

COMMON COUNCIL PROCEEDINGS
July 3, 2018

The meeting was called to order at 5:45 PM by Councilman-at-Large Woloszyn followed by the Pledge of Allegiance.

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

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

Excused: City Assessor Mlecko and Fiscal Affairs Officer Beach.

Certification of the Tuesday, June 19, 2018 Common Council Meeting was read by City Clerk Ramos.

RESOLVED: That the reading of the Tuesday, June 19, 2018 Common Council Meeting be Dispensed with.

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

Carried, all voting aye.

PUBLIC COMMENTS:

Tamara Benjamin of 51 Wilson Avenue and parent of two children who attend NCCS voiced concern over the location of the proposed methadone clinic and advised HUB has an underdeveloped plan.

Jenna Walker of 415 Eagle Street and parent of child who attends NCCS voiced concern on location of the proposed methadone clinic and asked Mayor Rosas if he has personal affiliation with the groups connected to the clinic.

Karen O'Brocta Harrington of 1090 Central Avenue and parent of a child who attends NCCS voiced concern over location of the proposed methadone clinic, the many individuals that will be coming from the Buffalo area to use the clinic, and the violence that may come with the clinic.

Mike Vinciguerra, formally of 231 Willow Road, now living in Fredonia, spoke in favor of the methadone clinic at the proposed location. He advised no matter where the clinic is located there will be a push off against it, a clinic will actually make the area safer, if we keep procrastinating over where to put it we will lose lives, we have to be more compassionate, we need to get it up and running, and every day we delay may make it so we may lose funding.

Mary Louise McGraw of 736 Swan Street spoke against having the methadone clinic at the proposed location as it will kill the enrollment of NCCS.

Jeanette Delgado of 310 Eagle Street spoke in favor of the methadone clinic at the proposed location and advised before TRC moved it use to have a suboxone clinic at that location and the crime rate in the area did not increase while TRC was operating there. It makes sense to replace services there as local residents are familiar with that location and won't have to travel away to get services.

Jim Fisher of Revitalize Dunkirk advised the next BYOC sunset watch event will be held at the Dunkirk Historical Lighthouse on Sunday, July 15, 2018, there will be Tai Chi available to those interested as well as Lighthouse tours at a discounted price, and the next monthly meeting for Revitalize Dunkirk will be held on Thursday, July 19, 2018 at 6:30 PM at the Fredonia Technology Incubator.

Gabe Taylor, Dunkirk Access 12 camera man, responded to a statement made earlier in this meeting about the last council meeting being taken off channel 1301 and explained that meeting went very long because the council went into executive meeting and programming has a tight schedule that is why it was cut. In regard to the location of the clinic, Mr. Taylor advised the foundation of a Catholic school is suppose to be God, we are called to intercede and pray for people who need help not wish them away.

Garret and Erica Boner of 68 West 4th Street advised on the need for a methadone clinic in the Dunkirk but spoke against the location advising there are other locations in the city that are not located next to a school.

Danielle Martel of 707 Grant Ave advised if this is a state run clinic as a taxpayer she should have a say where the clinic goes and it should not be in a drug free school zone. There are plenty of vacant buildings in the city.

Sandra Tapasto of 60 East Front Street advised methadone clinics are magnets for drug dealers. Children, elderly, as well as other vulnerable individuals who frequent the location around the proposed methadone clinic should be protected.

COMMUNICATIONS FROM THE MAYOR INCLUDING DISAPPROVAL MESSAGES:

Mayor Rosas requested that Director of Planning and Development update the Council on a couple items.

Director of Development Yanus advised the City and the Development Department are currently working on a new updated Comprehensive Plan that will define future planning goals, objectives, and strategies in the City and announced two open houses on July 31, 2018; one from 10:00 AM to 2:00 PM at the Iglesia Getsemani AG and the other from 4:00 PM to 8:00 PM at the Kosciusko Club. Director of Development Yanis encouraged all to attend the workshops to give input on the redevelopment of our City of Dunkirk.

