

COMMON COUNCIL PROCEEDINGS
July 15, 2014

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

Present: Councilmen Michalski, Gonzalez and Councilwoman Szukala

Excused: Councilman Rivera & Councilwoman-at-large Kiyak

Councilman Michalski advised a motion was needed to appoint him as Acting Councilman-at-Large.

Councilman Gonzalez made a motion. Seconded by Councilwoman Szukala.

Carried, all voting aye.

Also present: City Treasurer Woods, Public Works Director Gugino, Fiscal Affairs Officer Halas, Building Inspector Zurawski, Director of Development Neratko, Personnel Administrator Heyden, Fire Chief Ahlstrom and Police Lieutenant Timmerman.

Acting Councilman-at-large Michalski excused Mayor Dolce, City Attorney Szot, Clerk, Board of Assessors Mleczo, and Police Chief Ortolano and welcomed Police Lieutenant Timmerman to tonight's meeting.

Certification of July 01, 2014 meeting was read by City Clerk Joiner.

RESOLVED: That the reading of the minutes of Tuesday, July 01, 2014 be dispensed with.

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

Carried, all voting aye.

PUBLIC COMMENTS:

Steve Rees, 433 Dove Street, Dunkirk read the following statement:

"Good evening. I'm Steve Rees and I reside at 433 Dove Street in the city. I come here to express my thanks to the residents of this community who in recent weeks spent untold hours in preparation for the 4th Annual Dunkirk Garden Walk that occurred this past weekend. The 15 private gardens were made available to any and all who were interested in seeing the results of efforts expended by persons who truly care about their properties, their neighborhoods and the image of the city at large. Although perhaps not true for all gardens, reports of over 120 visitors throughout the day at several locations made the effort worthwhile.

As well, thanks go to the volunteers who for the past three years have labored to restore the Dunkirk High School "Bicentennial Park" on Sixth Street to a condition that befits a community that cares. I wish to also applaud the efforts of the Community Gardens leaseholders who have partnered with the City, the DLDC and the Chautauqua County Health Network in creating raised-bed vegetable gardens on three sites in the city. They are proving very productive.

Finally, I wish to publically commend the energy and effort made by Harriet "Skeeter" Tower who once again was at the heart of organizing the event. A bit of her enthusiasm and "can do" spirit rubs off on each person she motivates to participate in community activities and we are all the better for that. Thank you."

COMMUNICATIONS FROM THE PUBLIC AND PETITIONS:

Harbor Commission requesting approval of Commercial Bait Fishing application.

Councilwoman Szukala made a motion to approve. Seconded by Councilman Gonzalez.

Carried, all voting aye.

Request from Gabriel Taylor, Youth Pastor for Getsemani Church, to use Washington Park on Saturday August 2nd and Saturday August 16th from 3:00 PM until 9:00 PM for a fellowship gathering.

Councilwoman Szukala inquired if there have been any concerns from the neighbors with similar events in Washington Park.

Police Lieutenant Timmerman advised that he is not aware of any issues.

Acting Councilman-at-large Michalski advised a motion was needed to approve and refer to DPW, Police, Fire and Law Departments, contingent on prior proof of appropriate insurance by the sponsor naming the city as additional insured and that all city property is left in the same condition as prior to the event

Councilman Gonzalez made a motion to approve. Seconded by Councilwoman Szukala.

Carried, all voting aye.

Request from Ted Sharon, Professor for the Department of Theatre and Dance at Fredonia, to use Point Gratiot for a video production shoot during daylight hours between Wednesday, July 30th thru Friday, August 1st for approximately 3 hours.

Acting Councilman-at-large Michalski advised a motion was needed to approve and refer to DPW, Police, Fire and Law Departments, contingent on prior proof of appropriate insurance by the sponsor naming the city as additional insured, approval of loudspeaker permit if applicable, and that all city property is left in the same condition as prior to the event

Councilwoman Szukala made a motion to approve. Seconded by Councilman Gonzalez.

Carried, all voting aye.

Request from James Muscato II, on behalf of the City of Dunkirk Fire Department, to hold a Firemen's Hose Race in conjunction with a benefit on Sunday, August 17th as well as the use of barricades to close Central Avenue between Second and Third Street from 2:00 PM until 6:00 PM.

Councilwoman Szukala advised that during previous events where Central Avenue would be closed, prior approval would be needed from Chautauqua County and if in the event approval was denied offered the alternate location of closing 2nd or 3rd Streets.

Acting Councilman-at-large Michalski advised that a motion was needed to approve and refer to DPW, Police and Fire Departments contingent upon approval from Chautauqua County to close Central Avenue.

Councilman Gonzalez made a motion to approve. Seconded by Councilwoman Szukala.

Carried, all voting aye.

Request from Scott Wise, on behalf of Family Church Fredonia, to use the City lot between the Clarion and Tim Hortons on August 24th from 10:30 AM until 2:00 PM for church services.

Councilwoman Szukala advised that this event would be held on the same day as Tri-Dunkirk and due to traffic concerns, as well as possible seawall reconstruction, would like to see the event pulled and suggested an alternate location of Washington Park or different date.

Councilman Gonzalez advised that while he is in support of this event, he also agreed that the location on that particular day would be problematic and suggested using Washington Park.

Public Works Director Gugino explained the normal route/time process that this event required and advised that the congestion of people in that area at that time would be immense.

Acting Councilman-at-large Michalski advised that Council has pulled this request.

Notice of Claim from Michael Meyers for alleged damages to his boat during the Fourth of July Fireworks.

Councilman Gonzalez made a motion to refer to Law Department. Seconded by Councilwoman Szukala.

