

COMMON COUNCIL PROCEEDINGS
January 16, 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, Personnel Administrator Heyden, Fire Chief Edwards and Police Chief Ortolano.

Certification of the Monday, January 1, 2018 and Tuesday, January 2, 2018 Common Council Meeting was read by City Clerk Ramos.

RESOLVED: That the reading of the Monday, January 1, 2018 and Tuesday, January 2, 2018 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:

Valerie Champlon spoke on behalf of Revitalize Dunkirk to invite everyone to the next meeting on Thursday, January 18, 2018 at 6:30pm at the Incubator. Our guest speaker will be Superintendent of Schools Dr. Tracy.

COMMUNICATIONS FROM THE MAYOR INCLUDING DISAPPROVAL MESSAGES:

Mayor Rosas invited everyone to the State of the City address that will be held on Friday, January 19th at 3:30pm in the City Courtroom and stated that he appointed Rachel Roberts to City of Dunkirk Acting Judge effective January 12, 2018.

COMMUNICATIONS FROM THE PUBLIC AND PETITIONS:

1. Notice of Claim from Rebecca Mirek for alleged damages to her vehicle when it was struck by a City Plow truck.

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

Councilman Williams made a motion. Seconded by Councilman Heenan.

Carried, all voting aye.

2. Notice of Claim from Ken Drummond for alleged damages to his rims when he hit an unfilled pothole.

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.

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

Councilman Williams stated that the DPW Meeting has been changed to Tuesday, January 30th at 4:00pm in the Mayors Conference Room also stated that he attended the Board of Education Meeting on Thursday, they talked about an SRO position and afterward some of the teachers and parents that were there seemed to think that the council or the Mayor were stopping it. I just want it to be on the record that the SRO position has not come before this council yet. We are not holding up anything. I think it would be a smart thing for the School District to do it but I also realize that it is a School Board issue not a City Council issue. We would be doing something that would authorize the Mayor to get into negotiations for that. The other thing that happened when I was there when the Superintendent mentioned he was speaking to someone about the SRO position, I was kind of shocked that he mentioned he was talking to the PBA President, not the Mayor or the City Attorney so I just wanted to ask the Mayor if that's our Administrations policy to have the front line staff do negotiations for that or if you are planning on sending someone else.

Mayor Rosas stated that he was unaware that the meeting was taking place. The Superintendent and I have had discussion since that meeting and I have reached out to our PBA President and our Police Chief to have discussion and I believe we are all on the same page. I believe what we want is an SRO in the School. Ultimately the responsibility to pay for that decision lies with the School District. The City as far as I am concerned will do anything and everything that we can to help facilitate so that can happen. I was disappointed that the meeting took place and I was not included. I understand your position; I also spoke with Councilman Civileto on this issue who also attended that same meeting. I cannot speak on behalf of the Superintendent or the PBA President I can only say to you that I am willing to work with them. I have already spoken with the Superintendent and advised him that if he wishes to have any further discussion on this issue that I would be the person he would need to contact. In no way did I delegate that duty to have the City represented by the frontline staff regardless of their position with the union, I would never do that.

Councilman Bamonto stated that the Personnel Meeting will be Wednesday, January 31 at 4:00pm in the Mayors Conference Room and inquired to DPW Director Woodbury if there is anything being done on Howard Avenue with this weather we are having.

DPW Director Woodbury stated that the contractor is still there working.

Councilman Civileto stated that there was a Safety Committee Meeting last week and there was an exploratory Introduction to the Code Red system. Code Red is a system that sends out a text alert to citizens with emergency information if they sign up for it. There is a meeting for the City of Dunkirk Vacant Property Task Force on Tuesday, January 30 at 6:00pm-8:00pm.

Councilman-at-Large Woloszyn stated there is a Finance Committee Meeting on Thursday, January 18 at 4:00pm.

UNFINISHED BUSINESS:

None

PREFILED RESOLUTIONS:

RESOLUTION #12 -2018
January 16, 2018

BY: ENTIRE COUNCIL

**AUTHORIZING AGREEMENT FOR CONSULTANT SERVICES
FOR CITY OF DUNKIRK SMART GROWTH CAPITAL INITIATIVE CENTRAL
CONNECTIONS PROJECT
(Barton and Loguidice)**

WHEREAS, the City of Dunkirk has been awarded \$2,500,000 through the Buffalo Billion Phase II funding to develop a pedestrian and bicycle trail, along with a cohesive marketing, branding, and signage system to connect the City of Dunkirk and its waterfront with the Village of Fredonia and SUNY Fredonia along Central Avenue in both Dunkirk and Fredonia; and

WHEREAS, professional consultant services are required to develop the plans, engineering, and permitting pieces, and Barton and Loguidice, is ready, willing and able to provide such services for the City in a good and workmanlike manner as determined by the Director of Planning and Development under her responsibility and authority by the City Code, and with the further consideration that Barton and Loguidice, comes highly recommended from the nearby communities that have done similar projects; now, therefore be it

RESOLVED, that the Mayor is authorized and directed to execute an agreement of services, on behalf of the City of Dunkirk, with Barton and Loguidice, 443 Electronics Parkway Liverpool, NY 13088, to plan, engineer, and implement, the City's Central Connections Project for the benefit of the community with a cost not to exceed a total of ninety eight thousand four hundred dollars (\$98,400); and be it finally

RESOLVED, that the revenue, and appropriations for this project be set up by Fiscal Affairs as an income and expense in a separate City Fund, and that any and all consultant contract administration services be paid from the expense line of said Fund.

