
June 6, 2017

COMMON COUNCIL PROCEEDINGS

June 6, 2017

The meeting was called to order at 5:50 PM by Councilman-at-large Woloszyn followed by the Pledge of Allegiance.

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

Also present: Mayor Rosas, City Attorney Connolly, City Treasurer Woods, Board of Assessors Mleczko, Clerk, Fiscal Affairs Officer Pinkoski, Building Inspector Zurawski, Personnel Administrator Heyden, Executive Assistant to the Mayor Westling, Public Works Director Bankoski, City Engineer Woodbury, Director of Development Yanus, Fire Chief Edwards and Lieutenant McAfee.

Certification of the Tuesday, May 16, 2017 Common Council Meeting was read by City Clerk Ramos.

RESOLVED: That the reading of Tuesday, May 16, 2017 Common Council Meeting be dispensed with.

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

Carried, all voting aye.

PUBLIC COMMENTS:

James Fisher, Marketing and Tourism Committee of Revitalize Dunkirk, asked the Council for an update on the Rose Floramo Plan, announced the next Revitalize Dunkirk Committee meeting for June 15, 2017 at 6:30 PM at the SUNY Fredonia Incubator and invited the public and council to the Bring Your Own Chair Lake Erie Sunset Watch on June 11, 2017.

Jennifer Blair, Mobility Manager for the Work Force Investment Board of Chautauqua County in conjunction with CARTS, advised she turned in a request to the city to be addressed at the next council meeting. CARTS would like to use the Senior Center to hold an Open House for CARTS 40th Anniversary Celebration on July 21, 2017.

COMMUNICATIONS FROM THE MAYOR INCLUDING DISAPPROVAL MESSAGES:

Mayor Rosas advised the City received 1.19 million dollars to dredge the Dunkirk Harbor, is grateful to Federal officials for working with the city to secure the funding which will help toward the City's goal of increasing activity at the Harbor, announced the Music on the Pier Summer Concert Series starts this Thursday June 8th with the opening act starting at 5:25PM, and Friday June 9th kicks off the City's first festival for the year with a Spring Fest that will go on with concerts and events throughout the weekend.

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COMMUNICATIONS FROM THE PUBLIC AND PETITIONS:

Request from the Northern Chautauqua County Youth Hockey Association to use the Wright Park basketball courts on August 19, 2017 (August 20, 2017 Rain date) for their Annual Street Hockey Tournament. Also, requesting permission to have a bounce house, food vendors, and a concession stand and the presence of the Mayor and Council for the honorary puck/ball drop at approximately 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 Bamonto made a motion to approve. Seconded by Councilman Williams.

Carried, all voting aye.

Request from The Chautauqua Center to use Washington Park on Thursday, August 17, 2017 from 1:00 PM until 3:00 PM for their "Annual Family Fun Day" and request of a donation from the city to assist with the purchase of backpacks. Also requesting the Mayor sign a proclamation for "National Health Center Week" and extended an invitation to the Mayor, Common Council, City Clerk, and City Hall Staff to the event.

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 Catholic Charities WIC to use Washington Park to host their Healthy Baby Festival on Tuesday, July 25, 2017 from 10:00 AM to 12:00 PM.

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.

Councilwoman Szukala made a motion to approve. Seconded by Councilman Gonzalez.

Carried, all voting aye.

Request from the Dunkirk City School District to close the traffic on Pine Street between Serval Street and Warsaw Street on Wednesday, June 21, 2017 from 8:00 AM until 2:00 PM to accommodate the end of the year picnic day at School #7.

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.

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Request from Iglesia Cristiana Clinica Del Alma Inc. to hold a service on city property in front of Jussie's Barber shop at 89 E. 6th Street on June 23, 2017 and two services at the Washington Park pavilion on August 11, 2017 and September 8, 2017 all starting at 5:00 PM until 9:00 PM.

Councilwoman Szukala advised prior to this meeting discussion was held and due to the small area of the location requested and traffic safety issues in that intersection, the June 23rd request will be denied. However, the August 11th and September 8th request will be granted.

Councilman-at-Large Woloszyn asked City Clerk Ramos to contact the petitioner and inform them of the Council's decisions.

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 Bamonto made a motion to approve. Seconded by Councilwoman Szukala.

Carried, all voting aye.

Request from Lake Shore Street Rod Association to use the Koch's , Large, and Lower pavilions, use of the main parking lot, permission for vendors, extra trash barrels and trash pick-up on July 9, 2017 for their Annual Harbor Cruise.

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 Councilwoman Szukala.

Carried, all voting aye.

Request from Shauna Evanczil-Olrogg to use two inflatable entertainment houses at Point Gratiot next to the Lower pavilion on Saturday, June 24, 2017 from 2:00 PM until 5:00 PM.

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

Carried, all voting aye.

Request from The Resource Center / Filling the Gap, Inc. for permission to sell newspapers at City designated intersections on June 27, 2017 from 6:00 AM until 10 AM. Also requesting Police escort from the D&F Plaza along Central Avenue to Washington Park on July 15, 2017 for their Annual Laurel Run at approximately 12:15/12:45 PM and use of Washington Park to host their Victory Celebration at the end of the run.

Councilman-at-Large Woloszyn advised a motion was needed to refer this multi-tiered request to appropriate departments as well as approve subject to appropriate insurances and usual conditions, and to refer to the Dunkirk Police Department.

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

Carried, all voting aye.

Loudspeaker application from Pastor Omar Cosme on behalf of Iglesia Cristiana Del Alma Inc. to use two speakers, two microphones, and various instruments on August 11, 2017 and September 8, 2017 from 5:00 PM to 9:00 PM at Washington Park.

Loudspeaker application from James A. Muscato II on behalf of the DHS class of 1987 to use stereo and speakers at the Large Pavilion at Point Gratiot from 2:00 PM to 6:00 PM on July 1, 2017.

Loudspeaker application from Brooke Rasmus Gilbert to use house speakers and microphones at 217 Woodrow Avenue from 6:00 PM to 8:00 PM on June 30, 2017

Loudspeaker application from Risel Martinez for DJ to use speakers to play music at the Lower Pavilion at Point Gratiot from 4:30 PM to 6:30 PM on June 10, 2017 and on August 12, 2017.

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 the loudspeaker applications as a group. Seconded by Councilman Bamonto.

Carried, all voting aye.

Prior Notice from Grace Lutheran Church advising of the need for a manhole cover over a storm drain at the corner of 6th Street and Eagle Street.

Councilman-at-Large Woloszyn advised that council was informed that the work on this Prior Notice is being completed.

Prior Notice received and filed.

REPORTS OF STANDING COMMITTEES, BOARDS AND COMMISSIONS:

Councilman Williams advised the next DPW Committee meeting will be held on Tuesday, June 27th at 4:00 PM in the Mayor's Conference Room.

Councilman Bamonto advised this past weekend Promenschenkel Stadium held the Section VI Powerball West Championship Sections for Girls Softball Sections C & D's, it was well attended and their Director praised the facility and would like to come back to Dunkirk. Councilman Bamonto thanked the Mayor, Ryan Hall, Councilman Williams, and the many City workers who were part of getting the field ready.

Councilman Gonzalez advised the Economic Development Meeting will be held on June 20th at 4:30 PM, at that time the Rose Floramo Plan will be presented for Resolution and will have to go through phases before it is passed, and asked Public Work's Bankoski if the street sign knocked down by a truck on Willowbrook Avenue and Brigham Road could be put back up.

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Councilwoman Szukala asked to Public Work's Director Bankoski if he could put back up a street sign that was taken down designating Doughty Street as not a Truck Route, to Chief Edwards on the dates for some "beach burns", and Building Inspector Zurawski for updates on the list of properties with issues mentioned at the last Council Meeting.

Public Work's Director Bankoski informed the Not a Truck Route is on the list of things to be done today. Chief Edwards informed the beach burns are on the scheduled to be done on Friday and Sunday. Public Work's Director informed the City is waiting on the County on the proposal to use their bull dozers for the Friday beach burn at Wright Park, and Building Inspector Zurawski updated Councilwoman Szukala on many of the houses with issues and informed he would update her on the last group of houses when he receives the information and would email her the information on all the houses on the list.

Councilman-at-Large Woloszyn advised the next Finance Committee Meeting will be held on June 22nd at 4:00 PM in the Mayor's Conference Room and thanked the Mayor and those involved in trying to get the Cold Storage Facility Project back into the City limits.

PRE-FILED RESOLUTIONS:

RESOLUTION # 32-2017
JUNE 6, 2017

BY: Councilman Bamonto

INTRO NO. 3 TO LOCAL LAW #3-2017
CITY OF DUNKIRK, NEW YORK

A LOCAL LAW TO AMEND CHAPTER 49,
SECTION 49-4 C OF THE DUNKIRK CITY CODE

BE IT ENACTED by the Common Council of the City of Dunkirk, New York, as follows:

Section 1 **Intent**

It is the intent of this Local Law to amend Dunkirk City Code Chapter 49, Section 49-4 C to further regulate alcoholic beverages in the vicinity of Promenschenkel Stadium and Koch Field.

Section 2 **Amendment of City Code**

Chapter 49, Section 49-4 C is hereby amended as follows:

DELETE:

§ 49-4. C. Alcoholic beverages in nonglass containers will be permitted in the vicinity

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of Promenschenkel Stadium and Koch Field, subject to the restrictions defined in § 49-6F(2). [Amended 7-7-1987; 6-11-1985; 5-15-1984]

AMEND TO:

§ 49-4. C. Alcoholic beverages in nonglass containers will be permitted in the vicinity of Promenschenkel Stadium and Koch Field, with the exception of dugouts and playing fields, subject to the restrictions defined in § 49-6F(2). [Amended 7-7-1987; 6-11-1985; 5-15-1984; 6-20-2017]

Section 3 Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State.

Councilwoman Szukala made a motion Table Resolution #32-2017 for a Public Hearing to be held on Tuesday, June 20, 2017 at 5:20 PM. Seconded by Councilman Gonzalez.

Carried, all voting aye. TABLED.

RESOLUTION # 33 -2017
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BY COUNCILMEN Williams and Gonzalez:

AUTHORIZING BUDGET LINE MODIFICATIONS
For Fiscal Year 2017

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 2017, ending December 31, 2017; now, therefore, be it

RESOLVED, that the Fiscal Affairs Officer is hereby authorized and directed to make the following modifications to the Fiscal Year 2017 budget:

Account Number	Department	Line	Change
001.1410.4036	City Clerks Office	Contracted Services	\$ 1,565
001.1410.4017	City Clerks Office	Central Office Supplies	\$ (1,565)
		TOTAL	\$ -

(Record destruction costs)

Account Number	Department	Line	Change
Appropriated Fund Balance			
001.0001.0599	General Fund	Appropriated Fund Balance	\$64,323.37

Appropriation

001.8160.2000	Refuse and Garbage Collection	Equipment	\$64,323.37
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TOTAL			\$ -
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(Packer Truck partial payment not included in Budget)

Account Number	Department	Line	Change
Revenue			
001.0001.2267.0386	General Fund	Police Grants - GMS	\$15,663.00
Appropriation			
001.3120.4538.0386	Police	SWAT Equipment-GMS	\$15,633.00
TOTAL			\$ -

(DCJS Funding approved Grant project 4/4/17 \$15,633)

Account Number	Department	Line	Change
Revenue			
001.0001.2705.7060	General Fund	Gifts and Donations - Police	\$ 1,775.00
Appropriation			
001.3120.4538	Police-General Fund	SWAT Equipment	\$ 500.00
001.3120.4439	Police-General Fund	K-9 Expenses	\$ 1,275.00

(Earmarked funds received (3/17 and 5/17))	TOTAL	\$ -
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Account Number	Department	Line	Change
001.9060.0810	Medical Benefit Package	Benefits Consulting Fee	\$ 19,200
001.9060.0800	Medical Benefit Package	Employee Benefits – Var Med	\$ (19,200)
TOTAL			\$ -

(Fee now split from package cost)

Fund 2 - Water Fund

Account Number	Department	Line	Change
001.9060.0810	Medical Benefit Package	Benefits Consulting Fee	\$ 2,400
001.9060.0800	Medical Benefit Package	Employee Benefits – Var Med	\$ (2,400)
TOTAL			\$ -

(Fee now split from package cost)

Fund 3 - Sewer Fund

Account Number	Department	Line	Change
001.9060.0810	Medical Benefit Package	Benefits Consulting Fee	\$ 2,400
001.9060.0800	Medical Benefit Package	Employee Benefits – Var Med	\$ (2,400)
TOTAL			\$ -

(Fee now split from package cost)

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Carried, all voting aye.