Carried, all voting aye.

Loudspeaker application from Getsemani Church for loudspeakers, drums, and microphones on August 2nd and August 16th from 3:00 PM until 7:00 PM for a fellowship gathering with the community.

Loudspeaker application from Exempt Firemans Club for a live band and DJ equipment August 17th from 12:00 until 4:00 PM.

Loudspeaker application from Craig Rosplock for DJ equipment in the Lower Pavilion at Point Gratiot on August 23rd from 3:00 PM until 5:00 PM.

Loudspeaker application from Blessed Mary Angela Parish for Radio equipment and live music August 10th from 12:00 PM until 4:00 PM.

Loudspeaker application from Family Church to use speakers and microphones at the City lot between the Clarion and Tim Hortons on August 24th from 10:30 AM until 2:00 PM for church services.

Acting Councilman-at-large Michalski advised that Council has pulled the Loudspeaker application for Family Church.

Councilwoman Szukala made a motion to approve. Seconded by Councilman Gonzalez.

Carried, all voting aye.

REPORTS OF STANDING COMMITTEES, BOARDS AND COMMISSIONS:

Councilman Gonzalez had nothing to report at this time.

Councilwoman Szukala had nothing to report at this time.

Councilman Michalski commended the Police Department for their work on the 4th of July Holiday weekend, especially Officer Switzer, who helped diffuse a potentially dangerous situation at Point Gratiot.

PRE-FILED RESOLUTIONS:

RESOLUTION #58-2014

JULY 15, 2014

BY THE ENTIRE COUNCIL:

AUTHORIZING BUDGET MODIFICATIONS (July 2014)

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 2014, ending December 31, 2014; now, therefore, be it

RESOLVED, that the Fiscal Affairs Officer is hereby authorized and directed to make the following modifications to the Fiscal Year 2014 budget:

FUND 1

Description: Police - Unanticipated repairs to aging police patrol fleet earlier in year depleted line item; replenish necessary for normal preventive maintenance and inspections.

<u>Account No.</u>	<u>Department Change</u>	<u>Line</u>	
001.3120.4023	Police Dept.	Rep & Maint of Vehicles	\$ 5,000
001.1900.1990	General Services	Contingencies Allowance	\$ (5,000)
		TOTAL	\$ -

FUND 1

Description: Replacement of tines on beach cleaning equipment at cost of \$1,360 which exceeds original budget amount.

<u>Account No.</u>	<u>Department Change</u>	<u>Line</u>	
001.7180.4003	Beach Operations	Other Supplies	\$ 1,200
001.7110.4023	Parks	Rep & Maint of Vehicles	\$ (1,200)
		TOTAL	\$ -

FUND 1

Description: Large expense to truck E-4 for fuel tank and fuel lines depleted budgeted line item.

<u>Account No.</u>	<u>Department Change</u>	<u>Line</u>	
001.3410.4023	Fire Dept.	Rep & Maint of Vehicles	\$ 10,000
001.3410.2000	Fire Dept.	Equipment	\$ (10,000)
		TOTAL	\$ -

FUND 1

Description: Electrical supplies for bike path along the water front behind the Clarion.

<u>Account No.</u>	<u>Department Change</u>	<u>Line</u>	
001.7110.4016	Parks	Electrical Supplies	\$ 1,300
001.7110.4021	Parks	Rep&Maint	\$ (1,300)
		TOTAL	\$ -

Carried, all voting aye.

RESOLUTION #59-2014

JULY 15, 2014

BY: COUNCILWOMAN SZUKALA

**AUTHORIZING CHANGE FOR
FIRST AUGUST 2014 COMMON COUNCIL MEETING**

WHEREAS, the Common Council wishes to change the date of their first meeting in August, and

WHEREAS, the Tuesday, August 5th meeting will be changed to Monday, August 4th in order to enable participation in the **National Night Out** program, now, therefore, be it

RESOLVED, that the August 5, 2014 Common Council Meeting shall be re-scheduled to August 4, 2014, in order to enable participation in the **National Night Out** program, with the pre-file date to be Wednesday, July 30, 2014.

Carried, all voting aye.

RESOLUTION #60-2014

JULY 15, 2014

BY ENTIRE COUNCIL:

**AUTHORIZING CONTRACT WITH SELECTIVE INSURANCE COMPANY OF NY
FOR GENERAL LIABILITY, PROPERTY, AUTO AND PROFESSIONAL INSURANCE**

WHEREAS, the City's General Liability, Property, Auto and Professional insurance has been bid by the City of Dunkirk's broker of record, Lawley Tradition, LLC; and

WHEREAS, Selective Insurance Company of New York submitted a proposal for \$305,298.00; now, therefore, be it

RESOLVED, the Mayor is hereby authorized and directed to sign any and all agreements necessary to contract with SELECTIVE INSURANCE COMPANY OF NEW YORK, 40 Wantage Avenue, Branchville, NJ 07890-1000, for the City's Commercial Insurance for the period July 8, 2014 through July 8, 2015; and, be it further

RESOLVED, that payment for this contract will be charged proportionately to City Budget Accounts: #001-1900-1910 (50 percent), #002-1900-1910(25 percent), and #003-1900-1910(25 percent).

Acting Councilman-at-large Michalski advised that Lawley Tradition, the City's insurance carrier, shopped around for a new provider and found that switching from Trident to Selective would bring a cost savings of \$12,000 as well as better service.

Carried, all voting aye.

ADJOURNMENT:

Councilwoman Szukala moved to adjourn. Seconded by Councilman Gonzalez.

Carried, all voting aye.

Adjourned at 5:49 PM

Nicole Joiner, City Clerk