Carried, all voting aye.

RESOLUTION #13 -2018
January 16, 2018

BY: ENTIRE COUNCIL

**AUTHORIZING AGREEMENT FOR CONSULTANT SERVICES
FOR CITY OF DUNKIRK SMART GROWTH CAPITAL INITIATIVE PIER AND
HARBOR PROJECTS
(Barton and Loguidice)**

WHEREAS, the City of Dunkirk has been awarded \$2,500,000 through the Buffalo Billion Phase II funding to enhance the Dunkirk Pier and harbor to include an increase in green space and recreation amenities, as well as improved connections between the pier and waterfront trail system; and

WHEREAS, professional consultant services are required to develop a Site Program and Conceptual Design, and Barton and Loguidice, is ready, willing and able to provide such services for the City in a good and workmanlike manner as determined by the Director of Planning and Development under her responsibility and authority by the City Code, and with the further consideration that Barton and Loguidice, comes highly recommended from the nearby communities that have done similar projects; now, therefore be it

RESOLVED, that the Mayor is authorized and directed to execute an agreement of services, on behalf of the City of Dunkirk, with Barton and Loguidice, 443 Electronics Parkway Liverpool, NY 13088, to program and design, the City's Pier and Harbor for the benefit of the community with a cost not to exceed a total of sixty six thousand eight hundred dollars (\$66,800); and be it finally

RESOLVED, that the revenue, and appropriations for this project be set up by Fiscal Affairs as an income and expense in a separate City Fund, and that any and all consultant contract administration services be paid from the expense line of said Fund.

Carried, all voting aye.

RESOLUTION #14 -2018
January 16, 2018

BY: ENTIRE COUNCIL

**AUTHORIZING AGREEMENT FOR CONSULTANT SERVICES
FOR CITY OF DUNKIRK SMART GROWTH CAPITAL INITIATIVE BRANDING
AND MARKETING PROJECTS
(Block Club)**

WHEREAS, the City of Dunkirk has been awarded \$2,500,000 through the Buffalo Billion Phase II funding to develop branding and marketing for Dunkirk’s Downtown and Waterfront, along with a signage system to connect the City of Dunkirk and its waterfront with the Village of Fredonia and SUNY Fredonia along Central Avenue in both Dunkirk and Fredonia; and

WHEREAS, professional consultant services are required to develop the marketing and branding pieces, and Block Club, is ready, willing and able to provide such services for the City in a good and workmanlike manner as determined by the Director of Planning and Development under her responsibility and authority by the City Code, and with the further consideration that Block Club, comes highly recommended from the nearby communities that have done similar projects; now, therefore be it

RESOLVED, that the Mayor is authorized and directed to execute an agreement of services, on behalf of the City of Dunkirk, with Block Club, 729 Main St., Buffalo, NY 14203, to develop branding and marketing for, the City’s Central Connections Project for the benefit of the community with a cost not to exceed a total of forty nine thousand five hundred dollars (\$49,500); and be it finally

RESOLVED, that the revenue, and appropriations for this project be set up by Fiscal Affairs as an income and expense in a separate City Fund, and that any and all consultant contract administration services be paid from the expense line of said Fund.

Carried, all voting aye.

RESOLUTION #15-2018
January 16, 2018

BY: ENTIRE COUNCIL

**STATE ENVIRONMENTAL QUALITY REVIEW ACT (“SEQRA”)
DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE
NEGATIVE DECLARATION**

WHEREAS, the City of Dunkirk, in compliance with the New York State Environmental Quality Review Act (SEQRA), has reviewed the City of Dunkirk’s BOA Phase II Plan. The City of Dunkirk’s Planning and Development Department has reviewed the Part I Full Environmental Assessment Form (EAF) and has completed Part II and Part III of the Full Environmental Assessment Form; and;

WHEREAS, the BOA Phase II Plan has been classified as a “Type I” action under SEQRA, as the project consists of the adoption of a local municipal plan that could have impacts on the land use which is subject to SEQRA review; and

WHEREAS, the City of Dunkirk has determined the proposed plan as a negative declaration, which will have no significant impact on the environment or is otherwise precluded from environmental review under Environmental Conservation Law, Article 8; now, therefore, be it

RESOLVED, that the Common Council of the City of Dunkirk, after considering the action proposed herein, has reviewed the criteria in Section 6 NYCRR 617.5(c)(2) and determines that the Type I action is a negative declaration; and, be it further

RESOLVED, that the Mayor is hereby authorized and directed to sign required documentation indicating that the proposed action is of Non-Significance and a Negative Declaration that will not result in a significant adverse environmental impact.