RESOLUTION # 34 -2017

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BY COUNCILMEN Williams and Gonzalez:

AUTHORIZING FINANCING OF PACKER TRUCK

WHEREAS, the Council approved the purchase of a Garbage Packer Truck at its December 20, 2016 meeting, and

WHEREAS, the Council agreed to finance part of the cost of the Truck from salvage revenues of the prior year, and

WHEREAS, the Truck is expected to be delivered during June 2017 and quotes were obtained for the financing of the balance of the cost, now therefore be it

RESOLVED, that the Mayor is hereby authorized and directed to execute all documents for the three-year financing of the balance of the cost in the best interest of the City.

Councilwoman Szukala asked for budget information.

Fiscal Affairs Officer Pinkoski provided cost, payment due, and budget line information.

Carried, all voting aye.

RESOLUTION # 35 -2017

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BY COUNCILMEN Williams and Gonzalez:

AUTHORIZING WWTP PROJECT BUDGET MODIFICATION

WHEREAS, the Common Council authorized a bond resolution for a capital improvement project at the Waste Water Treatment Plant (Water Pollution Control Plant) in the City, at an estimated maximum cost of \$2,500,000, at its June 21, 2016 meeting, and

WHEREAS, additional improvements are needed as more fully identified in an engineering report by Wendel, and the City desires to undertake these additional capital improvements; now therefore be it

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RESOLVED, that the Common Council approves the modified budget for the Waste Water Treatment Plant capital improvement project. The estimated maximum cost of the project is \$10,148,000.

Carried, all voting aye.

RESOLUTION # 36 -2017
June 6, 2017

BY: ENTIRE COUNCIL

SEQR
Wastewater Treatment Plant Improvements

WHEREAS, in compliance with Part 617 of the implementing regulations pertaining to Article 9 (State Environmental Quality Review Act-SEQRA) of the Environmental Conservation Law, the Dunkirk City Council has reviewed the Capital Improvement Program proposed for the Wastewater Treatment Plant in the City of Dunkirk, and

WHEREAS, the City Council of the City of Dunkirk has classified the action as a Type II action which are not subject to SEQR review; and

WHEREAS, the City of Dunkirk has determined that the proposed project, which is a Type II action, will not have a significant impact on the environment or are otherwise precluded from environmental review under Environmental Conservation Law, article 8; now therefore be it

RESOLVED, that the City Council of the City of Dunkirk, after considering the action proposed herein, reviewing the criteria contained in Section 617.5 part c2 of the Rules and Regulations of the SEQRA Regulations, determines that the action is a Type II action and is not subject to SEQR review; and be it further

RESOLVED, that the Mayor is hereby authorized and directed to sign required documentation indicating that the proposed action is a Type II action.

Carried, all voting aye.

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RESOLUTION # 37 -2017

June 6, 2017

BY: ENTIRE COUNCIL

A REFUNDING BOND RESOLUTION, DATED JUNE 6, 2017, AUTHORIZING THE ISSUANCE OF REFUNDING BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$3,285,000 OF THE CITY OF DUNKIRK, CHAUTAUQUA COUNTY, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW AND PROVIDING FOR OTHER MATTERS IN RELATION THERETO.

WHEREAS, the City of Dunkirk, Chautauqua County, New York (the "City") heretofore issued its Public Improvement Serial Bonds, 2008 in the original aggregate principal amount of \$4,539,000, with \$3,080,000 of such bonds being scheduled to mature in the years 2018 through 2033, inclusive (the "Refunded Bonds"); and

WHEREAS, in order for the City to realize the potential for certain long-term debt service savings with respect to the Refunded Bonds, the Common Council of the City (the "Common Council") has determined, after consultation with the City's Treasurer, the Fiscal Affairs Officer, the Attorney for the City, and the municipal advisory and bond counsel firms retained by the City, that it would be in the public interest for the City to refund the Refunded Bonds by the issuance of refunding bonds of the City pursuant to Section 90.00 and/or Section 90.10 of the Local Finance Law (collectively, the "Refunding Law"); and

WHEREAS, the Refunded Bonds are subject to the possibility of call for redemption prior to their stated maturity dates, and the City has determined to conduct such a call; and

WHEREAS, the Refunded Bonds were issued pursuant to bond resolutions that were adopted by the Common Council on July 2, 2002 and July 17, 2006 (collectively, the "Refunded Bond Resolutions") authorizing the issuance of bonds to finance the reconstruction of and construction of improvements to the wastewater treatment plant in the City; and

WHEREAS, the terms of the Refunded Bond Resolutions are incorporated herein by this reference; and

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WHEREAS, the City has the power and authority to issue refunding bonds of the City for the purpose of refunding and thereby refinancing the Refunded Bonds at more favorable rates of interest, including provision for incidental costs of issuance in connection therewith, pursuant to the provisions of the Refunding Law; and

WHEREAS, the City has solicited formal written refunding proposals from underwriting firms, and has received proposals from two such firms; and

WHEREAS, Municipal Solutions, Inc., acting in its capacity as the municipal advisor to the City, has reviewed and evaluated the refunding proposals that were received and has recommended (by letter dated May 5, 2017, a copy of which is attached hereto as Exhibit A) that the City would be best served by accepting the refunding proposal received from Piper Jaffray & Co. (the "Underwriter"); and

WHEREAS, the Common Council, in light of such written advice from its municipal advisor, and in light of additional consultations with the City Treasurer and the City's Fiscal Affairs officer, and the bond counsel firm retained by the City, wishes to accept and adopt the Underwriter's draft refunding financial plan, as updated through May 2, 2017 (the "Refunding Financial Plan"), in connection with the proposed refunding of the Refunded Bonds, and such Refunding Financial Plan is attached hereto as Exhibit B and incorporated herein by this reference; and

WHEREAS, the City now desires to refund (i.e., refinance) the Refunded Bonds by issuing certain new refunding bonds and selling such bonds at private sale to the Underwriter; and

WHEREAS, the Refunding Law requires that the City adopt a refunding bond resolution which includes a refunding financial plan setting forth all of the pertinent details in connection with the proposed refunding transaction;

NOW, THEREFORE, BE IT RESOLVED, by the Common Council (by the favorable vote of not less than two-thirds of all the members of the Common Council) as follows:

SECTION 1. Based on the recommendation of the municipal advisory firm retained by the City, the Common Council hereby determines to undertake a refunding of the Refunded Bonds, through the issuance of refunding bonds of the City, such refunding bonds to be offered and sold at private sale.

SECTION 2. For the object or purpose of refunding the Refunded Bonds, including providing moneys which, together with the interest earned from the investment of certain of the proceeds of the refunding bonds herein authorized, shall be sufficient to pay (A) the outstanding principal amount of the Refunded Bonds, (B) the aggregate amount of unmatured interest payable on the Refunded Bonds to and including the date(s) on which the Refunded Bonds mature or are to be redeemed in accordance with the Refunding Financial Plan, (C) redemption premiums, if any, payable on the

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Refunded Bonds as of such redemption date(s), (D) the costs and expenses incidental to the issuance of the refunding bonds herein authorized, including, but not limited to, the development of the Refunding Financial Plan, the fees and costs of the municipal advisor to the City, the fees and costs of the bond counsel to the City, the fees and costs of the Underwriter, the costs and expenses of executing and performing the terms and conditions of the escrow contract, as hereinafter defined, and the fees and charges of the escrow holder, as hereinafter defined and (E) the premium or premiums for the policy or policies of municipal bond insurance or other form of credit enhancement facility or facilities for the refunding bonds herein authorized, or any portion thereof, there are hereby authorized to be issued the Refunding Serial Bonds, 2017 of the City in an aggregate principal amount not to exceed \$3,285,000 (the "Refunding Bonds") pursuant to the provisions of the Refunding Law, it being anticipated that the principal amount of Refunding Bonds actually to be issued will be approximately \$2,985,000 as described in the Refunding Financial Plan and in Section 5 hereof. The Refunding Bonds shall be dated such date as shall hereafter be determined by the City Treasurer pursuant to Section 5 hereof, shall be of the denominations of \$5,000 or any integral multiple thereof not exceeding the principal amount of each respective maturity (unless a bond of an odd denomination is required), and shall mature annually and shall bear interest semi-annually thereafter on such dates as shall be determined by the City Treasurer pursuant to Section 5 hereof, at the rate or rates of interest per annum as may be necessary to sell the same, all as shall be determined by the City Treasurer.

SECTION 3. The Refunding Bonds shall be executed in the name of the City by the manual or facsimile signature of the City Treasurer, and its corporate seal (or a facsimile thereof) shall be imprinted thereon and attested by the City Clerk. The Refunding Bonds shall contain the recital(s) required by the Refunding Law, as well as the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form, and contain such recitals, as the City Treasurer shall determine.

SECTION 4. It is hereby determined that:

(A) The maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by the Local Finance Law; and

(B) The maximum period of probable usefulness permitted by law at the time of the issuance of the Refunded Bonds for each of the objects or purposes for which the Refunded Bonds were issued is as shown upon Exhibit C; and

(C) The last installment of the Refunding Bonds will mature not later than the expiration of the maximum period of probable usefulness of each of the objects or purposes for which the Refunded Bonds were issued, or in the alternative, the weighted average remaining period of probable usefulness of the objects or purposes (or classes of objects or purposes) financed with the Refunded Bonds or the weighted average remaining period of probable usefulness of the objects or purposes (or classes of objects or purposes) financed with the Refunded Bonds, in accordance with the provisions of the Refunding Law; and

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(D) The estimated present value of the total debt service savings anticipated as a result of the issuance of the Refunding Bonds, computed in accordance with the Refunding Law, is as shown in the Refunding Financial Plan described in Section 5 hereof.

SECTION 5. The Refunding Financial Plan, showing the sources and amounts of all moneys required to accomplish such refunding, the estimated present value of the total debt service savings and the basis for the computation of the aforesaid estimated present value of total debt service savings, is set forth in Exhibit B attached hereto and made a part of this resolution. The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in the aggregate principal amount of \$2,985,000 and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth in Exhibit B. This Common Council recognizes that the amount of the Refunding Bonds, and the maturities, terms, and interest rate or rates borne by the Refunding Bonds to be issued by the City will most probably be different from such assumptions and that the final Refunding Financial Plan will also most probably be different from that attached hereto as Exhibit B. The City Treasurer is hereby authorized and directed to determine the amount of the Refunded Bonds to be refunded, the details as to the redemption of the Refunded Bonds, including the date and amount of such redemption or redemptions and the terms of any directive to the Escrow Holder described in Section 6 to cause notice of such redemption to be given, the amount of the Refunding Bonds to be issued, the date of such bonds and the date of issue, maturities and terms thereof, the provisions relating to any redemption of the Refunding Bonds prior to maturity, whether the Refunding Bonds will be insured by a policy or policies of municipal bond insurance or otherwise enhanced by a credit enhancement facility or facilities, the escrow arrangements (if any) to be entered into with respect to the proceeds of the Refunding Bonds, the terms of the private sale of the Refunding Bonds to the Underwriter, the amount of the annual installments of the Refunding Bonds to be paid pursuant to the Refunding Law, whether the Refunding Bonds shall be sold at a discount in the manner authorized by Section 57.00(e) of the Local Finance Law, and the rate or rates of interest to be borne thereby, and the terms of a final Refunding Financial Plan for the Refunding Bonds, whether the Refunding Bonds are sold in conjunction with or consolidated with the issuance of certain other refunding bonds to be issued by the City to refund any other general obligation bonds issued by the City (including, but not limited to, the structuring of the annual installments of a consolidated issue), and all powers in connection therewith are hereby delegated to the City Treasurer; provided, that the terms of the Refunding Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of the Refunding Law. The City Treasurer shall file a copy of his or her certificate determining the details of the Refunding Bonds and the final Refunding Financial Plan with the City Clerk not later than ten (10) days after the delivery of the Refunding Bonds, as herein provided.

