

COMMON COUNCIL PROCEEDINGS
- Special Meeting -
June 24, 2016

The meeting was called to order at 4:05 PM by Councilman-at-large Woloszyn followed by the Pledge of Allegiance.

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

Also present: Mayor Rosas, City Attorney Brautigam, City Treasurer Woods, Clerk, Board of Assessors Mleczko and City Engineer Woodbury.

Notice of Special Meeting was read by Councilman-at-large Woloszyn.

Councilwoman Szukala motioned to meet in Executive Session to discuss the proposed acquisition, sale or lease of real property of the proposed acquisition of securities, or sale or exchange of securities held by such public body, but only when publicity would substantially affect the value thereof. 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 4:08 PM.

Councilman Bamonto moved to adjourn the Executive Session at 4:30 PM and reconvene to the regular Council Meeting. Seconded by Councilwoman Szukala.

Carried, all voting aye.

Councilman Williams made a motion to strike the last sentence "It is expected that no new business will be taken after the Executive Session concludes" from the record as action will be taken by Council. Seconded by Councilwoman Szukala.

Carried, all voting aye.

PUBLIC COMMENTS:

Chautauqua County Executive Vince Horrigan advised that with Athenex coming soon to the area he believes the City of Dunkirk as well as Chautauqua County are on the edge of exciting development and lends his support for approval of the lease/sale/transfer of the Marina from Mr. Gambino to Mr. Pringle.

OLD BUSINESS:

RESOLUTION # 65 - 2016
June 21, 2016

By: ENTIRE COUNCIL

RATIFICATION AND CONSENT TO ASSIGNMENT OF WATER RIGHTS EASEMENT

WHEREAS, the City of Dunkirk granted a Water Rights Easement to JSG Marina Holdings, LLC by Agreement dated April 21, 2011, recorded in the office of the Chautauqua County Clerk on April 25, 2011 in Liber 2718 of Deeds at page 442, which provided an easement to JSG Marina Holdings, LLC for the purpose of installing and maintaining boat docks from and appurtenant to the parcel situated at 24 Lakeshore Drive West; and

WHEREAS, JSG Marina Holdings, LLC desires to convey 24 Lakeshore Drive West to Pier LLC and to assign its rights under the said Water Rights Easement therewith;

WHEREAS, the City of Dunkirk has no objections to the current Water Rights Easement and supports its assignment to Pier LLC; now, therefore, be it

RESOLVED, that the City of Dunkirk hereby ratifies the current Water Rights Easement and consents to its assignment to Pier LLC.

Councilwoman Szukala made a motion to take Resolution #65-2016 off the table. Seconded by Councilman Williams.

Carried, all voting aye.

Councilwoman Szukala inquired as to when a closing date would be known should this Resolution pass.

Discussion was held between Mr. Gambino, Mr. Laurita, Council and Mayor Rosas.

Mr. Gambino advised he would like something certified from the City to move forward showing that he is the sole owner of the docks and can sell as he chooses.

Mayor Rosas advised that the City has no interest in those assets.

Councilwoman Szukala advised that it was never anyone's intention to make this a difficult process, but with 3 Mayors/Attorneys and multiple changes in Councilmembers she wants to make sure the City was and is protected.

Carried, all voting aye.

NEW BUSINESS:

RESOLUTION #66
June 24, 2016

BY: ENTIRE COUNCIL

**AUTHORIZE AGREEMENT FOR INDEPENDENT CONTRACTOR
(Christina Lincoln) (Community Development Planner)**

WHEREAS, the City of Dunkirk has a need for independent consulting services in order for the City to administer grants funded by the United States Department of Housing and Urban Development (HUD) and the Community Development Block Grant Program (CDGB), and maintain certain requirements for the City's participation with the HUD CDBG program, including but not necessarily limited to the provision of technical and compliance assistance necessary; and

WHEREAS, it would be in the best interest of the City to contract for such services; and

WHEREAS, Christina Lincoln (Lincoln), 250 Blaine Avenue, Buffalo, New York 14208, by Resolution 2016-66, is engaged to provide such services as an independent contractor for the City in a good and workmanlike manner through the end of 2016 for Thirty-Six thousand Dollars per annum, up to thirty-five (35) hours per week; and

RESOLVED, that the Mayor is directed and authorized to execute any and all agreements between the City and **Christina Lincoln**, 250 Blaine Avenue, Buffalo, New York 14208, as an independent contractor to provide independent contracting services and assistance with various projects, particularly with regard to the administration of the City's Community Development Block Grant program, to reflect services on an annual basis, at Thirty-six Thousand Dollars per annum, for up to thirty-five (35) hours per week, as services may be needed by the City with such funds reimbursed from CDBG Administrative funding, contingent upon such funds being made available.

Councilwoman Szukala inquired to the start and end date for Ms. Lincoln.

Mayor Rosas advised her start date would be July 05, 2016.

Councilman-at-large Woloszyn advised that, for salary purposes, the terms of this Agreement should specify a start date of July 05, 2016 and end date of July 04, 2017.

Carried, all voting aye.

ADJOURNMENT:

Councilwoman Szukala moved to adjourn. Seconded by Councilman Gonzalez.

Carried, all voting aye.

Adjourned at : 4:45 PM

Lillian Divine, City Clerk