Mayor Rosas advised he wanted to reiterated things that have been said already. Mayor Rosas advised we have heard the issues of concern from the parents of the children who attend NCCS and that he too attended that meeting (that the clinic representatives had with the

school). “Three statements that are factual are: 1.) It was not secret when I came into office that this was an issue we had to deal with. Many people came into my office. We have letters that were sent to us that I’d made copies for the council at that time and I advocated for these services to be here in the city of Dunkirk. I heard these statements from our city residents and I felt it was my duty as Chief Executive Officer here in the City to make the right decision as hard as it may be. So I stand behind my decision move forward and try to bring these services here to the city of Dunkirk. The second statement that I’ll make which is factual is 2.) In no way shape or form has any city elected official including the Mayor or any agent of the city had anything to do with the selection of the site that was picked by the provider. In fact this council could pass a resolution stating that they do not want this here and it will make no difference. It could still move forward. Unfortunately, that is the fact of reality and this is a fact that can be proven and confirmed. I don’t know how information is getting out there that this city can actually control the destiny as to where this site this location is going to be that these services will be provided. The simple truth is that this is a transaction between a seller and a buyer; and that site is currently zoned for the intended use. So there’s absolutely nothing, and again I will reiterate this, because it has not been put out there to the general public, but I’ve been saying it right along, that there is absolutely nothing the city can do to prevent this from happening if they should choose to put it there. That being said, I would like to let the parents and school officials know that I myself have met with the providers and I’ve let them know that my feelings are that they should choose a different site. I’ve also let them know that if they do not choose a different site that all of these concerns should be addressed and they have been very cooperative. So that is the truth; that’s a fact of reality.

As far as statements about me being in Buffalo for a grand openings or ribbon cutting ceremonies, I attend many throughout the region; some of them out of state. And I have friends and contacts in many places; some of them are doctors, some of them are lawyers, praise God. So I offer no excuses for being where I have been; and that was not a secret. It was actually put on the City’s web site. My position as Mayor is to make decisions daily. Some of them are big decisions, some of them are small decisions, but all of my decisions are based on what I believe is best for the City. The decision to put that methadone clinic at this site had nothing to do with the city. The city was not involved with that. I don’t know where you’re getting the information that I was involved with that, but I was not. Unfortunately, I was not involved in that decision. So we did show them eight different sites in the city, that was not one of them. In fact, I actually looked at that site myself with the Chief of Police and Judge Dragg when he was here less than a year to try and put our Courts and Police Department in that building. And we also just recently about three months ago had a developer that was interested in opening up a business in the city, and that was a site he was considering. So what I am saying to you folks is the truth. I realize that there are some people that are spreading some lies out there and unfortunately we live in a real world. You’re going to have to work with me. Please trust me and have faith in me. I am again with you. I understand the concerns and I am not trying to close that school. My understanding is that the school with or without the clinic is going to have a difficult time staying open. And I understand that and yes I have reached out to the principal and I have been trying to help out. My staff has been working with her; as I’m sure she will confirm for you. These are things that people don’t know, but perhaps they should. I don’t feel that there’s anything more that I’m going to say that’s going to change people’s minds, but I can tell you that no matter where these services get placed, we’re going to have a room full of people here saying they don’t want it in their backyard. So as Mayor again, I am placed in a very difficult position and what I have proposed to do is what I said during my campaign on my platform. I will base all of my decisions on what I believe is best for the city. Unfortunately, the decision to place these services at that site is not a decision that I can have an impact on. And that is the truth.”

COMMUNICATIONS FROM THE PUBLIC AND PETITIONS:

Request from Christ Chapel Wesleyan Church to hold a Sunday worship service on August 12, 2018 at the Large Pavilion of Point Gratiot as well as approval for a bounce house and loudspeaker permit.

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

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

Carried, all voting aye.

Request from The Resource Center / Filling the Gap, Inc. for permission to sell newspapers at City designated intersections on Tuesday, July 10, 2018 from 6:00 AM until 10:00 AM. Also requesting Police escort from the D&F Plaza along Central Avenue to Washington Park on Friday, July 20, 2018 for their annual Laurel Run at approximately 12:15 PM/ 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 to appropriate departments as well as approve subject to appropriate insurances and usual conditions.

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

Carried, all voting aye.

Request from Northern Chautauqua County Youth Hockey Association for the use of the Wright Park basketball courts on Saturday, August 25, 2018 (Sunday, August 26, 2018 Rain date) for their Annual Street Hockey Tournament from 9:00 AM to 3:00 PM. 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 thanked the NCCYHA for being flexible with their times and dates and then advised a motion was needed to refer to appropriate departments as well as approve subject to appropriate insurances and usual conditions.

