

COMMON COUNCIL PROCEEDINGS
July 17, 2012

The meeting was called to order at 6:00 PM by Councilwoman-at-large Kiyak followed by the Pledge of Allegiance.

Present: Councilmen Michalski, Rivera, Councilwoman Szukala and Councilwoman-at-large Kiyak.

Also present: Mayor Dolce, City Attorney Szot, Public Works Director Gugino, City Treasurer Woods, Building Inspector Zurawski, Director of Development Neratko, Personnel Administrator Heyden, Development Intern Travis Gordon, Fire Chief Ahlstrom and Police Chief Ortolano. Absent: Fiscal Affairs Officer Briggs.

Councilwoman-at-large Kiyak advised that Councilman Gonzalez and Clerk, Board of Assessors Mleczko were excused from tonight's meeting.

Certification of July 3, 2012 meeting was read by City Clerk Lawrence.

RESOLVED: That the reading of the minutes of Tuesday, July 3, 2012 be dispensed with.

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

Carried, all voting aye.

PUBLIC COMMENTS:

Jay Warren, 5182 Woodlands Dr., Dunkirk, NY addressed the Council stating that he was a member of the Planning Board for the Town and that they had some challenges this year. He advised that it was a good idea to refer to a comprehensive plan, which they did not have, and used the Chadwick Bay Plan which was prepared in the 90's. He stated that it was important to begin work for their plan, that he spoke with the Mayor and his staff on this, and tomorrow there would be a workshop with their Planning Board. He further informed that Wendel Associates was invited to explain a mini-training process for what was involved with a Comprehensive Plan. Mr. Warren invited City Officials to attend with any questions, stated that there are advantages in working together, and the invitation was extended to others as well. He closed by informing that the meeting was tomorrow night at the Town Hall on Willow Road at 6:30 PM.

COMMUNICATIONS FROM THE MAYOR INCLUDING DISAPPROVAL MESSAGES:

Mayor Dolce advised that the cat program has started again as of last weekend, and advised of discussions in regard to the water rates. He stated that the city was looking at how to adjust the rates to cover necessary expenses with the Consent Order. He further stated that proposals will be looked at in August with a possible Local Law in August or September. Mayor Dolce advised that the next round of borrowing will have these water rates attached to it, used as a dedicated fund, and will go directly to the bonding the city must do. He further informed that funding was running low to meet with the Consent Order on time.

COMMUNICATIONS FROM THE PUBLIC AND PETITIONS:

Communication from Rowland Mahany requesting a letter pertaining to the DHS Class of 1942 is read into the Council Minutes.

Councilwoman-at-large Kiyak read the communication as follows:

"Dear Mayor Dolce

The 1942 Class of Dunkirk High School is celebrating its 70th Anniversary Reunion on Friday, July 13, 2012 at Shorewood Club at Noon.

This Class of 1942 was the first class to graduate from Dunkirk High School during WWII. Many of our classmates sign up and entered the Armed Forces to serve their Country at the time of World War II. Five of our classmates paid the supreme sacrifice - and did not return.

This is also the first class that graduated from Dunkirk High School to celebrate the 70th Anniversary Reunion.

Several of our classmates served the City of Dunkirk at the City Hall. Gilbert Snyder served as Mayor of the City of Dunkirk.

Also serving the City of Dunkirk was City Judge August Jankowski.

We the Class of 1942 of Dunkirk High School would like the City of Dunkirk to read this letter at the Dunkirk Common Council Meeting so that the historic facts pertaining to the Dunkirk High School Class of 1942 will be recorded in the minutes of the Dunkirk Common Council Meeting.

On a separate page I have enclosed a copy of the Class of 1942 song. We think that Larry Henderson who wrote this song in 1938 predicted the future of our class as it represents us today.

Larry was one of our classmates who gave the supreme sacrifice for his Country and did not return.

Thank you for your considerations. Keep the Faith.

Rowland B. Mahany"

Received and filed.

Petition for horse and carriage rides at Point Gratiot on August 16th from 7:00 PM to 9:45 PM from the Cassadaga Job Corps for their annual prom.

Councilman Michalski moved that permission be granted and referred this to the Public Works, Law, Police & Fire Departments contingent on insurance. Seconded by Councilwoman Szukala.

Carried, all voting aye.

Petition from Kari Lockett on behalf of DHS Midget Football for a Chicken BBQ at Point Gratiot on August 10th from 4:00 to 7:00 PM.

Received and filed.

Petition from Laura Zadzilka & Mark Stetzko for a wedding ceremony in Point Gratiot Park on August 10th from 2:00 to 3:00 PM.

Received and filed.

Petition from Mad Dads for use of the Wright Park basketball court on August 25th from 9:00 AM to 3:30 PM, loudspeaker permit, 5 picnic tables and trash barrels.

Councilwoman Szukala moved that permission be granted with notification to the Public Works, Police, Law and Fire Departments subject to all fees and insurance. Seconded by Councilman Michalski.