SECTION 6. The City Treasurer is hereby authorized and directed to enter into an escrow contract (the "Escrow Contract") with a bank or trust company located and authorized to do business in this State as he or she shall designate (the "Escrow Holder") for the purpose of having the Escrow Holder act, in connection with some or all of the

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Refunded Bonds, as the escrow holder to perform the services described in the Refunding Law.

SECTION 7. The City Treasurer is hereby delegated all powers of this Common Council with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for such Refunding Bonds, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

SECTION 8. The faith and credit of the City are hereby irrevocably pledged for the payment of the principal of and interest on the Refunding Bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such Refunding Bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of the City a tax sufficient to pay the principal of and interest on such Refunding Bonds as the same become due and payable.

SECTION 9. All of the proceeds from the sale of the Refunding Bonds, including the premium, if any, but excluding accrued interest thereon, shall immediately upon receipt thereof be placed in escrow with the Escrow Holder for the Refunded Bonds. Accrued interest, if any, on the Refunding Bonds shall be paid to the City to be expended to pay interest on the Refunding Bonds on the next bond payment date of such Refunding Bonds. Such proceeds as are deposited in the escrow deposit fund to be created and established pursuant to the Escrow Contract, whether in the form of cash or investments, or both, inclusive of any interest earned from the investment thereof, shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunded Bonds in accordance with the Refunding Law, and the holders, from time to time, of the Refunded Bonds shall have a lien upon such moneys held by the Escrow Holder. Such pledge and lien shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder for the Refunded Bonds in the escrow deposit fund shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the City irrespective of whether such parties have notice thereof.

SECTION 10. The City Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the Refunding Bonds authorized by this resolution as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the Refunding Bonds authorized by this resolution as "qualified tax-exempt bonds" in accordance with Section 265(b)(3) of the Code.

SECTION 11. The City Treasurer is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the Refunding Bonds authorized by this

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resolution, if required, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 12. The City hereby determines that the issuance of the Refunding Bonds is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act ("SEQRA") are required.

SECTION 13. In accordance with the provisions of Section 53.00 and the Refunding Law, subject to the determination by the City Treasurer regarding the redemption of the Refunded Bonds described in Section 5 above, the City hereby elects to redeem the Refunded Bonds with the proceeds of the Refunding Bonds prior to their stated maturity dates on the date or dates provided in the Refunding Financial Plan. The sum to be paid therefor on such redemption date or dates shall be the par value thereof plus the required redemption premium, if any, and the accrued interest to such redemption date or dates. To the extent applicable, the Escrow Holder is hereby authorized and directed to cause notice of such call for redemption to be given in the name of the City in the manner and within the times provided in the Refunded Bonds and in the Refunding Financial Plan. Upon the issuance of the Refunding Bonds, the election to call in and redeem the Refunded Bonds and the direction to cause notice thereof to be given as provided in this section shall become irrevocable, provided that this section may be amended from time to time as may be necessary in order to comply with the publication requirements of Section 53.00(a) of the Local Finance Law, or any successor law thereto.

SECTION 14. Subject to compliance with the provisions of the Refunding Law, the Refunding Bonds shall be sold at private sale to the Underwriter, and the City Treasurer is hereby authorized to negotiate for such private sale. The City Treasurer is hereby authorized to execute and deliver a bond purchase agreement with the Underwriter for the Refunding Bonds in the name and on behalf of the City providing the terms and conditions for the sale and delivery of the Refunding Bonds to the Underwriter. After the Refunding Bonds have been duly executed, they shall be delivered by the City Treasurer in accordance with such bond purchase agreement upon the receipt by the City of such purchase price, including interest.

SECTION 15. The City Treasurer and City Clerk and all other officers, employees and agents of the City are hereby authorized and directed for and on behalf of the City to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby, including, but not limited to, the bond purchase agreement.

SECTION 16. All other matters pertaining to the terms and issuance of the Refunding Bonds shall be determined by the City Treasurer and all powers in connection therewith are hereby delegated to the City Treasurer.

June 6, 2017

SECTION 17. In the event of the absence or unavailability of the City Treasurer, the Deputy Treasurer is hereby specifically authorized to exercise the powers delegated to the City Treasurer in this resolution.

SECTION 18. The validity of the Refunding Bonds may be contested only if:

(1) (a) Such obligations are authorized for an object or purpose for which such City is not authorized to expend money, or

(b) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication; or

(2) Such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 19. The City Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of such Local Finance Law, in the official newspaper(s) of the City for such publications.

SECTION 20. This resolution shall take effect immediately upon its adoption.

Carried, all voting aye.

June 6, 2017

EXHIBIT A

**RECOMMENDATION PREPARED BY
MUNICIPAL SOLUTIONS, INC.
– MAY 5, 2017**

**Municipal
Solutions, Inc.**
Municipal Financial Advisors

May 5, 2017

Mark Woods, Treasurer
City of Dunkirk
342 Central Avenue
Dunkirk, New York 14048

Re: City of Dunkirk, Chautauqua County, NY
Refunding Serial Bonds, 2017 (Underwriter Selection Recommendation Letter)

Dear Mr. Woods:

The following will summarize the results of our review and analysis of the proposals submitted by underwriters in response to the City's request for proposals for the refunding of the City's outstanding \$4,539,000 Public Improvement Serial Bonds, 2008 dated September 1, 2008.

Requests for Proposals were received from two investment banking firms: Piper Jaffray & Co., and Roosevelt & Cross Inc. We compared the proposals and based our recommendation to select an underwriter on several criteria:

- The proposed structuring of the refunding
- The firm's knowledge of and compliance with New York State Local Finance Law
- The proposed spreads compared to the Municipal Market Data (MMD) scale
- The proposed fee structure
- The firm's bond marketing and distribution capabilities, and experience with successfully completing refunding transactions

We analyzed and ranked the firms' proposals utilizing the criteria outlined above and have made the following findings and determinations.

The two firms both maintained the same general structuring of the refunding bonds, though Roosevelt and Cross opted to add a maturity on November 1, 2017 in order to maintain level savings over the entire length of the issue. Piper kept the first principal payment on May 1, 2018, which resulted in slightly higher estimated savings in the 2017 fiscal year than the other remaining years. Given the length of the proposed refunding issue, both included the assumption of a 10 year call on the bonds. Piper Jaffray assumed the use of bond insurance, and while Roosevelt and Cross would recommend applying for insurance on this issue, they did not include the use of it in their proposal. Both assumed a late June, 2017 closing, and calling the refunded bonds one month from closing (the earliest possible date).

*Municipal Solutions, Inc. is a Member of the National Association of Municipal Advisors
and a New York State Certified Women-Owned Business Enterprise*

62 Main Street, LeRoy, NY 14482 Phone: 585-768-2136 Fax: 585-768-2133
2528 State Route 21, Canandaigua, NY 14424 Phone: 585-394-4090 Fax: 585-394-4092
www.municipalsolution.com

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 Mark Woods
 May 5, 2017

Each firm took a different approach to the premiums and coupons of the refunding bonds. Interest rates, while subject to change because of fluid market conditions, are a crucial part of the pricing of the refunding transaction. Key rate statistics submitted by the firms are as follows:

	Piper Jaffray	Roosevelt & Cross	Lowest Rate
Average Coupon	3.6790%	3.9293%	Piper Jaffray
True Interest Cost (TIC)	2.7668%	3.1316%	Piper Jaffray
All-In TIC	3.0817%	3.4506%	Piper Jaffray
Net Interest Cost (NIC)	2.8545%	3.2926%	Piper Jaffray

Taking these rates into consideration along with the proposed premium structures, resulted in the following refunding bond debt service (principal and interest) estimated by each firm:

	Piper Jaffray	Roosevelt & Cross	Lowest Debt Service
Total Refunding Debt Service	\$3,911,544	\$4,012,388	Piper Jaffray

Comparing the estimated debt service of the refunding with the original debt service on the 2008 bonds results in the following calculated savings:

	Piper Jaffray	Roosevelt & Cross	Highest Savings
Total Budgetary Savings	\$390,425	\$289,580	Piper Jaffray
Net Present Value Savings	\$324,416	\$234,612	Piper Jaffray
Percentage of PV Savings	10.5329%	7.6172%	Piper Jaffray

It is important to keep in mind that while evaluating the criteria above, the spreads to Municipal Market Data (MMD) Curve that each of the underwriters is proposing. The MMD scale is published every day and it represents the MMD analyst team's opinion of AAA rated municipal bonds based on that day's institutional market activity. The municipal bond industry uses the MMD yield curve as a base interest rate scale and all bond sales can be quantified as a percentage of interest rate spread to the scale to determine how well priced an issue was (the closer the spread to MMD, the lower interest rates the issuer realizes).

Page 3
Mark Woods
May 5, 2017

The proposed average spreads submitted by each firm are as follows:

	Piper Jaffray	Roosevelt & Cross	Lowest Average Spread
Average spread to MMD	37.00	62.00	Piper Jaffray

With respect to fees, one of the most relevant factors used to analyze the cost of marketing an issue is the underwriter's discount, the cost the underwriter proposes to charge to market the bonds plus relevant expenses. Based on the size of the issue, the firms quoted the following fees:

	Piper Jaffray	Roosevelt & Cross	Lowest Fee
Total Takedown (cost per \$1,000 par)	\$7.42	\$8.75	Piper Jaffray
Estimated Fees (including expenses)	\$22,140	\$26,469	Piper Jaffray

Finally, we've looked at the firms' participation in the New York State municipal market, both in the number of issues they have underwritten (competitive and negotiated) since July 1, 2016 and the number of refunding issues on which they have served.

	Piper Jaffray	Roosevelt & Cross	Most Issues
Total NYS Issues	33	257	Roosevelt & Cross
Refunding Issues	17	51	Roosevelt & Cross

As we have monitored the New York State bond market for the past several years, it has been shown that the two firms have been active participants in the New York State local government tax-exempt general obligation bond market, with Roosevelt & Cross taking the lead.

In summary, while both firms submitted high caliber proposals, Piper Jaffray submitted the proposal with the lowest interest rates, spreads and fees, and the highest proposed savings to the City. We've successfully worked with Piper Jaffray on other issues and we trust they will serve the City well.

For these reasons, we recommend the City selects Piper Jaffray as its underwriter for this transaction.

Sincerely,

Maggie Augugliaro

Maggie Augugliaro
Associate

cc: Christine Pinkoski, Fiscal Affairs Office – City of Dunkirk
John Alessi Esq., Bond Counsel – Hodgson Russ LLP
Jeffrey Smith, President – Municipal Solutions, Inc.

June 6, 2017

EXHIBIT B

REFUNDING FINANCIAL PLAN

PREPARED BY PIPER JAFFRAY & CO.