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

Carried, all voting aye.

Request from Donald Stoye to use a bounce house at Point Gratiot on July 14, 2018 from 2:00 PM to 9:00 PM.

Councilman 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.

Notice of Claim from Corine Carlson for alleged damages from plow to her yard near the road, Lake Shore Drive East by school zone sign, and all along Warsaw Street during the winter.

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

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

Carried, all voting aye

Loudspeaker application from Christ chapel Wesleyan Church to use their music system speakers from 10:30 AM to 12:30 PM on August 12, 2018 at the Large Pavilion of Point Gratiot for their Sunday worship service and annual family picnic.

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

Carried, all voting aye.

Loudspeaker application from Alexis Fernandez Suarez to use AMP and speakers from 4:00 PM to 8:00 PM on July 22, 2018 at the former Hose #4 Firemen's Ground at Point Gratiot.

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

Carried, all voting aye.

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

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

Carried, all voting aye.

REPORTS OF STANDING COMMITTEES, BOARDS AND COMMISSIONS:

Councilman Williams asked Public Works Director Woodbury if the street light at Second Street and Roberts Road had been fixed, asked Police Chief Ortolano about speeding at the intersection of Pine Street and Robert's Road, addressed the parents of NCCS, advised he did not want to see the stigma associated with methadone clinics to close the doors of NCCS, and concluded by wishing all a happy and safe 4th of July.

Public Works Director advised the city electrician ordered new detector strips, is waiting on parts, and should be installed in a couple weeks once the parts arrived.

Police Chief Ortolano advised Police he will run radar in that area and hopes that will slow traffic down. The Chief advised he looked at the intersection but studies for this type of intersection report that extra stop signs do not slow down traffic. It usually confuses drivers more.

Councilman Bamonto thanked all who spoke to both sides of the methadone clinic issues, advised the parents of NCCS the council supports them, and no matter the location the clinic moves into in the City the Council will stay on top of the clinic to see it remains in compliance of doing everything it is supposed to do.

Councilman Heenan thanked all who spoke in regards to the methadone clinic issues, advised he understood their anxiety and advised the parents of NCCS to continue doing their best to fight for their school.

Councilman Civiletto thanked everyone for speaking to the issues of the methadone clinic. He advised he supports looking for a better location for the clinic, but does not support anyone accusing Mayor Rosas of personal financial gain on this clinic. Councilman Civiletto advised in the time he has known the Mayor he has never know the Mayor to speak of nothing but what is best for the City.

Councilman-at-Large Woloszyn advised he cannot add any more to what the rest of the Council has said over the concerns of the proposed methadone clinic, advised his is in awe of the parents' passion and sincerity in dealing with their concerns, and hopes there are more individuals in the city that have the same type of passion for something positive for the City of Dunkirk.

PRE-FILED RESOLUTIONS:

RESOLUTION #64-2018
JULY 3, 2018

BY: ENTIRE COUNCIL

**AUTHORIZING CHANGE FOR
FIRST AUGUST 2018 COMMON COUNCIL MEETING**

WHEREAS, the Common Council wishes to change the date of their first meeting in August, and

WHEREAS, in 1981, the National Association of Town Watch (NATW) was founded to provide community watch groups the necessary resources and assets to stay informed, interested, involved, and motivated within the community. Neighbors and local law enforcement across the nation supported the association as it steadily grew for the next three years; and,

WHEREAS, NATW introduced **National Night Out** in August of 1984 through an already established network of law enforcement agencies, neighborhood watch groups, civic groups, state and regional crime prevention associations and volunteers across the nation. The first annual National Night Out involved 2.5 million neighbors across 400

communities in 23 states. However, the event soon grew to a celebration beyond just front porch vigils; and

WHEREAS, Neighborhoods across the nation, including those in the City of Dunkirk, began to host block parties, festivals, parades, cookouts and various other community events with safety demonstrations, seminars, youth events, visits from emergency personnel, exhibits and much, much more. Today, thirty eight million neighbors in sixteen thousand communities across the nation take part in **National Night Out**; and

WHEREAS, the Tuesday, August 7th meeting will be changed to Monday, August 6th in order to enable participation in the **National Night Out** program, now, therefore, be it

RESOLVED, that the August 7th, 2018 Common Council Meeting shall be re-scheduled to August 6th, 2018, to enable participation in the **National Night Out** program, with the pre-file date to be Wednesday, August 1st, 2018.

