

COMMON COUNCIL PROCEEDINGS
June 5, 2018

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

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

Also present: Mayor Rosas, City Attorney Morrisroe, City Treasurer Woods, City Assessor Mleczo, City Clerk, Public Works Director Woodbury, Fiscal Affairs Officer Beach, Building and Zoning Inspector Zurawski, HR Director Campola, Executive Assistant to the Mayor Westling, Director of Development Yanus, Fire Chief Edwards and Police Sergeant Switzer.

Certification of the Tuesday, May 15, 2018 Common Council Meeting was read by City Clerk Ramos.

RESOLVED: That the reading of the Tuesday, May 15, 2018 Common Council Meeting be Dispensed with.

Councilman Williams made a motion to dispense with the minutes. Seconded by Councilman Bamonto.

Carried, all voting aye.

PUBLIC COMMENTS:

Fredrick Mackowiak of 425 Cedar Street advised there is an issue with the end of Cedar Street that has existed for some time and cannot seem to be resolved. He reported Councilman Williams and former DPW Director Bankoski tried to have the turnaround widened, but it didn't hold, and cars continue to use his drive way to turn around. Mr. Mackowiak also reported a receiver that was installed several years ago for a water issue is not effective because is about 10 inches too high so when the ditch fills up water the water still stands. Mr. Mackowiak requested these issues be addressed before winter comes.

Councilman-at-Large Woloszyn requested Councilman Williams, Director of Development Yanus, or DPW Director Randy Woodbury address Mr. Mackowiak's concerns during the portion of the meeting for Reports of Standing Committees, Boards and Commissions.

Joshua Latona with El Rigby Theatre, a new non-profit organization, advised his group is looking for provisionary approval to do movies on the pier so they can start looking for sponsorships to put this forward as their first venture.

Councilman-at-Large Woloszyn advised Mr. Latona to contact Development Director Yanas to discuss what will need to be done.

COMMUNICATIONS FROM THE MAYOR INCLUDING DISAPPROVAL MESSAGES:

Mayor Rosas advised the City has been invited to the WNY Regional Economic Development Council Office to present the 2018 DRI application that was successfully submitted last Friday. On July 15, 2018 in Buffalo Mayor Rosas and Development Director Yanus will present the application and priority projects in hopes to receive ten million dollars in DRI funding to revitalize downtown Dunkirk. Mayor Rosas also advised the 2018 Dunkirk City Farmers Market season will begin on Wednesday, June 13, 2018. The market will run through October 24, 2018 and will participate with the NYS double up food bucks program allowing for more food options for SNAP users. Lastly, Mayor Rosas advised this Thursday will be the kick off for the City Festival and Events season with Thursday's Music on the Pier and Friday and Saturday's Spring Festival with music, Super Flea Market, Basketball Tournament, Movie at Dusk, and E.M. Cotter Fireboat Tours.

COMMUNICATIONS FROM THE PUBLIC AND PETITIONS:

Request from Scott Mekus on behalf of the Dunkirk Senior High School Class of 1989 to host their annual "Marauder Trotter 5K Run/Walk along the Lake Erie Waterfront as well as post race activities on Saturday, June 30, 2018. Also requesting police presence for about an hour beginning at 8:45 AM.

Councilman-at-Large Woloszyn advised a motion was needed to refer to appropriate departments as well as approve subject to appropriate insurances and usual conditions.

Councilman Williams made a motion to approve. Seconded by Councilman Bamonto.

Carried, all voting aye.

Request from Rosanne M Chesbro to use the area near the playground at Washington Park from 2:00 PM to 4:00 PM on Saturday, June 9, 2018 for an "ice cream social" for the customers of her Dance Studio.

Councilman-at-Large Woloszyn advised a motion was needed to refer to appropriate departments as well as approve subject to appropriate insurances and usual conditions.

Councilman Williams made a motion to approve. Seconded by Councilman Civiletto.

Carried, all voting aye.

Request from the First Ward Falcon Club to close South Serval Street between Lake Shore Drive East and Chestnut Street on Friday, August 31, 2018 through Sunday, September 2, 2018 from 5:00 PM to 12:00 AM for their annual Labor Day street dance. Also requesting use of garbage cans for the parking lot.

Councilman-at-Large Woloszyn advised a motion was needed to refer to appropriate departments as well as approve subject to appropriate insurances and usual conditions.

Councilman Williams made a motion to approve. Seconded by Councilman Bamonto.

