain to tonight's agenda.

Walter Rutland, 184 W 2nd Street, spoke in favor of the repowering of NRG.

Frank Gawronski, 230 Lincoln Avenue, complimented the Streets Department for doing a fantastic job with rubbish removal, brush removal and snow plowing even though they are short-handed, advised he was happy to see the Seawall finally completed, is glad everyone is working to support the NRG Repowering and thanked everyone for their hard work with the North County Water District.

Diane Hofner, 7554 Prospect Station Mayville, Board Member of the Coalition to Solarize Chautauqua County read the following prepared statement:

"Dear City of Dunkirk Common Council Members,

I want to let you know about a new initiative in northern Chautauqua County, and ask for your support.

I'm involved with the community group Chautauqua Citizens Respond to Climate Crisis (www.ccrccinfo.org). Most of our members live in the Portland, Fredonia and Dunkirk area. We are working with a coalition of other organizations to launch a Solarize Chautauqua Campaign, modeled on the Solar Tompkins Project and other successful solarize campaigns across New York State. These campaigns work to jump start residential solar installations in the area by lowering barriers to going solar -- working with vendors to offer attractive installation packages,

facilitating financing, and educating the public. You can learn more about solarize community campaigns at <http://ny-sun.ny.gov/Get-Solar/Community-Solar>. We will focus our initial pilot efforts on communities in northern Chautauqua County, and we may expand to other parts of the county in subsequent campaigns.

We are currently submitting our application to NYSERDA with the aim of a Spring 2016 campaign launch date. We are also working on grant support. The administration at SUNY Fredonia is supportive of our efforts, and we'll be working with a student intern to develop and maintain a dedicated Solarize Chautauqua website. We are reaching out to local government and other organizations in the area to build up as broad a support base as we can.

We are in our initial planning stage. Currently we have a Board consisting of Mary Croxton, Diane Hofner, Scott MacKay, Janey Wagner and Julia Wilson. After we submit our NYSERDA application, our next tasks will involve expanding our support base, and working with vendors to create a roster of installation and financing options.

Please let me know if you have questions about our plans, and if you have any suggestions or can offer us any assistance.

Thank you.”

Mike Civileto, 219 Willow Road, CAC Chairman, spoke about details discussed at a recent CAC Meeting such as concerns with absentee landlords, the Whispering Giant maintenance, potentially partnering with non-profits, signage consistency and possibility of spearheading a historic district.

COMMUNICATIONS FROM THE MAYOR INCLUDING DISAPPROVAL MESSAGES:

Mayor Dolce thanked everyone for attending the Repower Dunkirk rally at the Pier on Saturday.

COMMUNICATIONS FROM THE PUBLIC AND PETITIONS:

Notice of Claim from Mary Levandoski for alleged damages to her vehicle while driving on 7th Street.

Notice of Claim from Marian Penkaty for alleged damages to her vehicle while driving on North Beagle Street.

Councilman Michalski made a motion to refer to the Law Department. Seconded by Councilman Rivera.

Carried, all voting aye.

REPORTS OF STANDING COMMITTEES, BOARDS AND COMMISSIONS:

Councilman Michalski advised of the opening of Lake Front Blvd, hopes this is something the residents in the area can be proud of and that he would like to see it be re-paved within the next few years.

Councilman Michalski advised that he would like to see the comments restricting what can be discussed that was made before the Privilege of the Floor be eliminated.

Councilman Rivera congratulated Public Works Director Gugino and Building Inspector Zurawski for their hard work with the Seawall and Land Bank respectively and also praised the rest of the administration for their accomplishments with getting to a point where an agreement with North County Water District is forthcoming.

Councilwoman Szukala advised she has a Public Works Meeting tomorrow at 1:00 PM in the Mayor's Conference Room.

Councilwoman Szukala inquired to Mayor Dolce for an update on the Marina payment as well as who is responsible for the trash along the waterways as she has received complaints and asked Public Works Director for an update on potential reflectors being place along Roberts Road.

Mayor Dolce advised that half of the Marina payment was received last week and Public Works Director Gugino advised that the tenants who operate the Marina are the ones responsible for the cleaning along the waterways.

Public Works Director Gugino advised that he has not yet heard from the County since they dispatched their Engineers to assess the situation and will follow up.

Councilman-at-large Rosas inquired to Building Inspector Zurawski for an update at the Colburn Block as he has received complaints and thought it was discussed at the last meeting that they would open up at least one lane of traffic.