Carried, all voting aye.

RESOLUTION #65-2018
July 3, 2018

BY: COUNCILMAN BAMONTO

**AGREEMENT BETWEEN THE CITY OF DUNKIRK AND LAKE SHORE
SAVINGS BANK
FOR AN ATM MACHINE AT THE BOARDWALK MARKET**

WHEREAS, the City of Dunkirk has a ATM machine in the Common Area of the Boardwalk Market in order to facilitate shopping; and

WHEREAS, Lake Shore Savings Bank has provided the ATM machine at the desired location for the last 10 years, now, therefore, be it

RESOLVED, the Mayor is hereby authorized and directed to execute any necessary agreements for the continued use of a Lake Shore Savings Bank ATM machine in the Boardwalk Market.

Carried, all voting aye.

RESOLUTION # 66-2018
JULY 3, 2018

BY COUNCILMAN WILLIAMS:

**ACCEPTING GENERAL CONTRACT 18-1G WITH ALTERNATE NO. 2 FOR
WASTEWATER TREATMENT PLANT INSTALLATION OF REPLACEMENT
SLUDGE PRESSES AND IMPROVED SLUDGE HANDLING AREA
AND REJECTING AND RE-BIDDING ELECTRICAL BIDS**

WHEREAS, the City of Dunkirk (Dunkirk) recognizes it must address certain inadequacies related to the City's wastewater treatment plant that urgently require repair and/or replacement; and

WHEREAS, the City of Dunkirk's application for funding was granted through the New York State Environmental Facilities Corporation (NYS EFC) in the amounts of \$2,543,750 in grant funds and \$7,602,250 in zero-interest loan funds for these replacements and repairs at the Wastewater Treatment Plant; and

WHEREAS, following public advertisement, Dunkirk received sealed bids in the amounts of \$2,896,500, \$3,066,150, and \$3,136,000 on June 26, 2018, to replace the plant's two decayed sludge presses and to improve the sludge handling area; and that the low bid of \$2,896,500 from H & K Services, Inc. (H & K), 12025 Leon Road, Leon NY 14751, has been deemed responsible by City DPW and by the City's consulting engineer, Wendel Engineers of Williamsville New York, both of whom recommend quickly accepting this bid so the work can be started so the City wastewater system can more efficiently treat wastewater; now therefore,

BE IT RESOLVED, that the Mayor is hereby authorized and directed to execute general construction contract 18-1G, including Alternate Item No. 2, with H & K Services, Inc., in the amount of \$2,896,500, contingent upon the contractor first supplying all necessary approvals from EFC to meet their funding requirements for this work, and that payment for such work will be from City Fund #21; and

BE IT FURTHER RESOLVED, that the two bids received on June 26, 2018, for electrical contract 18-1E are hereby rejected and that said contract 18-1E is requested to be re-bid.

Carried, all voting aye.

RESOLUTION #67-2018
July 3, 2018

BY: ENTIRE COUNCIL

**AUTHORIZING AGREEMENT FOR CONSTRUCTION INSPECTION
FOR CITY OF DUNKIRK SMART GROWTH CAPITAL INITIATIVE CENTRAL
CONNECTION PROJECT**

(Barton and Loguidice)

WHEREAS, the City of Dunkirk has been awarded \$2,500,000 through the Buffalo Billion Phase II funding to enhance Central Avenue to improve the connections between the City, Village of Fredonia and SUNY Fredonia; and

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

RESOLVED, that the Mayor is authorized and directed to execute an agreement of services on behalf of the City of Dunkirk, with Barton and Loguidice, 443 Electronics Parkway Liverpool, New York 13088, for construction inspection for the central connection project not to exceed a total of twenty one thousand (\$21,000) for construction inspection services; 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 consultant contract administration services be paid from the expense line of said Fund.

Carried, all voting aye.