Carried, all voting aye.

Request from the First United Methodist Church to use Washington Park on July 14, 2018 from 9:00 Am to 4:00 PM to celebrate the centennial of their building located at the corner of Washington and 6th Street. The Church will be providing bounce houses, crafts and games for children, music, and will be serving free hot dogs, sno-cones, and soft drinks.

Councilman Woloszyn congratulated the church for reaching their centennial year and advised a motion was needed to refer to appropriate departments as well as approve subject to appropriate insurances and usual conditions.

Councilman Bamonto made a motion to approve. Seconded by Councilman Civiletto.

Carried, all voting aye.

Request from Bill Bamonto and Bob Wessells for permission to have a bonfire at Point Gratiot Beach on Saturday, august 4, 2018 from approximately 7:30 PM through 9:00 PM for the participants of a Bus Tour of the City of Dunkirk after the annual DHS/CMHS/FHS Alumni Golf Tournament.

Councilman -at-Large Woloszyn advised a motion was needed to refer to Fire Chief Edwards, DPW, and the Law Department because there are permits that need to be required.

Councilman Williams made a motion to refer to Fire Chief Edwards, DPW, and the Law Department. Seconded by Councilman Bamonto.

Carried, all voting aye.

Prior Notice from Sandra Britt Schulze for a large dead tree by the curb side of her property at 618 Swan Street.

Received and filed.

Notice of Claim from Diane Heyden for alleged damage to her driveway and lawn possibly caused by a sidewalk plow.

Councilman-at-Large Woloszyn advised a motion was needed to refer to the Law Department.

Councilman Williams made a motion to refer to the Law Department. Seconded by Councilman Bamonto.

Carried, all voting aye

Loudspeaker application from Alberta Lockett to use a Bluetooth speaker at 93 Lincoln Avenue on July 20 & 21, 2018 from 5:00 PM to 7:00 PM.

Councilman Williams made a motion to approve. Seconded by Councilman Bamonto.

Carried, all voting aye.

Loudspeaker application from Risel Martinez to use speakers at the Lower Pavilion on June 9, 2018 from 6:00 PM to 8:00 PM.

Councilman Williams made a motion to approve. Seconded by Councilman Bamonto.

Carried, all voting aye.

Loudspeaker application from The First Ward Falcon Club to use band speakers from 6:00 PM to 11:00 PM on Friday, August 31, 2018 through Sunday, September 2, 2018 at their annual Labor Day Street Dance.

Councilman Williams made a motion to approve. Seconded by Councilman Bamonto.

Carried, all voting aye.

Loudspeaker application from Scott D. Mekus on behalf of the Marauder Trotter 5K Run/Walk to use music, a DJ, microphone, and speaker system on Saturday, June 30, 2018 from 8:30 AM to 12:00 PM.

Councilman Williams made a motion to approve. Seconded by Councilman Bamonto.

Carried, all voting aye.

Loudspeaker application from the Dunkirk First United Methodist Church to use microphone, speakers, and live music at Washington Park on July 14, 2018 from 10:00 AM to 2:00 PM.

Councilman-at-Large advised there was a Walk-On Loudspeaker application submitted from the Juneteenth Committee s for their annual Juneteenth Celebration on June 16 & 17th at Memorial Park from 12:00 PM to 8:00 PM. Councilman-at-Large Woloszyn also advised the group received permission to hold their event at a prior meeting and advised a motion was needed to refer to appropriate departments as well as approve subject to appropriate insurances and usual conditions.

Councilman Williams made a motion to approve. Seconded by Councilman Bamonto.

Carried, all voting aye.

REPORTS OF STANDING COMMITTEES, BOARDS AND COMMISSIONS:

Councilman Williams advised regarding Mr. Mackowiak's problem on Cedar Street, he himself has been to Mr. Mackowiak's home several times to see the issues as well as three separate DPW directors, there has been some work done over there, the last report he received said DPW was going to come up with a plan and requested of Public Works Director Woodbury to discuss the plan. Councilman Williams also inquired if the City had found any funding to go through with the study from the engineering firm on Solar and Wind Energy, if the deck at the Boardwalk got repaired, thanked Chief Ortolano for quickly checking out the light at Second Street and Robert's Road that needs a sensor fixed, asked for an update on the Otter Street drainage problem, inquired on the property that is up for sale where our future dog park is located, inquired about the cost of grinding the city brush at the City Barnes and if it is cost effective to be issuing permits to contractors to dump brush at our City Barnes, if there would be a

bonfire at the Revitalize Dunkirk “Bring Your Own Chair” event on Sunday, and lastly thanked city resident Ken Drummond for taking care of the “Welcome to the City of Dunkirk” sign on Brigham Road and advised the Beautification Committee from Revitalize Dunkirk is doing something to sign up for those signs.