Carried, all voting aye.

RESOLUTION #16-2018

January 16, 2018

**BY: COUNCILMAN CIVILETTO and COUNCILMAN BAMONTO
AUTHORIZING AGREEMENT FOR THE ADOPTION OF THE CHAUTAUQUA
COUNTY JURISDICTIONAL ALL-HAZARD MITIGATION PLAN**

WHEREAS, the City of Dunkirk recognizes the threat that natural hazards pose to people and property with the City; and

WHEREAS, the City has prepared a multi-hazard mitigation plan, hereby known as the Chautauqua County Jurisdictional All-Hazard Mitigation Plan in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Chautauqua County Jurisdictional All-Hazard Mitigation Plan identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in the City from the impacts of future hazards and disasters; and

WHEREAS, adoption by the City of Dunkirk Common Council demonstrates their commitment to the hazard mitigation and achieving the goals outlined in the Chautauqua County Jurisdictional All-Hazard Mitigation Plan; now, therefore be it

RESOLVED, the City of Dunkirk Common Council adopts the Chautauqua County Jurisdictional All-Hazard Mitigation Plan.

Carried, all voting aye.

RESOLUTION #17-2018

January 16, 2018

**BY: COUNCILMAN CIVILETTO, COUNCILMAN BAMONTO, and
COUNCILMAN WILLIAMS**

AUTHORIZATION TO BAG ALL INOPERABLE PARKING METERS IN THE CITY UNTIL DEEMED OPERABLE

WHEREAS, some parking meters in the City of Dunkirk do not function properly; and

WHEREAS, this situation creates a disadvantage to certain businesses throughout the business district within the City of Dunkirk; and

WHEREAS, this same situation creates an undue burden to the City Clerk’s office, the Treasurer, the Judge and the Police Department; and

WHEREAS, the citizens who park their vehicles are not aware of the current situation concerning the working order of the meters and the correct procedures to follow if they do not function properly; and

WHEREAS, the City of Dunkirk Common Council recognizes that the situation creates inequity, as some businesses and owners of the parked vehicles confront inoperable meters; now, therefore be it

RESOLVED, the City of Dunkirk Common Council authorizes the Mayor and the responsible departments to bag and tag said meters with an “Out of Order” message until such time that these meters can be deemed to be in working order.

Councilman Civiletto made a motion to table. Seconded by Councilman Heenan.

TABLED.

All voting aye.

NEW BUSINESS:

RESOLUTION # 18-2018

January 16, 2018

BY COUNCILMAN BAMONTO:

ACCEPTING GENERAL CONSTRUCTION CONTRACT FOR WRIGHT PARK RENOVATIONS

WHEREAS, following public advertisement, four sealed bids were received on January 9, 2018, for required work at Wright Park – in the amounts of \$909,125 and \$839,000 and \$624,345 and \$769,000; and,

WHEREAS, the low bid of \$624,345 from Titan Development Inc. 8534 Seaman Rd, Gasport, NY 14067, is still \$144,655 under the next lowest bid; and,

WHEREAS, the bid has been deemed responsible by City Development and by the City's Consulting Architect, who recommend quickly accepting this bid so the work can be started; now, therefore be it

RESOLVED, that the Mayor is hereby authorized and directed to execute a contract for Wright Park Renovations totaling \$624,345 with Titan Development Inc. 8534 Seaman Rd, Gasport, NY 14067, contingent upon the contractor first meeting all approvals the grant received from New York State Office of Parks Recreation and Historic Preservation, by Mayor Rosas, and the City Development Department for this project.

Carried, all voting aye.

RESOLUTION # 19-2018
January 16, 2018

BY COUNCILMAN BAMONTO:

**ACCEPTING PLUMBING CONSTRUCTION CONTRACT
FOR WRIGHT PARK RENOVATIONS**

WHEREAS, following public advertisement, three sealed bids were received on January 9, 2017, for required plumbing work at Wright Park – in the amounts of \$15,902 and \$22,000 and \$19,996; and,

WHEREAS, the low bid of \$15,902 from Ciancio Mechanical, INC. 321 Crescent Street, Jamestown, NY 14701, is still \$4,094 under the next lowest bid; and,

WHEREAS, the bid has been deemed responsible by City Development and by the City's Consulting Architect, who recommend quickly accepting this bid so the work can be started; now, therefore be it

RESOLVED, that the Mayor is hereby authorized and directed to execute a plumbing contract for Wright Park Renovations totaling \$15,902 with Ciancio Mechanical, INC. 321 Crescent Street, Jamestown, NY 14701, contingent upon contractor first meeting all approvals of the grant received from New York State Office of Parks, Recreation, and Historic Preservation, by Mayor Rosas, and the City Development Department for this project.

Carried, all voting aye.

ADJOURNMENT:

Councilman Williams moved to adjourn. Seconded by Councilman Civiletto.

Carried, all voting aye.

Adjourned at 5:52 PM

Edwin Ramos, City Clerk
