

COMMON COUNCIL PROCEEDINGS
- Special Meeting -
May 22, 2015

The meeting was called to order at 3:01 PM by Councilman-at-large Rosas.

Present: Councilmen Gonzalez, Councilwoman Szukala and Councilman-at-large Rosas.

Also present: City Attorney Szot, Public Works Director Gugino, City Treasurer Woods, Fiscal Affairs Officer Halas, City Engineer Woodbury and Police Chief Ortolano.

Notice of Special Meeting was read by City Clerk Joiner.

PUBLIC COMMENTS:

No one spoke.

RESOLUTION #36-2015
SPECIAL MEETING
MAY 22, 2015

BY: THE ENTIRE COUNCIL

**AWARDING CONTRACT FOR EMERGENCY REPAIR/REMEDICATION
AND ESTABLISHING CAPITAL IMPROVEMENT FUND
(MEMORIAL PARK LAKE WALL)**

WHEREAS, the Memorial Park lake wall has deteriorated to the extent that, according to recent inspections by United States Engineers and other expert agencies, it is an imminent threat to the public's health, safety and welfare and in need of immediate remediation; and

WHEREAS, contractor proposals were sought, received and reviewed by the Department of Public Works (DPW) to provide the labor and heavy equipment services for the repair/remediation of the damage that has been designed in conjunction with said expert agencies (the "project"); and

WHEREAS, three (3) contractor proposals were received for such project work for the westerly 550 feet of said wall in the amounts of \$144,650, \$53,900, and the low amount proposal of \$34,496, which is deemed by DPW as capable and responsible and is from H & K Services, 12025 Leon Road, Leon, NY 14751, now, therefore, be it hereby

RESOLVED, that upon review and recommendation of the Director of Public Works and the Director's determination of the emergent condition affecting public's health, safety and welfare, the Mayor is authorized and directed to enter into a contract to provide such project work and to build said emergency revetment with **H & K Services, 12025 Leon Road, Leon, NY 14751**, for a cost not to exceed \$34,496.00; and, be it further

RESOLVED, that the Fiscal Affairs Officer is directed to establish a Capital Improvement Fund for such project, appropriating the following not-to-exceed amounts:

Contractor (H&K Services)	\$ 34,496.00	
Stone/Materials	\$210,950.00	
<u>Geo-Tech Fabric</u>	<u>\$ 6,921.20</u>	
Total	\$252,367.20;	and, be it further

RESOLVED, that funding for this project will be a temporary loan from the City of Dunkirk General Fund Account; and, be it further

RESOLVED, the repayment of this temporary loan will be off-set by any grants, aid, *etc.*, that is received for the project which may become available; and, be it finally

RESOLVED, the balance due to the General Fund on September 30, 2015 (net of any such grants, aid, *etc.*) will be financed in order to cover the repayment of such temporary loan.

Councilwoman Szukala inquired to Public Works Director Gugino as to the bidding process, details of the bid, when the work would begin and advised that she had some concern with the contractor as they were used on a previous contract that ended up costing additional money.

Public Works Director Gugino advised that there were 3 Bidders, the lowest being awarded to H&K Services, they were \$12,000 to \$13,000 lower than the next bidder and that the total cost includes all expenses.

Councilman Gonzalez advised that while he was uncomfortable using this contractor the work does need to get done so he will support it.

Councilman-at-large Rosas inquired to City Attorney Szot if this was the total dollar amount required as he was informed the cost would be slightly higher.

City Attorney Szot advised that this was the dollar amount that he was given from City Engineer Woodbury and City Treasure Woods.

City Treasurer Woods explained that he previously advised at yesterday's meeting that there should be a contingency line for any unforeseen expenses.

Discussion was had between City Attorney Szot, Fiscal Affairs Officer Halas and City Treasurer Woods in regards to the total dollar amounts required and the dollar amount that should be added to the contingency line for this project.

Councilwoman Szukala made a motion to amend Resolution #36-2015 to show the following dollar amounts:

Contractor (H&K Services)	\$ 35,000.00
Stone/Materials/Geo-Tech Fabric	\$218,000.00
<u>Contingency</u>	<u>\$ 5,000.00</u>
Total	\$258,000.00

Seconded by Councilman Gonzalez.

Carried, all voting aye.

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(MEMORIAL PARK LAKE WALL)**

WHEREAS, the Memorial Park lake wall has deteriorated to the extent that, according to recent inspections by United States Engineers and other expert agencies, it is an imminent threat to the public’s health, safety and welfare and in need of immediate remediation; and

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Stone/Materials/Geo-Tech Materials	\$ 218,000.00
<u>Contingency</u>	<u>\$ 5,000.00</u>
Total	\$258,000.00; and, be it

further

RESOLVED, that funding for this project will be a temporary loan from the City of Dunkirk General Fund Account; and, be it further

RESOLVED, the repayment of this temporary loan will be off-set by any grants, aid, *etc.*, that is received for the project which may become available; and, be it finally

RESOLVED, the balance due to the General Fund on September 30, 2015 (net of any such grants, aid, *etc.*) will be financed in order to cover the repayment of such temporary loan.

Vote on resolution as amended:

Carried, all voting aye.

ADJOURNMENT:

Councilwoman Szukala moved to adjourn. Seconded by Councilman Gonzalez.

Carried, all voting aye.

Adjourned at 3:13 PM

Nicole Joiner, City Clerk