Carried, all voting aye.

Loudspeaker application from Mad Dads for a microphone/stereo system at Wright Park basketball courts on August 25th from 10:00 AM to 2:00 PM.

Councilwoman Szukala moved that permission be granted. Seconded by Councilman Rivera.

Carried, all voting aye.

Loudspeaker application from the Salvation Army for a radio with speaker at 704 Central Avenue on August 4th from noon to 4:00 PM for a community picnic.

Councilman Rivera moved that permission be granted. Seconded by Councilwoman Szukala.

Carried, all voting aye.

REPORTS OF STANDING COMMITTEES, BOARDS AND COMMISSIONS:

Councilman Michalski stated that he was disappointed to hear at the last Council Meeting that the transfer of funds for playground equipment to the schools was not going to be happening. However, he advised that at today's Public Works Meeting it was reported that funds were set aside for Phase III of the Bike Path Program for playground equipment; specifically Wright Park. He advised that there was over \$80,000 set aside, and hopefully only one-half would be used for the equipment, and was pleased to announce that this was part of the Bike Path Program.

Director of Development Neratko stated they were looking into this now to make sure the funds were available, and Public Works Director Gugino also stated that it's always best to go back and check on things that are old to verify the original scope.

Councilman Rivera stated that he had nothing to report on his committees, and offered condolences to Councilman Gonzalez & his family in the loss of his mother.

Councilman Rivera also wanted to remind residents especially in the Second Ward that planted trees in the last two years to take care of them by watering and tying up if necessary. He also commented on the success of July 4th, thanked Tony Gugino and his staff for their work on the recent water breaks and thanked the residents, especially in the First Ward for their patience during the loss of water pressure.

Councilman Rivera further advised the Plover Street residents that he spoke to the Mayor and Tony Gugino in regard to that street between Fifth & Sixth Streets.

Councilwoman Szukala offered her condolences and thoughts to Councilman Gonzalez and his family in the loss of his mother.

Councilwoman Szukala advised that Council would be on the radio on Friday, July 20th at 9:00 AM, thanked all departments involved with the Independence Day celebration, and stated that private donations were also made to make sure the fireworks happen.

Councilwoman Szukala also addressed the Mayor in regard to receiving a written report from the auditors. Mayor Dolce advised that it would be available in August.

Councilwoman-at-large Kiyak advised that Council would be on the radio on Friday at 9:00 AM but airing at 12:15.

Councilwoman-at-large Kiyak also addressed the Police Chief relative to an article in the Observer pertaining to violation of the FOIL. (Freedom of Information Law).

Police Chief Ortolano advised that he was in compliance with what other agencies are doing; he is working on the issue for some resolution on this, and will keep her updated.

Councilwoman-at-large Kiyak also informed that the next Economic Development Committee Meeting will be held on Tuesday, July 31st at 11:00 AM in the Conference Room, and the Dunkirk Citizens Dialogue Meeting would be on the same day at 6:00 PM in the Conference Room also.

Director of Development Neratko stated that there has been quite a bit of dialogue regarding the past performance of the CDBG Program. He advised as to the present and future status of this, stating that due to some issues from State Agencies and some we found ourselves, we needed to go back and redo the Action Plan of fiscal year 2012. He advised that we had to stop the current programs, no money was spent yet, but we did take applications for the Housing rehab program, and due to concerns will look into issues to make sure our money is appropriated correctly. He advised that they will be doing a complete redo Action Plan for this year and expedite so the housing and other building projects can move forward for this year. He advised that the first public hearing for this would be held on July 25th at 5:30 PM at the SUNY Incubator Conference Room. He further informed that they have put together a five-year Consolidation Plan, as well as the Action Plan for fiscal year 2013. He stated that this public hearing would be on July 25th at 6:00 PM at the same location.

Development Intern, Travis Gordon invited everyone to attend this meeting on the 25th, as it was an opportunity for anyone to voice their opinion. Director of Development Neratko also stated that he would like to get as much public participation as possible to make sure of the future for this program.

Councilwoman-at-large Kiyak stated that there was no Unfinished Business, Pre-Filed Resolutions, or New Business.

Councilman Michalski motioned to meet in Executive Session according to the NYS Open Meetings Law, Section 105 Paragraph F regarding matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation, and there will be no action taken during this time.

City Attorney Szot explained that clarification must also be made that no action would be taken after the Executive Session concluded.

Councilman Michalski moved to meet in Executive Session. Seconded by Councilwoman Szukala.

Carried, all voting aye.

Executive Session called to order at 6:23 PM.

Councilman Michalski moved to adjourn the Executive Session and reconvene to the regular Council Meeting. Seconded by Councilwoman Szukala.

Carried, all voting aye.

Councilwoman Szukala moved to adjourn the Council Meeting. Seconded by Councilman Rivera.

Carried, all voting aye.

Adjourned at 6:52 PM

Lacy Lawrence, City Clerk