– MAY 2, 2017

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SOURCES AND USES OF FUNDS

City of Dunkirk
Refunding of Series 2008

Dated Date 06/29/2017
Delivery Date 06/29/2017

Sources:

Bond Proceeds:	
Par Amount	2,985,000.00
Net Premium	229,799.35
	3,214,799.35

Uses:

Refunding Escrow Deposits:	
Cash Deposit	0.84
SLGS Purchases	3,111,976.00
	3,111,976.84

Delivery Date Expenses:	
Cost of Issuance	70,000.00
Underwriter's Discount	22,140.00
Bond Insurance	6,708.16
	98,848.16

Other Uses of Funds:	
Additional Proceeds	3,974.35
	3,214,799.35

BOND PRICING

City of Dunkirk
Refunding of Series 2008

Bond Component	Maturity Date	Amount	Rate	Yield	Price
Uninsured Bonds:					
	05/01/2018	165,000	3.000%	1.080%	101.598
	05/01/2019	175,000	4.000%	1.190%	105.094
	05/01/2020	180,000	4.000%	1.350%	107.354
		520,000			
Insured Bonds:					
	05/01/2021	185,000	4.000%	1.490%	109.329
	05/01/2022	195,000	4.000%	1.660%	110.835
	05/01/2023	190,000	4.000%	1.800%	112.139
	05/01/2024	190,000	4.000%	1.960%	112.995
	05/01/2025	190,000	4.000%	2.180%	113.046
	05/01/2026	190,000	4.000%	2.350%	113.097
	05/01/2027	190,000	4.000%	2.470%	113.288
	05/01/2028	195,000	4.000%	2.650%	111.621 C
	05/01/2029	190,000	4.000%	2.850%	109.803 C
	05/01/2030	190,000	4.000%	2.990%	108.550 C
	05/01/2031	185,000	3.000%	3.120%	98.657
	05/01/2032	190,000	3.000%	3.250%	97.072
	05/01/2033	185,000	3.125%	3.370%	97.009
		2,465,000			
		2,985,000			

Dated Date	06/29/2017	
Delivery Date	06/29/2017	
First Coupon	11/01/2017	
Par Amount	2,985,000.00	
Premium	229,799.35	
Production	3,214,799.35	107.698471%
Underwriter's Discount	-22,140.00	-0.741709%
Purchase Price	3,192,659.35	106.956762%
Accrued Interest		
Net Proceeds	3,192,659.35	

BOND DEBT SERVICE

City of Dunkirk
Refunding of Series 2008

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
11/01/2017			38,084.76	38,084.76	
12/31/2017					38,084.76
05/01/2018	165,000	3.000%	56,190.63	221,190.63	
11/01/2018			53,715.63	53,715.63	
12/31/2018					274,906.26
05/01/2019	175,000	4.000%	53,715.63	228,715.63	
11/01/2019			50,215.63	50,215.63	
12/31/2019					278,931.26
05/01/2020	180,000	4.000%	50,215.63	230,215.63	
11/01/2020			46,615.63	46,615.63	
12/31/2020					276,831.26
05/01/2021	185,000	4.000%	46,615.63	231,615.63	
11/01/2021			42,915.63	42,915.63	
12/31/2021					274,531.26
05/01/2022	195,000	4.000%	42,915.63	237,915.63	
11/01/2022			39,015.63	39,015.63	
12/31/2022					276,931.26
05/01/2023	190,000	4.000%	39,015.63	229,015.63	
11/01/2023			35,215.63	35,215.63	
12/31/2023					264,231.26
05/01/2024	190,000	4.000%	35,215.63	225,215.63	
11/01/2024			31,415.63	31,415.63	
12/31/2024					256,631.26
05/01/2025	190,000	4.000%	31,415.63	221,415.63	
11/01/2025			27,615.63	27,615.63	
12/31/2025					249,031.26
05/01/2026	190,000	4.000%	27,615.63	217,615.63	
11/01/2026			23,815.63	23,815.63	
12/31/2026					241,431.26
05/01/2027	190,000	4.000%	23,815.63	213,815.63	
11/01/2027			20,015.63	20,015.63	
12/31/2027					233,831.26
05/01/2028	195,000	4.000%	20,015.63	215,015.63	
11/01/2028			16,115.63	16,115.63	
12/31/2028					231,131.26
05/01/2029	190,000	4.000%	16,115.63	206,115.63	
11/01/2029			12,315.63	12,315.63	
12/31/2029					218,431.26
05/01/2030	190,000	4.000%	12,315.63	202,315.63	
11/01/2030			8,515.63	8,515.63	
12/31/2030					210,831.26
05/01/2031	185,000	3.000%	8,515.63	193,515.63	
11/01/2031			5,740.63	5,740.63	
12/31/2031					199,256.26
05/01/2032	190,000	3.000%	5,740.63	195,740.63	
11/01/2032			2,890.63	2,890.63	
12/31/2032					198,631.26
05/01/2033	185,000	3.125%	2,890.63	187,890.63	
12/31/2033					187,890.63
	2,985,000		926,544.29	3,911,544.29	3,911,544.29

SAVINGS

City of Dunkirk
Refunding of Series 2008

Date	Prior Debt Service	Refunding Debt Service	Savings	Annual Savings	Present Value to 06/29/2017 @ 2.6399674%
11/01/2017	68,912.50	38,084.76	30,827.74		30,554.96
12/31/2017				30,827.74	
05/01/2018	233,912.50	221,190.63	12,721.87		12,445.03
11/01/2018	65,406.25	53,715.63	11,690.62		11,287.23
12/31/2018				24,412.49	
05/01/2019	240,406.25	228,715.63	11,690.62		11,140.18
11/01/2019	61,578.13	50,215.63	11,362.50		10,686.45
12/31/2019				23,053.12	
05/01/2020	241,578.13	230,215.63	11,362.50		10,547.23
11/01/2020	57,640.63	46,615.63	11,025.00		10,100.62
12/31/2020				22,387.50	
05/01/2021	242,640.63	231,615.63	11,025.00		9,969.03
11/01/2021	53,593.75	42,915.63	10,678.12		9,529.58
12/31/2021				21,703.12	
05/01/2022	248,593.75	237,915.63	10,678.12		9,405.43
11/01/2022	49,328.13	39,015.63	10,312.50		8,965.05
12/31/2022				20,990.62	
05/01/2023	239,328.13	229,015.63	10,312.50		8,848.26
11/01/2023	45,171.88	35,215.63	9,956.25		8,431.30
12/31/2023				20,268.75	
05/01/2024	240,171.88	225,215.63	14,956.25		12,500.47
11/01/2024	40,906.25	31,415.63	9,490.62		7,828.94
12/31/2024				24,446.87	
05/01/2025	235,906.25	221,415.63	14,490.62		11,797.78
11/01/2025	36,640.63	27,615.63	9,025.00		7,252.13
12/31/2025				23,515.62	
05/01/2026	231,640.63	217,615.63	14,025.00		11,123.10
11/01/2026	32,375.00	23,815.63	8,559.37		6,699.92
12/31/2026				22,584.37	
05/01/2027	227,375.00	213,815.63	13,559.37		10,475.44
11/01/2027	27,987.50	20,015.63	7,971.87		6,078.52
12/31/2027				21,531.24	
05/01/2028	227,987.50	215,015.63	12,971.87		9,762.14
11/01/2028	23,487.50	16,115.63	7,371.87		5,475.52
12/31/2028				20,343.74	
05/01/2029	223,487.50	206,115.63	17,371.87		12,735.00
11/01/2029	18,987.50	12,315.63	6,671.87		4,827.31
12/31/2029				24,043.74	
05/01/2030	218,987.50	202,315.63	16,671.87		11,905.47
11/01/2030	14,362.50	8,515.63	5,846.87		4,120.89
12/31/2030				22,518.74	
05/01/2031	214,362.50	193,515.63	20,846.87		14,501.50
11/01/2031	9,737.50	5,740.63	3,996.87		2,744.08
12/31/2031				24,843.74	
05/01/2032	214,737.50	195,740.63	18,996.87		12,872.53
11/01/2032	4,868.75	2,890.63	1,978.12		1,322.94
12/31/2032				20,974.99	
05/01/2033	209,868.75	187,890.63	21,978.12		14,507.15
12/31/2033				21,978.12	
	4,301,968.80	3,911,544.29	390,424.51	390,424.51	320,441.15

SAVINGS

City of Dunkirk
Refunding of Series 2008

Savings Summary

PV of savings from cash flow	320,441.15
Plus: Refunding funds on hand	3,974.35
	<hr/>
Net PV Savings	324,415.50

SUMMARY OF REFUNDING RESULTS

City of Dunkirk
Refunding of Series 2008

Dated Date	06/29/2017
Delivery Date	06/29/2017
Arbitrage yield	2.617683%
Escrow yield	0.661733%
Value of Negative Arbitrage	5,027.12
Bond Par Amount	2,985,000.00
True Interest Cost	2.766843%
Effective Interest Cost	2.639967%
Net Interest Cost	2.854521%
Average Coupon	3.679087%
Average Life	8.437
Par amount of refunded bonds	3,080,000.00
Average coupon of refunded bonds	4.544770%
Average life of refunded bonds	8.571
PV of prior debt to 06/29/2017 @ 2.639967%	3,535,240.50
Net PV Savings	324,415.50
Percentage savings of refunded bonds	10.532971%
Percentage savings of refunding bonds	10.868191%

BOND SUMMARY STATISTICS

City of Dunkirk
Refunding of Series 2008

Dated Date	06/29/2017
Delivery Date	06/29/2017
Last Maturity	05/01/2033
Arbitrage Yield	2.617683%
True Interest Cost (TIC)	2.766843%
Net Interest Cost (NIC)	2.854521%
All-In TIC	3.081798%
Average Coupon	3.679087%
Average Life (years)	8.437
Duration of Issue (years)	7.188
Par Amount	2,985,000.00
Bond Proceeds	3,214,799.35
Total Interest	926,544.29
Net Interest	718,884.94
Total Debt Service	3,911,544.29
Maximum Annual Debt Service	278,931.26
Average Annual Debt Service	246,958.25
Underwriter's Fees (per \$1000)	
Average Takedown	4.000000
Management Fee	1.340034
Other Fee	2.077052
Total Underwriter's Discount	7.417085
Bid Price	106.956762

Bond Component	Par Value	Price	Average Coupon	Average Life
Uninsured Bonds	520,000.00	104.767	3.857%	1.868
Insured Bonds	2,465,000.00	108.317	3.672%	9.823
	2,985,000.00			8.437

	TIC	All-In TIC	Arbitrage Yield
Par Value	2,985,000.00	2,985,000.00	2,985,000.00
+ Accrued Interest			
+ Premium (Discount)	229,799.35	229,799.35	229,799.35
- Underwriter's Discount	-22,140.00	-22,140.00	
- Cost of Issuance Expense		-70,000.00	
- Other Amounts	-6,708.16	-6,708.16	-6,708.16
Target Value	3,185,951.19	3,115,951.19	3,208,091.19
Target Date	06/29/2017	06/29/2017	06/29/2017
Yield	2.766843%	3.081798%	2.617683%

