

COMMON COUNCIL PROCEEDINGS
January 2, 2018

The meeting was called to order at 5:30 PM by Councilman-at-large Woloszyn followed by the Pledge of Allegiance.

Present: Councilman Bamonto, Councilman Williams, Councilman Heenan, Councilman Civiletto, and Councilman-at-Large Woloszyn.

Also present: Mayor Rosas, City Attorney Morrisroe, City Treasurer Woods, Board of Assessors Mieczko, Clerk, DPW Director Woodbury, Building Inspector Zurawski, Fiscal Affairs Officer Beach, Director of Development Yanus, Executive Assistant to the Mayor Westling, Fire Chief Edwards and Police Chief Ortolano.

Certification of the Tuesday, December 19, 2017 Common Council Meeting was read by City Clerk Ramos.

RESOLVED: That the reading of the Tuesday, December 19, 2017 Common Council Meeting be dispensed with.

Motion by Councilman Williams to accept the minutes as presented. Seconded by Councilman Bamonto.

Carried, all voting aye.

PUBLIC COMMENTS:

None

COMMUNICATIONS FROM THE MAYOR INCLUDING DISAPPROVAL MESSAGES:

Mayor Rosas stated that he will be leaving for Albany this evening for the State of the State address and would also like to invite everyone to the Clarion on Friday at 11:00am to hear the Lieutenant Governor give a summary of the State of the State Address.

COMMUNICATIONS FROM THE PUBLIC AND PETITIONS:

1. Notice of Claim from Brittney Brown for alleged damages to her car bumper on December 16, 2017.

Councilman-at-Large Woloszyn advised a motion is needed to refer to the law department.

Councilman Williams made a motion. Seconded by Councilman Bamonto.

Carried, all voting aye.

2. Notice of Claim from Campbell & Associates on behalf of Bonnie Orchard for alleged injuries sustained from a fall on the sidewalk at or near the intersection of Swan Street and West 3rd Street on October 3, 2017.

Councilman-at-Large Woloszyn advised a motion is needed to refer to the law department.

Councilman Bamonto made a motion. Seconded by Councilman Williams.

Carried, all voting aye.

**REPORTS OF STANDING COMMITTEES, BOARDS AND COMMISSIONS:
UNFINISHED BUSINESS:**

Councilman Williams stated to DPW Director Woodbury that he would like the snow plows to come out earlier when it begins to snow, we are also looking into getting some temporary employees for the winter as long as it's good with the union and adding additional equipment for next year and the DPW Meeting will be the 4th Wednesday of each month in the Mayors Conference Room.

The Mayor stated that during the budget process we did have a discussion about the extra funds that we budgeted for the seasonal employees. That fund is what we would use to bring some of these staff members in if we need to. The goal is that if and when the need arises that is when we would use them.

Councilman Bamonto inquired to DPW Director about what is happening on 7th Street and Washington Avenue.

DPW Director Woodbury stated that there is an old water line in the middle of Washington Avenue and it broke this morning and it is probably fixed by now because we have a great crew and we have another one in the 2nd ward that they are going to head to if they can make it tonight. Thank you to our crews for working in these subzero temperatures, these guys are amazing and my hats off to them and to everyone of our CDL drivers who give you every ounce that they can.

Councilman Heenen inquired to DPW Director Woodbury how many miles of roadway we have in the City and also how many people we have that are qualified to operate the plows.

DPW Director Woodbury stated there are 55 lane miles in the City of Dunkirk and we have 10 CDL qualified plow drivers.

Councilman Civileto stated that he will be having the Safety Committee Meetings on the 2nd Wednesday of each month.

Councilman-at-Large Woloszyn stated that the Finance Committee Meeting will be on the 18th this month in the Mayors Conference Room. The final audit for 2016 is complete and they will begin working on the 2017 audit immediately. There was a delay in the audit this year because we did have a new firm this year. Hopefully we won't have those delays going into the future because now they are familiar with the City Books and the City Departments.

UNFINISHED BUSINESS:

None

PREFILED RESOLUTIONS:

RESOLUTION #10-2018

January 2, 2018

BY: THE ENTIRE COUNCIL

**AUTHORIZING ASSESSOR & LAW DEPARTMENT TO CONTRACT
WITH COMMERCIAL APPRAISER TO DEFEND
AGAINST 836 BRIGHAM ROAD TAX CHALLENGE**

WHEREAS, the owners of the real property located at 836 Brigham Road have filed a tax certiorari (i.e., tax assessment challenge lawsuit) against the City of Dunkirk, Chautauqua County and the Dunkirk Public Schools; and

WHEREAS, the taxing municipalities are working together to defend against said tax challenge lawsuit; and

WHEREAS, in such a case, the question of assessed value is frequently a battle of professional commercial property appraisers; and,

WHEREAS, the City of Dunkirk, through the City Assessor and the City Attorney, has a contract negotiated with Emminger, Newton, Pigeon, and Magyar, Inc., for commercial appraisal services not to exceed \$5,000.00; and,

WHEREAS, said services are exempt from the City Procurement Policy because said contract falls below the \$10,000 contract threshold, and because it is for professional services; now, therefore, be it

RESOLVED, that the City Assessor is hereby authorized and empowered to execute a contract, on behalf of the City of Dunkirk, with Emminger, Newton, Pigeon, and Magyar, Inc., 60 Lakefront Boulevard, Suite 120, Buffalo, New York 14202, for the provision of commercial appraisal of the property located at 836 Brigham Road; and, be it finally

RESOLVED, that the funds for the above will come from City Appraiser's Budget, to be partially reimbursed by Chautauqua County and the Dunkirk Public Schools.

Carried, all voting aye.

RESOLUTION #11-2018

January 2, 2018

BY: THE ENTIRE COUNCIL

**AUTHORIZING ADMINISTRATION TO CONTRACT
WITH PROFESSIONAL HUMAN RESOURCES TRAINER**

WHEREAS, the City of Dunkirk is attempting to modernize, improve and make sure its provision of city services are compliant with local, state and federal laws; and

WHEREAS, as part of these attempts includes modernizes how the city handles human resource issues; and

WHEREAS, in the current era of 24 hour media and social media, news of abuse of power and abuse of authority have roiled governments, corporations and high profile individuals in cases of harassment, misappropriation of funds, violations of ethics, sexual harassment and misuse of company electronic equipment; and,

WHEREAS, the City of Dunkirk seeks to proactively limit its liability and train its employees, from Department heads through to temporary laborers, to avoid problems and handle issues as they arise appropriately; and,

WHEREAS, the City has negotiated a contract with professional human resources trainer Laura Andrus to hold training sessions with City employees on issues such as these, for the purpose of providing in-house professional development and management strategies to City of Dunkirk employees for fiscal year 2018 at the hourly rate of \$20.00 per hour not to exceed \$7,000, which was budgeted for in the 2018 budget previously passed by this Council; and,

WHEREAS said services are exempt from the City Procurement Policy because said contract falls below the \$10,000 contract threshold, and because it is for professional services; now, therefore, be it

RESOLVED, that the Mayor is hereby authorized and empowered to execute a contract, on behalf of the City of Dunkirk, with Laura Andrus, for the provision of human resources training to City employees; and, be it finally

RESOLVED, that the funds for the above will come from the Personnel budget, training budget line.

Carried, all voting aye.

ADJOURNMENT:

Councilman Williams moved to adjourn. Seconded by Councilman Bamonto.

Carried, all voting aye.

Adjourned at 5:41 PM

Edwin Ramos, City Clerk