Building Inspector Zurawski advised that they were hoping that the process to demolish would have taken less time but the expected start date for the demolition is tomorrow morning.

Councilman-at-large Rosas asked Mayor Dolce for an update on the Consent Order work as he has had a conversation with the County Executive as well as the Health Department with both agreeing they are not ok with the work not being done.

Mayor Dolce advised that he had formally requested with the County Board of Health to possibly eliminate items off the Consent Order or to extend the timeline, he is awaiting for the results of an EFC Grant that the County wrote on behalf of the City, and is understandably concerned but would like to secure funding first.

Councilman-at-large Rosas inquired to Mayor Dolce and City Attorney Szot for an update with the North County Water District.

Discussion was had between Council, Mayor Dolce and City Attorney Szot in regards to the technical and administrative aspects as well as a timeline for possible voting on a Resolution.

PRE-FILED RESOLUTIONS:

RESOLUTION #74-2015
OCTOBER 20, 2015

BY: THE ENTIRE COUNCIL

AUTHORIZE LOCAL CABLE PROGRAM DIRECTOR AGREEMENT
(Daniel Riewaldt and Steve Wright, Jr.)

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

WHEREAS, Daniel Riewaldt and Steve Wright, Jr., have provided a unique prospect for such opportunities and have 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, Daniel Riewaldt and Steve Wright, Jr., are ready, willing and able to provide such services to and on behalf of the City, in a good and workmanlike manner; and

WHEREAS, there is a need on occasion for the on-site production of access programming; now, therefore, be it

RESOLVED, that the Mayor is directed and authorized to execute any and all agreements necessary to engage the services of Daniel Riewaldt, 188 Liberty Street, Fredonia, New York 14063, to provide primary production oversight and operational management for the City's local access channel for the period November 1, 2015 through October 31, 2016, at the cost not to exceed Four Hundred Twenty-Five Dollars and Zero Cents (\$425.00) per month, *pro rata*, for any access channel-related services; and, be it further

RESOLVED, that the Mayor is directed and authorized to execute any and all agreements necessary to engage the services of Steve Wright, Jr., 6999 McKay Road, Mayville, New York 14757, to provide primary production oversight and operational management for the City's local access channel for the period November 1, 2015 through October 31, 2016, at the cost not to exceed Four Hundred Dollars and Zero Cents (\$400.00) per month, *pro rata*, for any access channel-related services; and, be it further

RESOLVED, that the Mayor is directed and authorized to engage such individuals as may be trained and qualified, to provide on-site production of access programming at the cost of Twenty Dollars and Zero Cents (\$20.00) per event, on an as-needed basis; and, be it finally

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

Councilwoman Szukala advised that Council was originally unsure of the 1 year contract but is ok with it since there is an out clause for both parties and inquired to where the monthly reports showing hours worked with equipment and programming was as she had asked several times for it.

Cable Access Director Riewaldt explained that he sends an email report monthly to Mayor Dolce, will include Councilwoman Szukala to that list, and advised he is available via email or cell phone if anyone needs to contact him.

Councilwoman Szukala advised that she would like to always see someone at meetings and sporting events to at least record the event to be broadcast at a later time if it cannot air live.

Councilman Rivera advised that he believes that Cable Access is in the best shape it has ever been at with a great stream of volunteers and will be voting in support of this Resolution.

Vote on Resolution:

Ayes: Councilman Michalski, Councilman Gonzalez and Councilwoman Szukala.

No: Councilman-at-large Rosas

Carried, 3-1.

RESOLUTION #75-2015
OCTOBER 20, 2015

BY: ENTIRE COUNCIL

**CHANGING THE COMMON COUNCIL
MEETING DATE FOR THE FIRST MEETING IN NOVEMBER, 2015**

WHEREAS, Election Day (November 3, 2015) falls upon a regularly-scheduled date for a meeting of the Common Council; and

WHEREAS, in order to accommodate the public's opportunity to both exercise their right to vote and to attend the Common Council meeting, it would be appropriate to change the day of the 1st meeting in November, 2015; now, therefore, be it

RESOLVED, that the Common Council meeting scheduled for Tuesday, November 3, 2015 be changed to Monday, November 2, 2015, due to Election Day, with pre-file date changed to Wednesday, October 28, 2015.

Carried, all voting aye.

ADJOURNMENT:

Councilwoman Szukala moved to adjourn. Seconded by Councilman Michalski.

Carried, all voting aye.

Adjourned at 6:13 PM

Nicole Joiner, City Clerk