Public Works Director Woodbury thanked Mr. Mackowiak for working with the city in the past to fix a past problem on Cedar Street, for maintaining some City property on Cedar Street on a volunteer basis and for bringing to attention that the problem isn’t just by Mr. Mackowiaks house, but the whole length of Cedar Street. Public Works Director Woodbury advised the major project planned isn’t going to work now that the extent of the problem has been brought to light and would like to add Cedar Street with some other street projects. Public Works Director Woodbury advised he would like to meet with Mr. Mackowiak and others to make a good plan and agrees the problems can be fixed.

In regards to the Solar and Wind study, Public Works Director advised the Mayor, Development Department and DPW are all on board for alternative energy. It pays for itself and is the right thing to do. The study is only \$5,000. Director of Development Yanus advised because this is a small project, we are looking at other local organizations that could possibly help with that and right now is looking at the North Chautauqua Community Foundation.

Public Works Director Woodbury advised the deck has been repaired mostly to what they can, but has plans to reconstruct a couple places because some things require a bigger project. A hand railing is being made right now. The sensor on Second Street and Robert’s road will be repaired before the street is sealed; the Otter Street drainage problem will be addressed along with the Cedar Street issues and the many projects in that area, and estimated the cost for the grinding of the brush at the City Barns will be approximately \$10,000.

City Attorney Morrisroe advised a lease is in place for the property where the dog park is located, so the City is protected.

Fire Chief Edwards advised there would be a bonfire at the Revitalize Dunkirk BYOC event this Sunday.

Councilman Bamonto requested an update on the Howard Street project and asked if Lafayette Street and Seal Street are getting paved this year.

Public Works Director Woodbury advised Howard Avenue is ready to pave, but we still need to put in a water line for the 14 houses on the west side that have not had adequate fire protection all this time, it’s the first time in ten years something can cross that creek, we waited this long so we wouldn’t have to shut traffic down, and the neighborhood will be safer when its done. As for Lafayette and Seal Streets, they will be paved at the same time with CDBG funds rather than CHIPS funds.

Councilman Civileto spoke on the subject of the STEL project due to the many misconceptions he has heard on the project. The project is a rent to own project, not a half way homes. Disabled Veteran’s and people who apply to obtain a house go through classes on how to buy a house and maintain a house. The house will be maintained by STEL for a certain amount of time and a portion of their rent will go into escrow so when they can apply for a mortgage and buy the home they will get that escrow to use for maintenance only. So it’s a great project that will rehab houses, get new builds, get people who that are going to be first time home owners educated on how to own a home and eventually the houses will go back onto the tax rolls.

Councilman Civiletto inquired of DPW Director Woodbury if it would be possible to clean up around the Senior Center since the Farmers Market is scheduled to begin next week, inquired of Sergeant Switzer if it would be possible place a police vehicle on Ruggles Street to slow down the speeding vehicle activity that has grown in recent weeks, requested an update on the Dog Park and informed there is a group working on fund raising to get a culvert for the Dog Park property because the neighbor driveway cannot be used, and also inquired on any progress for Nevins Street.

Public Works Director Woodbury advised he would assign a team to work on the area around the Senior Center or use the impact team that Mayor Rosas helped him assemble, has a plan in place for the culvert at the dog park that will save the fundraisers some of the cost because we have materials that will cost nothing, and will communicate with the fund raising person of the dog park along with Director of Development Yanus. And lastly, Public Works Director Woodbury advised he forgot to mention earlier that Nevins Street is on the paving program, which is part of the CHIPS project.

Sergeant Switzer advised he would assign a patrol car to observe Ruggles Street during different periods of the day.

Director of Development Yanus advised the city is trying to find more funds to help cover some of the costs of the dog park and at this time the City already has the signs, benches, and trash receptacles purchased.

Councilman-at-Large Woloszyn announced there will be a Finance Committee Meeting on June 21, 2018 at 4:00 PM, and read off a long list of projects that have been completed in the City, are under construction now, and are proposed for the near future.