PROOF OF ARBITRAGE YIELD

City of Dunkirk
Refunding of Series 2008

Date	Debt Service	Present Value to 06/29/2017 @ 2.6176829178%
11/01/2017	38,084.76	37,750.58
05/01/2018	221,190.63	216,417.18
11/01/2018	53,715.63	51,877.42
05/01/2019	228,715.63	218,034.97
11/01/2019	50,215.63	47,252.18
05/01/2020	230,215.63	213,830.88
11/01/2020	46,615.63	42,738.55
05/01/2021	231,615.63	209,608.44
11/01/2021	42,915.63	38,336.20
05/01/2022	237,915.63	209,782.47
11/01/2022	39,015.63	33,957.64
05/01/2023	229,015.63	196,750.86
11/01/2023	35,215.63	29,863.43
05/01/2024	225,215.63	188,519.09
11/01/2024	31,415.63	25,957.04
05/01/2025	221,415.63	180,580.31
11/01/2025	27,615.63	22,231.55
05/01/2026	217,615.63	172,924.89
11/01/2026	23,815.63	18,680.23
05/01/2027	788,815.63	610,728.56
11/01/2027	8,515.63	6,507.92
05/01/2028	8,515.63	6,423.84
11/01/2028	8,515.63	6,340.85
05/01/2029	8,515.63	6,258.93
11/01/2029	8,515.63	6,178.07
05/01/2030	8,515.63	6,098.25
11/01/2030	8,515.63	6,019.47
05/01/2031	193,515.63	135,023.69
11/01/2031	5,740.63	3,953.72
05/01/2032	195,740.63	133,070.02
11/01/2032	2,890.63	1,939.74
05/01/2033	187,890.63	124,454.23
	3,865,744.29	3,208,091.19

Proceeds Summary

Delivery date	06/29/2017
Par Value	2,985,000.00
Premium (Discount)	229,799.35
Arbitrage expenses	-6,708.16
Target for yield calculation	3,208,091.19

PROOF OF ARBITRAGE YIELD

City of Dunkirk
Refunding of Series 2008

Assumed Call/Computation Dates for Premium Bonds

Bond Component	Maturity Date	Rate	Yield	Call Date	Call Price	Yield To Call/Maturity
INSURED	05/01/2028	4.000%	2.650%	05/01/2027	100.000	2.6820138%
INSURED	05/01/2029	4.000%	2.850%	05/01/2027	100.000	2.8835023%
INSURED	05/01/2030	4.000%	2.990%	05/01/2027	100.000	3.0249564%

Rejected Call/Computation Dates for Premium Bonds

Bond Component	Maturity Date	Rate	Yield	Call Date	Call Price	Yield To Call/Maturity	Increase to Yield
INSURED	05/01/2028	4.000%	2.650%			2.7818524%	0.0998385%
INSURED	05/01/2029	4.000%	2.850%			3.0380946%	0.1545923%
INSURED	05/01/2030	4.000%	2.990%			3.2113892%	0.1864327%

PRIOR BOND DEBT SERVICE

City of Dunkirk
Refunding of Series 2008

Period Ending	Principal	Coupon	Interest	Debt Service	Annual Debt Service
11/01/2017			68,912.50	68,912.50	
12/31/2017					68,912.50
05/01/2018	165,000	4.250%	68,912.50	233,912.50	
11/01/2018			65,406.25	65,406.25	
12/31/2018					299,318.75
05/01/2019	175,000	4.375%	65,406.25	240,406.25	
11/01/2019			61,578.13	61,578.13	
12/31/2019					301,984.38
05/01/2020	180,000	4.375%	61,578.13	241,578.13	
11/01/2020			57,640.63	57,640.63	
12/31/2020					299,218.76
05/01/2021	185,000	4.375%	57,640.63	242,640.63	
11/01/2021			53,593.75	53,593.75	
12/31/2021					296,234.38
05/01/2022	195,000	4.375%	53,593.75	248,593.75	
11/01/2022			49,328.13	49,328.13	
12/31/2022					297,921.88
05/01/2023	190,000	4.375%	49,328.13	239,328.13	
11/01/2023			45,171.88	45,171.88	
12/31/2023					284,500.01
05/01/2024	195,000	4.375%	45,171.88	240,171.88	
11/01/2024			40,906.25	40,906.25	
12/31/2024					281,078.13
05/01/2025	195,000	4.375%	40,906.25	235,906.25	
11/01/2025			36,640.63	36,640.63	
12/31/2025					272,546.88
05/01/2026	195,000	4.375%	36,640.63	231,640.63	
11/01/2026			32,375.00	32,375.00	
12/31/2026					264,015.63
05/01/2027	195,000	4.500%	32,375.00	227,375.00	
11/01/2027			27,987.50	27,987.50	
12/31/2027					255,362.50
05/01/2028	200,000	4.500%	27,987.50	227,987.50	
11/01/2028			23,487.50	23,487.50	
12/31/2028					251,475.00
05/01/2029	200,000	4.500%	23,487.50	223,487.50	
11/01/2029			18,987.50	18,987.50	
12/31/2029					242,475.00
05/01/2030	200,000	4.625%	18,987.50	218,987.50	
11/01/2030			14,362.50	14,362.50	
12/31/2030					233,350.00
05/01/2031	200,000	4.625%	14,362.50	214,362.50	
11/01/2031			9,737.50	9,737.50	
12/31/2031					224,100.00
05/01/2032	205,000	4.750%	9,737.50	214,737.50	
11/01/2032			4,868.75	4,868.75	
12/31/2032					219,606.25
05/01/2033	205,000	4.750%	4,868.75	209,868.75	
12/31/2033					209,868.75
	3,080,000		1,221,968.80	4,301,968.80	4,301,968.80

FORM 8038 STATISTICS

City of Dunkirk
Refunding of Series 2008Dated Date 06/29/2017
Delivery Date 06/29/2017

Bond Component	Date	Principal	Coupon	Price	Issue Price	Redemption at Maturity
Uninsured Bonds:						
	05/01/2018	165,000.00	3.000%	101.598	167,636.70	165,000.00
	05/01/2019	175,000.00	4.000%	105.094	183,914.50	175,000.00
	05/01/2020	180,000.00	4.000%	107.354	193,237.20	180,000.00
Insured Bonds:						
	05/01/2021	185,000.00	4.000%	109.329	202,258.65	185,000.00
	05/01/2022	195,000.00	4.000%	110.835	216,128.25	195,000.00
	05/01/2023	190,000.00	4.000%	112.139	213,064.10	190,000.00
	05/01/2024	190,000.00	4.000%	112.995	214,690.50	190,000.00
	05/01/2025	190,000.00	4.000%	113.046	214,787.40	190,000.00
	05/01/2026	190,000.00	4.000%	113.097	214,884.30	190,000.00
	05/01/2027	190,000.00	4.000%	113.288	215,247.20	190,000.00
	05/01/2028	195,000.00	4.000%	111.621	217,660.95	195,000.00
	05/01/2029	190,000.00	4.000%	109.803	208,625.70	190,000.00
	05/01/2030	190,000.00	4.000%	108.550	206,245.00	190,000.00
	05/01/2031	185,000.00	3.000%	98.657	182,515.45	185,000.00
	05/01/2032	190,000.00	3.000%	97.072	184,436.80	190,000.00
	05/01/2033	185,000.00	3.125%	97.009	179,466.65	185,000.00
		2,985,000.00			3,214,799.35	2,985,000.00

	Maturity Date	Interest Rate	Issue Price	Stated Redemption at Maturity	Weighted Average Maturity	Yield
Final Maturity	05/01/2033	3.125%	179,466.65	185,000.00		
Entire Issue			3,214,799.35	2,985,000.00	8.3505	2.6177%

Proceeds used for accrued interest	0.00
Proceeds used for bond issuance costs (including underwriters' discount)	92,140.00
Proceeds used for credit enhancement	6,708.16
Proceeds allocated to reasonably required reserve or replacement fund	0.00
Proceeds used to currently refund prior issues	3,111,976.84
Proceeds used to advance refund prior issues	0.00
Remaining weighted average maturity of the bonds to be currently refunded	8.5710
Remaining weighted average maturity of the bonds to be advance refunded	0.0000

FORM 8038 STATISTICS

City of Dunkirk
Refunding of Series 2008

Refunded Bonds

Bond Component	Date	Principal	Coupon	Price	Issue Price
Series 2008:					
BOND	05/01/2018	165,000.00	4.250%	100.000	165,000.00
BOND	05/01/2019	175,000.00	4.375%	100.000	175,000.00
BOND	05/01/2020	180,000.00	4.375%	100.000	180,000.00
BOND	05/01/2021	185,000.00	4.375%	100.000	185,000.00
BOND	05/01/2022	195,000.00	4.375%	100.000	195,000.00
BOND	05/01/2023	190,000.00	4.375%	100.000	190,000.00
BOND	05/01/2024	195,000.00	4.375%	100.000	195,000.00
BOND	05/01/2025	195,000.00	4.375%	100.000	195,000.00
BOND	05/01/2026	195,000.00	4.375%	100.000	195,000.00
BOND	05/01/2027	195,000.00	4.500%	100.000	195,000.00
BOND	05/01/2028	200,000.00	4.500%	100.000	200,000.00
BOND	05/01/2029	200,000.00	4.500%	100.000	200,000.00
BOND	05/01/2030	200,000.00	4.625%	100.000	200,000.00
BOND	05/01/2031	200,000.00	4.625%	100.000	200,000.00
BOND	05/01/2032	205,000.00	4.750%	100.000	205,000.00
BOND	05/01/2033	205,000.00	4.750%	100.000	205,000.00
3,080,000.00					3,080,000.00

	Last Call Date	Issue Date	Remaining Weighted Average Maturity
Series 2008	07/29/2017	09/11/2008	8.5710
All Refunded Issues	07/29/2017		8.5710

SUMMARY OF BONDS REFUNDED

City of Dunkirk
Refunding of Series 2008

Bond	Maturity Date	Interest Rate	Par Amount	Call Date	Call Price
Series 2008, SERIES08:					
BOND	05/01/2018	4.250%	165,000.00	07/29/2017	100.000
	05/01/2019	4.375%	175,000.00	07/29/2017	100.000
	05/01/2020	4.375%	180,000.00	07/29/2017	100.000
	05/01/2021	4.375%	185,000.00	07/29/2017	100.000
	05/01/2022	4.375%	195,000.00	07/29/2017	100.000
	05/01/2023	4.375%	190,000.00	07/29/2017	100.000
	05/01/2024	4.375%	195,000.00	07/29/2017	100.000
	05/01/2025	4.375%	195,000.00	07/29/2017	100.000
	05/01/2026	4.375%	195,000.00	07/29/2017	100.000
	05/01/2027	4.500%	195,000.00	07/29/2017	100.000
	05/01/2028	4.500%	200,000.00	07/29/2017	100.000
	05/01/2029	4.500%	200,000.00	07/29/2017	100.000
	05/01/2030	4.625%	200,000.00	07/29/2017	100.000
	05/01/2031	4.625%	200,000.00	07/29/2017	100.000
	05/01/2032	4.750%	205,000.00	07/29/2017	100.000
	05/01/2033	4.750%	205,000.00	07/29/2017	100.000
			3,080,000.00		

ESCROW CASH FLOW

City of Dunkirk
Refunding of Series 2008

Date	Principal	Interest	Net Escrow Receipts	Present Value to 06/29/2017 @ 0.6617330%
07/29/2017	3,111,976.00	1,713.72	3,113,689.72	3,111,976.00
	3,111,976.00	1,713.72	3,113,689.72	3,111,976.00

Escrow Cost Summary

Purchase date	06/29/2017
Purchase cost of securities	3,111,976.00
Target for yield calculation	3,111,976.00

ESCROW REQUIREMENTS

City of Dunkirk
Refunding of Series 2008

Period Ending	Interest	Principal Redeemed	Total
07/29/2017	33,690.56	3,080,000.00	3,113,690.56
	33,690.56	3,080,000.00	3,113,690.56

ESCROW DESCRIPTIONS

City of Dunkirk
Refunding of Series 2008

Type of Security	Type of SLGS	Maturity Date	First Int Pmt Date	Par Amount	Rate	Max Rate
Jun 29, 2017:						
SLGS	Certificate	07/29/2017	07/29/2017	3,111,976	0.670%	0.670%
				3,111,976		

SLGS Summary

SLGS Rates File	28APR17
Total Certificates of Indebtedness	3,111,976.00

ESCROW COST

City of Dunkirk
Refunding of Series 2008

Type of Security	Maturity Date	Par Amount	Rate	Total Cost
SLGS	07/29/2017	3,111,976	0.670%	3,111,976.00
		3,111,976		3,111,976.00

Purchase Date	Cost of Securities	Cash Deposit	Total Escrow Cost	Yield
06/29/2017	3,111,976	0.84	3,111,976.84	0.661733%
	3,111,976	0.84	3,111,976.84	

ESCROW SUFFICIENCY

City of Dunkirk
Refunding of Series 2008

Date	Escrow Requirement	Net Escrow Receipts	Excess Receipts	Excess Balance
06/29/2017		0.84	0.84	0.84
07/29/2017	3,113,690.56	3,113,689.72	-0.84	
	3,113,690.56	3,113,690.56	0.00	

 ESCROW STATISTICS

 City of Dunkirk
 Refunding of Series 2008

Total Escrow Cost	Modified Duration (years)	Yield to Receipt Date	Yield to Disbursement Date	Perfect Escrow Cost	Value of Negative Arbitrage	Cost of Dead Time
Global Proceeds Escrow:						
3,111,976.84	0.083	0.661733%	0.661733%	3,106,949.72	5,027.12	
3,111,976.84				3,106,949.72	5,027.12	0.00

Delivery date	06/29/2017
Arbitrage yield	2.617683%

UNDERWRITER'S DISCOUNT

City of Dunkirk
Refunding of Series 2008

Underwriter's Discount	\$/1000	Amount
Average Takedown	4.00000	11,940.00
Management Fee	1.34003	4,000.00
Ipreo	0.10050	300.00
DTC	0.26801	800.00
CUSIP	0.16750	500.00
Day Loan	0.03350	100.00
Underwriter's Counsel	1.50754	4,500.00
	7.41709	22,140.00

COST OF ISSUANCECity of Dunkirk
Refunding of Series 2008

Cost of Issuance	\$/1000	Amount
Other Cost of Issuance	23.45059	70,000.00
	23.45059	70,000.00

REQUIRED MSRB RULE G23 DISCLOSURECity of Dunkirk
Refunding of Series 2008Disclaimer

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The information contained herein may include hypothetical interest rates or interest rate savings for a potential refunding. Interest rates used herein take into consideration conditions in today's market and other factual information such as credit rating, geographic location and market sector. Interest rates described herein should not be viewed as rates that Piper Jaffray expects to achieve for you should we be selected to act as your underwriter or placement agent. Information about interest rates and terms for SLGs is based on current publically available information and treasury or agency rates for open-market escrows are based on current market interest rates for these types of credits and should not be seen as costs or rates that Piper Jaffray could achieve for you should we be selected to act as your underwriter or placement agent. More particularized information and analysis may be provided after you have engaged Piper Jaffray as an underwriter or placement agent or under certain other exceptions as describe in the Section 15B of the Exchange Act.

June 6, 2017

EXHIBIT C

DESCRIPTION OF CAPITAL IMPROVEMENTS FINANCED WITH PROCEEDS OF THE REFUNDED BONDS

Outstanding 2008 Bonds

<u>Dated Date</u>	<u>Original Amount</u>	<u>Outstanding Amount</u>	<u>Object or Purpose</u>	<u>PPU (Years)</u>
September 1, 2008	\$4,539,0 00	\$3,080,000 (for the 2018 through 2033 maturities that are to be refunded)	The reconstruction of, and construction of additions to the City-owned and operated wastewater treatment plant	40
			Sewer system improvements including the reconstruction of and construction of improvements to the wastewater treatment plant in the City	40

June 6, 2017

RESOLUTION #38-2017

JUNE 6, 2017

BY: ENTIRE COUNCIL

**AUTHORIZING GRANT APPLICATION
WESTERN NEW YORK
DOWNTOWN REVITALIZATION INITIATIVE: ROUND TWO**

WHEREAS, the City of Dunkirk is applying for funding for investment in the city's downtown to unlock dormant potential in ways that create and propel the resurgence of the urban core, through a grant of the Western New York Downtown Revitalization Initiative (DRI): Round Two Application; and

WHEREAS, it is in the best interest of the City to apply for State Grant funding for this project; now, therefore, be it

RESOLVED, that the Dunkirk Common Council does hereby authorize the Mayor to complete any paperwork or application necessary to achieve funding through the DRI: Round Two.

Carried, all voting aye.

RESOLUTION #39-2017

JUNE 6, 2017

BY: ENTIRE COUNCIL

**INTRO NO. 4 TO LOCAL LAW #4-2017
CITY OF DUNKIRK, NEW YORK**

**A LOCAL LAW TO AMEND ARTICLE VII,
SECTION 7.00 OF THE DUNKIRK CITY CHARTER**

BE IT ENACTED by the Common Council of the City of Dunkirk, New York, as follows:

Section 1 Intent

It is the intent of this Local Law to amend Dunkirk City Charter, Article VII, Section 7.00 to modify the structure of the Department of Public Works.

Section 2 Amendment of City Charter

Article VII, Section 7.00 is hereby amended as follows:

June 6, 2017

DELETE:

§ 7.00 Department of Public Works.

There shall be a Department of Public Works which shall consist of the following divisions: engineering, streets and highways, parks and playgrounds, wastewater treatment, water treatment and water distribution, public works maintenance and such other divisions as the Common Council may authorize. All functions, powers or duties heretofore exercised by the City Engineer's Office shall be exercised hereafter by the Department of Public Works.

AMEND TO:

§ 7.00 Department of Public Works. [Amended _____ 2017 as L.L. #4-2017]

There shall be a Department of Public Works which shall consist of the following divisions: (1) engineering, (2) Division of Streets, Highways, Water and Sewer Infrastructure Maintenance, Parks, and Playgrounds, (3) wastewater treatment, and (4) water treatment and water distribution, along with such other divisions as the Director of Public Works may establish in consultation with the Mayor. All functions, powers or duties heretofore exercised by the City Engineer's Office shall be exercised hereafter by the Department of Public Works.

Councilwoman Szukala made a motion Table Resolution #39-2017 for a Public Hearing to be held on Tuesday, June 20, 2017 at 5:25 PM. Seconded by Councilman Gonzalez.

Carried, all voting aye. TABLED.

RESOLUTION #40-2017
JUNE 6, 2017

BY: ENTIRE COUNCIL

INTRO NO. 5 TO LOCAL LAW #5-2017
CITY OF DUNKIRK, NEW YORK

A LOCAL LAW TO AMEND CHAPTER 2, ARTICLE VII,
SECTIONS 2-7.02, 2-7.04, 2-7.05, 2-7.07, and 2-7.09,
OF THE DUNKIRK CITY CODE

BE IT ENACTED by the Common Council of the City of Dunkirk, New York, as follows:

Section 1 Intent

June 6, 2017

It is the intent of this Local Law to amend Dunkirk City Code Chapter 2, Article VII, Sections 2-7.02, 2-7.04, and 2-7.07 and to repeal Sections 2-7.05 and 2-7.09 to modify the structure of the Department of Public Works.

Section 2 **Amendment of City Code**

Chapter 2, Article VII, Section 2-7.02 is hereby amended as follows:

ADD

§ 2-7.02 **Powers and duties of Director.**

- O. Determining and implementing the existence of any departmental divisions or subdivisions and staffing requirements within the Department of Public Works, in consultation with the Mayor. [Added _____ 2017 as L.L. #5-2017]

Chapter 2, Article VII, Section 2-7.04 is hereby amended as follows:

DELETE:

§ 2-7.04 **Division of Streets and Highways.**

- A. The Division of Streets and Highways shall be headed by the Public Works Supervisor, who shall be so designated by the Director of Public Works in accordance with Civil Service Law, Rules and Regulations.
- B. The Division of Streets and Highways shall be responsible for:
 - (1) The maintenance and condition of City streets, highways, alleys, sanitary and storm sewers and public parking lots.
 - (2) The exercise of supervision over sidewalks.
 - (3) The collection of garbage and rubbish.
 - (4) The care and removal of trees and shrubs situate on City property.
 - (5) Such other assignments as directed by the Director of Public Works.

AMEND TO:

§ 2-7.04 **Division of Streets, Highways, Water and Sewer Infrastructure Maintenance, Parks, and Playgrounds. [Amended _____ 2017 as L.L. #5-2017]**

- A. The Division of Streets, Highways, Water and Sewer Infrastructure Maintenance, Parks, and Playgrounds shall be headed by the Director of Public Works.

June 6, 2017

- B. All employees working within this division shall be assigned at the discretion of the Director of Public Works.
- C. It will be at the discretion of the Mayor to determine staffing levels within this Division.
- D. In accordance with best practices, this Division will be responsible for the following operations:
 - (1) The maintenance and condition of City streets, highways, alleys, sanitary and storm sewers and public parking lots.
 - (2) The exercise of supervision over sidewalks.
 - (3) The collection of garbage and rubbish.
 - (4) The care and removal of trees and shrubs situate on City property.
 - (5) The maintenance of public parks, playing fields, playground facilities and equipment and other public grounds or such other assignments as directed by the Director of Public Works.
 - (6) The construction, operation, repair and replacement of all public waterlines in the City.
 - (7) Responsibilities under contract for water supply and service outside the City limits.
 - (8) The reading of all water meters within the City and outside the City when required by contract.
 - (9) The repair and maintenance of all such water meters.
 - (10) Such other assignments as directed by the Director of Public Works.
- E. The following powers are reserved by the Common Council with respect to the Water Distribution System:
 - (1) The power to extend the current waterworks system for the purpose of furnishing water to the City of Dunkirk, its residents and industries.
 - (2) The power to extend the current waterworks system outside the City limits upon such terms which may be agreed upon in a contract that adequately compensates the City for capital costs, debt service and use of its treatment plant, maintenance of the water distribution system and installation and service of new lines.
 - (3) The power to acquire, by purchase, gift or eminent domain, all the lands, to erect all the buildings and structures and to purchase, lease and install all the machinery and equipment which is necessary to maintain, increase and extend the current water distribution system.

June 6, 2017

- (4) The power to ascertain annually the cost of supplying water to the City of Dunkirk and its instrumentalities, and it may exempt the City and its instrumentalities from all charges therefor.
- (5) The power to establish a scale of rates for water furnished to any person, firm or corporation and to alter and change said rates at such time and in such manner as it may determine.
- (6) The power to make all necessary contracts incidental to or connected with this Subdivision.
- (7) The Common Council shall not have the power to sell or lease said water supply system to any person, firm, corporation or association.
- (8) Nothing in this code shall in any way invalidate, vitiate or affect any obligations now outstanding against the Water Department as established under Article XVIII of the old City Charter or under the new City Charter.
- (9) All water rates and charges for labor and material in installing the same shall be paid to the Treasurer of the City of Dunkirk, and water rates and charges for labor and materials and installing the same shall be kept in a separate fund. All such water charges shall be collected from the real property owners upon which the distributing pipes are connected. Such water charges shall be, like other taxes of the City, a lien upon the real property where the water is connected. Such water charges shall be levied, corrected, enforced and collected in the same manner, by the same proceedings, at the same time and under the same penalties as City tax foreclosures.

Chapter 2, Article VII, Section 2-7.05 is hereby amended as follows:

DELETE:

§ 2-7.05 Division of Parks and Playgrounds.

- A. The Division of Parks and Playgrounds shall be headed by a Parks Maintenance Supervisor designated by the Director of Public Works based on experience and training in parks and playground operation and maintenance, in accordance with Civil Service Law, Rules and Regulations.
- B. The Division of Parks and Playgrounds shall be responsible for:
 - (1) The maintenance of public parks, playing fields, playground facilities and equipment and other public grounds or such other assignments as directed by the Director of Public Works.