PRE-FILED RESOLUTIONS:

RESOLUTION # 58-2018
June 5, 2018

BY ENTIRE COUNCIL:

AUTHORIZING BUDGET LINE MODIFICATIONS
For Fiscal Year 2018

WHEREAS, it is anticipated that some expenses will exceed their entire budgetary essentials, and it is anticipated that some appropriations will have surpluses for Fiscal Year 2018, ending December 31, 2018; now, therefore, be it

RESOLVED, that the Fiscal Affairs Officer is hereby authorized and directed to make the following modifications to the Fiscal Year 2018 budget:

Fund 1 - General Fund

Account Number	Department	Line	Change
001.0001.2267	Revenue	Misc Police Grants	\$ 11,572.40
001.3120.4538	Police	Police Swat Equip	\$ 11,572.40
TOTAL			\$ -
(Balance on GMS Grant)			

Account Number	Department	Line	Change
001.0001.2071	Revenue	Contribution for Dog Pk	\$ 10,000.00
001.7182.4021	Dog Park	Repair/Maintenance	\$ 10,000.00
TOTAL			\$ -
(Donation deferred to 2018 when expense occurred.)			

FUND 3 – WasteWater Fund

Account Number	Department	Line	Change
003.0003.2770	Revenue	Unclassified Revenue	\$ 9,500.00
003.8130.4036	Wastewater Treatment	Contracted Services	\$ 9,500.00
TOTAL			\$ -
(Insurance Recovery for damage at Wastewater Plant)			

Carried, all voting aye.

RESOLUTION # 59-2018
June 5, 2018

BY: ENTIRE COUNCIL

APPROVAL OF 2018-2020 CONSOLIDATED PLAN AND 2018 ANNUAL ACTION PLAN FOR THE CITY OF DUNKIRK’S COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

WHEREAS, the City of Dunkirk receives funding each year from the United States Department of Housing and Urban Development (HUD) through the Community Development Block Grant (CDBG) program, and

WHEREAS, the CDBG program provides much-needed funding to improve our community by providing decent housing, a suitable living environment, and by expanding economic opportunities, and

WHEREAS, the City of Dunkirk will receive \$480,864 in funding for the 2018 CDBG program year, and

WHEREAS, HUD requires CDBG communities to prepare a Consolidated Plan that outlines community needs and a strategic vision for future years of the CDBG program, and

WHEREAS, the City also prepares an Annual Action Plan each year which identifies the one-year goals and allocations of CDBG funds to programs and activities for the current program year, and

WHEREAS, the City's Planning and Development staff have worked diligently over the past months to prepare the 2018-2020 Consolidated Plan and 2018 Annual Action Plan, and

WHEREAS, Planning and Development staff have, in preparing these plans, followed the necessary public participation protocols that are described in the our Citizen Participation Plan, which have allowed community members ample opportunity to comment on the Plans as they have been prepared, now, therefore, be it

RESOLVED, the Common Council hereby approves the City of Dunkirk 2018-2020 Consolidated Plan and 2018 Annual Action Plan for the CDBG program, to be submitted to HUD for final review and approval.

Carried, all voting aye.

NEW BUSINESS:

* Request from the Dunkirk City School District to close traffic between Serval Street and Warsaw Street by the Dunkirk Little League Field on Wednesday, June 20, 2018 from 8:00 AM until 2:00 PM to accommodate their end of the year picnic day at School #7 and ensure the safety of the students.

Councilman-at- Large Woloszyn requested a roll call.

Carried, all voting aye.

* Councilman-at-Large Woloszyn inadvertently advised this was a Walk-On "Resolution" and gave it a number instead of advising there was a Walk-On "Request" and asking for a motion to approve.

Mayor Rosas thanked Chautauqua Opportunities Inc. and Revitalize Dunkirk for their work cleaning up Washington Park and other areas in the City.

Councilman Williams made a motion to meet in Executive session to discuss contract negotiations.

Councilman-at-Large Woloszyn requested a roll call.

Carried, all voting aye.

Councilman Woloszyn advised Councilman Williams to record the beginning and end times of the Executive session, entering back into the meeting and adjournment.

Executive session called to order at 6:27 PM.

Councilman Bamonto moved to adjourn the Executive Session at 6:58 PM and reconvene to the council Meeting. Seconded by Councilman Civiletto.

ADJOURNMENT:

Councilman Bamonto moved to adjourn. Seconded by Councilman Civiletto.

Carried, all voting aye.

Adjourned at 6:59 PM

Edwin C. Ramos, City Clerk