AMEND TO:

§ 2-7.05 [Repealed _____ by L.L. #5-2017]

June 6, 2017

Chapter 2, Article VII, Section 2-7.07 is hereby amended as follows:

DELETE:

§ 2-7.07 Division of Water Treatment and Water Distribution.

The Division of Water Treatment and Water Distribution shall be subdivided into three (3) Subdivisions: Water Treatment, Water Maintenance and Distribution and Water Meter Service.

A. Water Treatment Subdivision.

- (1) The Water Treatment Subdivision shall be headed by the Chief Water Treatment Plant Operator, who shall be designated by the Director of Public Works based on experience and training in water treatment and shall hold a Class I-A operator's license or shall otherwise meet such requirements for Water Treatment Plant Operator as set by the State of New York and in accordance with Civil Service Law, Rules and Regulations.
- (2) The Water Treatment Plant Operator shall be responsible for:
 - (a) The operation of the water treatment plant of the City in all aspects, including but not limited to supervision of plant personnel and equipment, inventory of supplies and compliance with the appropriate state and federal regulations concerning water treatment.
 - (b) The testing of water throughout the City and as requested under contract outside the City.
 - (c) Such other assignments as directed by the Director of Public Works.

B. Water Maintenance and Distribution Subdivision.

- (1) The Water Maintenance and Distribution Subdivision shall be headed by the Water Maintenance Supervisor, who shall be designated by the Director of Public Works based on experience and training in accordance with Civil Service Law, Rules and Regulations.
- (2) This Subdivision shall be responsible for:
 - (a) The construction, operation, repair and replacement of all public waterlines in the City.
 - (b) Responsibilities under contract for water supply and service outside the City limits.
 - (c) Such other assignments as directed by the Director of Public Works.

June 6, 2017

(3) The following powers are reserved by the Common Council in respect to the Water Maintenance and Distribution Subdivision:

- (a) The power to extend the current waterworks system for the purpose of furnishing water to the City of Dunkirk, its residents and industries.
- (b) The power to extend the current waterworks system outside the City limits upon such terms which may be agreed upon in a contract that adequately compensates the City for capital costs, debt service and use of its treatment plant, maintenance of the water distribution system and installation and service of new lines.
- (c) The power to acquire, by purchase, gift or eminent domain, all the lands, to erect all the buildings and structures and to purchase, lease and install all the machinery and equipment which is necessary to maintain, increase and extend the current water distribution system.
- (d) The power to ascertain annually the cost of supplying water to the City of Dunkirk and its instrumentalities, and it may exempt the City and its instrumentalities from all charges therefor.
- (e) The power to establish a scale of rates for water furnished to any person, firm or corporation and to alter and change said rates at such time and in such manner as it may determine.
- (f) The power to make all necessary contracts incidental to or connected with this Subdivision.

(4) The Common Council shall not have the power to sell or lease said water supply system to any person, firm, corporation or association.

(5) Nothing in this code shall in any way invalidate, vitiate or affect any obligations now outstanding against the Water Department as established under Article XVIII of the old City Charter or under the new City Charter.

(6) All water rates and charges for labor and material in installing the same shall be paid to the Treasurer of the City of Dunkirk, and water rates and charges for labor and materials and installing the same shall be kept in a separate fund. All such water charges shall be collected from the real property owners upon which the distributing pipes are connected. Such water charges shall be, like other taxes of the City, a lien upon the real property where the water is connected. Such water charges shall be levied, corrected, enforced and collected in the same manner, by the same proceedings, at the same time and under the same penalties as City tax foreclosures.

C. Water Meter Service Subdivision.

- (1) The Water Meter Service Subdivision shall be headed by a Water Meter Supervisor, who shall be designated by the Director of Public Works

June 6, 2017

based on experience and training and subject to Civil Service Law, Rules and Regulations.

(2) The Subdivision shall be responsible for:

- (a) The reading of all water meters within the City and outside the City when required by contract.
- (b) The repair and maintenance of all such water meters.
- (c) Such other assignments as directed by the Director of Public Works.

AMEND TO:

**§ 2-7.07 Division of Water Treatment and Water Distribution. [Amended
_____ 2017 as L.L. #5-2017]**

The Division of Water Treatment and Water Distribution shall be headed by the Chief Water Treatment Plant Operator, who shall be designated by the Director of Public Works based on experience and training in water treatment and shall hold a Class I-A operator's license or shall otherwise meet such requirements for Water Treatment Plant Operator as set by the State of New York and in accordance with Civil Service Law, Rules and Regulations.

A. The Chief Water Treatment Plant Operator shall be responsible for:

- 1. The operation of the water treatment plant of the City in all aspects, including but not limited to supervision of plant personnel and equipment, inventory of supplies and compliance with the appropriate state and federal regulations concerning water treatment and distribution.
- 2. The testing of water throughout the City and as requested under contract outside the City.
- 3. Responsibility for water distribution within the City limits.
- 4. Responsibilities under contract for water supply and service outside the City limits.
- 5. Such other assignments as directed by the Director of Public Works.

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(a)

Chapter 2, Article VII, Section 2-7.09 is hereby amended as follows:

DELETE:

§ 2-7.09 Division of Transit Services.

- A. The Transit Services Division shall be headed by a Transit Supervisor, who shall be designated by the Director of Public Works based on experience and training, subject to Civil Service Law, Rules and Regulations.
- B. The Division shall be responsible for:
 - (1) The scheduling and operation of the City bus services.
 - (2) Such other assignments as directed by the Director of Public Works.

AMEND TO:

§ 2-7.09 [Repealed _____ by L.L. #5-2017]

Section 3 Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State.

Councilwoman Szukala made a motion Table Resolution #40-2017 for a Public Hearing to be held on Tuesday, June 20, 2017 at 5:26 PM. Seconded by Councilman Gonzalez.

Carried, all voting aye. TABLED.

**RESOLUTION #41-2017_
June 6, 2017**

BY: ENTIRE COUNCIL

**SUBMISSION OF FY2016 Consolidated Annual Performance & Evaluation
Report (CAPER) TO HUD**

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

June 6, 2017

WHEREAS, the City develops a **CAPER** each year which outlines the city's accomplishments for the prior fiscal year, and

WHEREAS, according to the City's approved CDBG Citizen Participation Plan, the City's proposed allocations have been presented to the public and interested elected representatives via one public hearing and a thirty-day public review and comment period has been afforded to City residents until May 24, 2017, now, therefore, be it

RESOLVED, the following accomplishments have been documented and the Fiscal Year 2016 CAPER will be submitted to HUD for review on June 30, 2017.

The Boys & Girls Club Career Explorers program was funded for \$15,000 and assisted 75 kids in researching career options, learning job details, exploring colleges, and internship placement.

Chautauqua Striders' Life Skills program was funded for \$10,000 and assisted 47 kids in mentoring and tutoring.

The DPW was awarded \$100,000 for improvements to the 300 block of Hoyt Street. They replaced 14 lead water service lines and three fire hydrants. Repaving will occur this year.

The Parks Dept. was awarded \$20,000 for improvements to Kosciuszko Park which included a new playground, swings, benches, and garbage receptacles.

Building and Zoning started the asbestos abatement and demolition process on three properties using 2013 CDBG funding.

Chautauqua Opportunities Inc. was funded for \$100,000 and had four properties under contract. Environmental reviews were being conducted on two additional properties.

Chautauqua Home Rehab and Improvement Corp. was funded for \$30,000 for first time home buyer down payment and closing cost assistance. They have assisted one new homeowner with two more in progress.

Chautauqua Home Rehab and Improvement Corp. also assisted four homeowners with their Emergency Rehab program with funding from the 2014 and 2015 program years.

Carried, all voting aye.

**RESOLUTION #42-2017_
June 6, 2017**

BY: ENTIRE COUNCIL

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AN AMENDING AND RESTATING BOND RESOLUTION, DATED JUNE 6, 2017, OF THE COMMON COUNCIL OF THE CITY OF DUNKIRK, CHAUTAUQUA COUNTY, NEW YORK (THE "CITY"), AMENDING THE BOND RESOLUTION THAT WAS ADOPTED ON JUNE 21, 2016, AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT PRIMARILY AT THE WATER POLLUTION CONTROL PLANT IN THE CITY, AT AN ESTIMATED MAXIMUM COST OF \$10,146,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$10,146,000 OF THE CITY, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE CITY TREASURER.

WHEREAS, on June 21, 2016 the Common Council of the City of Dunkirk, Chautauqua County, New York (the "City") adopted a bond resolution (the "Original Bond Resolution") entitled:

A BOND RESOLUTION, DATED JUNE 21, 2016, OF THE COMMON COUNCIL OF THE CITY OF DUNKIRK, CHAUTAUQUA COUNTY, NEW YORK (THE "CITY"), AUTHORIZING A CAPITAL IMPROVEMENTS PROJECT PRIMARILY AT THE WATER POLLUTION CONTROL PLANT IN THE CITY, AT AN ESTIMATED MAXIMUM COST OF \$2,500,000, AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,500,000 OF THE CITY, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE CITY TREASURER.

June 6, 2017

WHEREAS, the Common Council of the City of Dunkirk, in the County of Chautauqua, New York (the "City") adopted the Original Bond Resolution authorizing a capital improvements project generally consisting of improvements to the water pollution control plant in the City, at an estimated maximum cost of \$2,500,000; and

WHEREAS, the City has previously issued bond anticipation notes pursuant to the Original Bond Resolution, but has not yet entered into permanent financing arrangements (i.e., the issuance of long-term serial bonds); and

WHEREAS, the Common Council has been advised that the full scope of the project (which is believed to include work deemed necessary to improve reliability and maintain long-term operation of the water pollution control plant) has been identified; and

WHEREAS, the Common Council has also been advised that the cost of the proposed modified project has increased due to such modifications; and

WHEREAS, the Common Council now wishes to modify the Original Bond Resolution for the purposes of: (a) clarifying the modified scope of the project, (b) increasing the estimated maximum cost of the project from \$2,500,000 to \$10,146,000 and (c) increasing the amount of serial bonds authorized to be issued from \$2,500,000 to \$10,146,000 and to make other modifications to the Original Bond Resolution as may be consistent with law; and

WHEREAS, the Common Council now wishes to amend and restate (in its entirety) the Original Bond Resolution for the reasons identified above, and to make other modifications to the Original Bond Resolution as may be consistent with law; and

NOW, THEREFORE, BE IT RESOLVED, by the Common Council (by the favorable vote of not less than two-thirds of all the members of the Council) as follows:

SECTION 1. The City is hereby authorized to undertake a capital improvements project generally consisting of the reconstruction of and the construction of improvements to the water pollution control plant in the City including, but not limited to, the installation of two new mechanical bar screens, compactor and control package equipment, improvements to one concrete tank involving the installation of a new grit removal system, improvements to the solids dewatering and sludge stabilization system, installation of new pumps, replacement of emergency generator, installation of a plant wide Supervisory Control and Data Acquisition (SCADA) system, lighting system upgrades, replacement of various windows and doors, replacement of unit heater controls, installation of boiler equipment and various concrete improvements, and all preliminary work and necessary equipment, materials and site work, as well as other such improvements as more fully identified in (or contemplated by) a revised preliminary engineering report prepared by Wendel (the "Engineer") and any preliminary costs and costs incidental thereto and in connection with the financing thereof (collectively, the "Purpose"). The amended estimated maximum cost of the Purpose is \$10,146,000.

June 6, 2017

SECTION 2. The Common Council plans to finance the estimated maximum cost of the Purpose by the issuance of serial bonds of the City in an aggregate principal amount not to exceed \$10,146,000 hereby authorized to be issued therefor pursuant to the Local Finance Law, said amount to be offset by any federal, state, county and/or local funds received (including, but not limited to, grant funds from the New York State Environmental Facilities Corporation). Unless paid from other sources or charges, the cost of such improvements is to be paid by the levy and collection of taxes on all real property in the City to pay the principal of such bonds and the interest thereon as the same shall become due and payable.

SECTION 3. It is hereby determined that the purpose is an object or purpose described in subdivision 4 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of the purpose is 40 years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of said bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

SECTION 6. The faith and credit of the City are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation will be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there will annually be levied on all the taxable real property of the City a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Common Council pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the City Treasurer, the chief fiscal officer of the City. Without in any way limiting the scope of the foregoing delegation of powers, the City Treasurer, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the City.

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SECTION 8. The temporary use of available funds of the City, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in Section 1 of this resolution. The City then reasonably expects to reimburse any such expenditures (to the extent made after June 21, 2016 or within 60 days prior to the earlier of (a) the date hereof or (b) the date of any earlier expression by the City of its intent to reimburse such expenditures) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute the declaration (or reaffirmation) of the City's original declaration of its "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

SECTION 9. The City Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3) of the Code.

SECTION 10. The City Treasurer is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11. The City determined that the Purpose is a Type II action that will not have a significant effect on the environment and, therefore, no other determination or procedures under the State Environmental Quality Review Act ("SEQRA") are required.

SECTION 12. To the extent applicable, the City Treasurer is hereby authorized to execute and deliver in the name and on behalf of the City a project financing agreement prepared by the New York State Environmental Facilities Corporation ("EFC") (the "SRF Project Financing Agreement"). To the extent applicable, the City Treasurer and the City Clerk and all other officers, employees and agents of the City are hereby authorized and directed for and on behalf of the City to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby, including, but not limited to, the SRF Project Financing Agreement.

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SECTION 13. In the absence or unavailability of the City Treasurer, the Deputy Treasurer is hereby specifically authorized to exercise the powers delegated to the City Treasurer in this resolution.

SECTION 14. The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

1. (a) such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication; or

2. such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 15. The City Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of the Local Finance Law, in a newspaper having a general circulation in the City and hereby designated as the official newspaper of the City for such publication.

SECTION 16. Nothing in this amendment shall affect the validity of the Original Bond Resolution, or any actions taken thereunder, and any such actions are hereby ratified.

SECTION 17. This Resolution is effective immediately.

Carried, all voting aye.

RESOLUTION # 43-2017
JUNE 6, 2017

BY ENTIRE COUNCIL:

**ACCEPTING ELECTRICAL CONTRACT FOR BENTON FOURTH WARD PUMP
STATION AND FOR WTP HIGH LIFT PUMP STATION – Phase 3 under 2009
Consent Order**

WHEREAS, the City of Dunkirk, in 2009, entered into a Consent Order with the Chautauqua County Department of Health (CCDOH) to address certain inadequacies related to the City's water treatment plant and water distribution system, and the Phase

June 6, 2017

3 items of the Consent Order are now ready to address according to the schedule dictated by CCDOH; and

WHEREAS, by notification letter of December 17, 2015, the City of Dunkirk's application for Phase 3 funding was granted by Governor Cuomo through the New York State Environmental Facilities Corporation (EFC) in the amount of \$2 million of grant funds and \$7 million in low-interest loan funds for this Phase 3 reconstruction of and construction of improvements to the City's water system pursuant to such Consent Order; and

WHEREAS, Mayor Wilfred Rosas subsequently negotiated on behalf of the City of Dunkirk for an approved increase of the grant portion of these EFC funds to be \$3 million; and

WHEREAS, the 2017 Phase 3 projects are listed in the EFC grant application, and the Benton Fourth Ward Pump Station electrical system improvements and the WTP High Lift Pump Station electrical improvements are priorities on this list; and

WHEREAS, following public advertisement, two sealed bids were received on May 25, 2017, for this required work – in the amounts of \$570,450 and \$486,500 – and that the low bid of \$486,500 by Ahlstrom Schaeffer of 46 Hopkins Avenue, Jamestown NY 14701, has been deemed responsible by DPW Director Robert Bankoski and by the City's Consulting Engineer August Maas, who both recommend quickly accepting this bid so the work can be done during Summer and Fall weather to not delay the City water system being fully ready to supply the North County Water District, and said contract acceptance being subject to the contractor meeting all requirements of the EFC funding process; now therefore,

BE IT RESOLVED, that the Mayor is hereby authorized and directed to execute a contract for the Benton Fourth Ward Pump Station electrical system improvements and the Water Treatment Plant High Lift Pump Station electrical improvements with Ahlstrom Schaeffer, 46 Hopkins Avenue, Jamestown NY 14701 in the amount of \$486,500, but subject to the contractor first supplying all necessary approvals from EFC to meet the EFC funding requirements for this work, and that payment for such work will be from the Consent Order Phase 3 portion of City Fund 15.

Section 3 Effective Date

This Local Law shall take effect immediately upon filing with the Secretary of State.

Carried, all voting aye.

RESOLUTION # 44-2017
JUNE 6, 2017

BY ENTIRE COUNCIL:

June 6, 2017

**AUTHORIZING AGREEMENT FOR ENGINEERING SERVICES
FOR SEEL STREET CDBG WATERLINE PROJECT**

WHEREAS, the City of Dunkirk has targeted the area of Seel Street for CDBG waterline and road reconstruction, and professional engineering services are required to design and bid the waterline portion of this reconstruction; and

WHEREAS, the engineering services that are required for the timely completion of such work can be performed according to the proposal received and recommended for approval by the Department of Public Works based on successful similar work performed by this firm in the City of Dunkirk, from Nussbaumer & Clarke, Inc., 3356 Lake Shore Road, Suite 500, Buffalo New York 14219, according to their 2017 Hourly Rate Schedule and for design and bid and project closeout with a total for these items not to exceed \$50,000; now therefore be it

RESOLVED, that the Mayor be and hereby is, authorized and directed to execute an agreement of services, on behalf of the City of Dunkirk, for this 2017 CDBG Waterline Design and Bid and Closeout engineering services with Nussbaumer & Clarke, Inc., 3356 Lake Shore Road, Suite 500, Buffalo New York 14219, according to their proposal for engineering items needed with fees not to exceed \$50,000, with said fees paid by City CDBG funds.

Carried, all voting aye.

NEW BUSINESS:

RESOLUTION #45-2017

June 6, 2017

BY: ENTIRE COUNCIL

TRANSFERRING FUNDS FROM THE WILLIAM CEASE FUND

WHEREAS, the William Cease Fund (the "Fund") was created to support youth activities within the City of Dunkirk; and

WHEREAS, the Fund currently has the funds available and designated for youth use in a reserve account; and

WHEREAS, the Dunkirk Time Machine Summer Track and Field Program, which proposes to provide recreational opportunities for City youth, has requested financial assistance from the City through the Fund in order to fund its summer program; now, therefore, be it

RESOLVED, that a transfer not exceeding Five Thousand Dollars and Zero Cents (\$5,000.00) be withdrawn from the William Cease Fund account in accordance with the terms of the reserve fund to contribute toward the Dunkirk Time Machine Summer Track and Field Program.

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Councilwoman Szukala advised though it is important to have activities available for the youth and commends what the Gentleman is trying to do by providing this summer program she will not be supporting this Resolution to pull \$5,000 from the Bill Cease Fund as it is a lot of money and she would have liked to see something else worked out.

Councilman Bamonto advised this is a startup program, it is a one-time deal, hopefully the program will be able to be on their own in the future, and he will be supporting the Resolution.

Vote on Resolution:

Ayes: Councilman Williams, Councilman Bamonto, Councilman Gonzalez, and Councilman-at-Large Woloszyn.

No: Councilwoman Szukala.

Carried, 4-1.

RESOLUTION #46-2017

June 6, 2017

BY: ENTIRE COUNCIL

**AUTHORIZING AGREEMENT FOR ENGINEERING SERVICES
PHASE 2 - WASTE WATER TREATMENT FACILITY
(WENDEL)**

WHEREAS, the City of Dunkirk owns and operates a Water Pollution Control Plant which requires immediate upgrades and improvements; and

WHEREAS, the City of Dunkirk has been awarded a New York State Water Grant in the amount of \$10,175,000.00 (25% grant, 75% interest free loan) for needed repairs, upgrades, and improvements; and

WHEREAS, Phase 1 of the project is approaching completion and Phase 2 will begin soon; and

WHEREAS, Phase 2 of the project includes: Upgrades to coarse bar screen, aeration blowers, belt filter press and sludge stabilization, exterior lighting, lighting and lighting controls, unit heater control, air handling units and control, generator, and SCADA. Replacement of primary sludge pumps, waste activated sludge pump, and sludge transfer pumps. Also, building envelope improvements and boilers – natural gas utilization; and

WHEREAS, professional engineering services are required for implementation of Phase 2, and Wendel, is ready, willing and able to provide such services for the City in a good and workmanlike manner as determined by the Director of Public Works under his responsibility and authority by the City Code, and with the further consideration that Wendel Engineering of New York has over 70 years of water and wastewater

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experience, and comes highly recommended from the nearby communities that have replaced similar equipment; 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 Wendel, Centerpointe Corporate Park, 375 Essjay Road, Suite 200, Williamsville, NY, to provide the required Phase 2 engineering services at a cost not to exceed a total of one million two hundred ninety seven thousand five hundred dollars (\$1,297,500.00); and be it further

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 engineering services be paid from the engineering expense line of said Fund.

Carried, all voting ayes.

RESOLUTION # 47-2017

June 6, 2017

BY: ENTIRE COUNCIL

AUTHORIZING INSTALLATION OF CONVENIENCE OUTLET

WHEREAS, the City of Dunkirk, as part of its normal course of business, requires access to electrical outlet(s) on or about Lake Front Boulevard; and

WHEREAS, National Grid is willing and able to install a convenience outlet on an existing wood pole on Lake Front Boulevard; now, therefore be it

RESOLVED, that National Grid is authorized to install one convenience outlet on existing wood pole (Wood Pole no. 12) on Lake Front Boulevard at Serval Street in the City of Dunkirk. The annual charge, subject to rate change updates, shall be of fifty nine dollars and eighty six cents (\$59.86), and that amount shall be added to the City's bill No. 11938-79105. The City shall be responsible for any charges generated from that outlet. The City shall notify National Grid of the equipment wattage, hours of use, and number of days of use. National Grid shall provide regular bills to the City under Public Service Contract 220, Service Classification No. 2.

Carried, all voting aye.

RESOLUTION #48-2017

JUNE 6, 2017

BY: COUNCILPERSONS BAMONTO and GONZALEZ

June 6, 2017

CREATING THE POSITION OF SPANISH SPEAKING FIREFIGHTER

WHEREAS, the City has a large population of Spanish-speaking citizens; and

WHEREAS, the City of Dunkirk Fire Department has the responsibility for protection of life and property in the City; and

WHEREAS, communication between the City of Dunkirk Fire Department and the citizens of the City is important and may save lives, particularly during emergencies; now, therefore, be it

RESOLVED, that pursuant to Article IX of the Dunkirk City Charter, the Common Council hereby creates the position of Spanish Speaking Firefighter; and be it finally

RESOLVED, that the City of Dunkirk Personnel Department is hereby directed to create a position, pursuant to applicable Civil Service rules and regulations, for a Spanish Speaking Firefighter, and to fill said position from an applicable Civil Service list of applicants.

Councilwoman Szukala advised there should be a Public Safety Committee Meeting to discuss specifics for this type of Resolution.

Councilwoman Szukala made to Table Resolution #48-2017 for the next meeting. Seconded by Councilman Williams.

Carried, all voting aye. TABLED.

ADJOURNMENT:

Councilwoman Szukala moved to adjourn. Seconded by Councilman Gonzalez.

Carried, all voting aye.

Adjourned at 6:27 PM

Edwin Ramos, City Clerk