RESOLUTION #68-2018**July 3, 2018****BY: ENTIRE COUNCIL****AUTHORIZING AGREEMENT FOR PROFESSIONAL SERVICES
FOR CITY OF DUNKIRK PHASE I ENVIRONMENTAL SITE ASSESSMENT (ESA)
(Greenman-Pedersen, Inc. (GPI))**

WHEREAS, the City of Dunkirk is in the process of developing land at 66 Lake Shore Drive East, 68 Lake Shore Drive East, 70 Lake Shore Drive East, 76 Lake Shore Drive East, 80 Lake Shore Drive East, 5 North Deer Street, (Unlisted #) North Deer Street, 15 North Deer Street, to be developed as a hotel and restaurant/brewery; and

WHEREAS, the land is within the City's brownfield opportunities area (BOA) and has been determine as one of 15 target brownfield sites; and

WHEREAS, professional consultant services are required for an environmental site assessment (ESA) of City property located at 66 Lake Shore Drive East, 68 Lake

Shore Drive East, 70 Lake Shore Drive East, 76 Lake Shore Drive East, 80 Lake Shore Drive East, 5 North Deer Street, (Unlisted #) North Deer Street, 15 North Deer Street, and Greenman-Pedersen, Inc. (GPI), is ready, willing and able to provide such services for the City in a good and workmanlike manner as determined by the Director of Planning and Development under her responsibility and authority by the City Code, and with the further consideration that Greenman-Pedersen, Inc. (GPI), comes highly recommended from the nearby communities and was a part of the BOA Phase II planning process; 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 Greenman-Pedersen, Inc., 403 Main Street, Buffalo, NY 14203 for the Phase I Environmental Site Assessment not to exceed a total of one thousand nine hundred fifty dollars (\$1,950) for ESA services; 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 consultant contract administration services be paid from the expense line of said Fund.

Carried, all voting aye.

RESOLUTION #69-2018

July 3, 2018

BY: ENTIRE COUNCIL

**AUTHORIZING GRANT APPLICATION FOR ECONOMIC IMPACT
ANALYSIS FOR THREE HARBORS**

WHEREAS, the five Great Lakes, their connecting channels, and the St. Lawrence River form one of the longest deep draft navigation systems in the world, which includes Chautauqua County's three Federal Harbors of Refuge on Lake Erie; and

WHEREAS, Barcelona Harbor, Dunkirk Harbor and Cattaraugus Creek Harbors are invaluable cultural and economic assets to Chautauqua County and to the Waterfronts of the Town of Westfield, City of Dunkirk and the Town of Hanover, and

WHEREAS, the United States Army Corps of Engineers (USACE) has the primary responsibility for the operation and maintenance of these harbors and has deferred authorized maintenance activities, including dredging and breakwater repairs due to limited Federal funding for harbors with limited commercial navigation; and

WHEREAS, an economic impact analysis of the three harbors and Lake Erie Waterfronts would support Chautauqua County's continuing effort to advocate for Federal funding for the authorized operation and maintenance of the harbors, support future applications for State and local funding opportunities for economic development and encourage new private investment in our harbors and waterfronts; and

WHEREAS, this analysis of current and future economic impacts would also support and encourage future private investment and further economic development near the harbors and along the Lake Erie Waterfront; and

WHEREAS, the Chautauqua County Division of Planning and Community Development desires to partner with the Town of Westfield, City of Dunkirk and the Town of Hanover and the Northern Chautauqua County Community Foundation's Local Economic Development (LED) Initiative to apply for \$35,000 in grant funding from the New York State Department of State (NYSDOS) Division of Planning Local Waterfront Revitalization Program (LWRP) to retain a consultant to determine the true economic impact of the three harbors and entire waterfront by advancing a Development and Investment Prospectus; and

WHEREAS, the Chautauqua County Division of Planning and Economic Development will coordinate the collaborative grant application effort and, if successful, commit up to \$3,500 in in-kind services for administration of the grant and project management activities as a portion of the required matching funds; and

WHEREAS, the Town of Westfield, City of Dunkirk, Town of Hanover and the LED Initiative will also each commit up to \$2,500 of in-kind services for data collection and public outreach activities as matching funds in support of the effort; now, therefore be it

RESOLVED, that the City of Dunkirk hereby supports the proposed collaborative effort to prepare and submit a grant application to the NYSDOS in connection with the New York State Consolidated Funding Application process; be it further

RESOLVED, that if awarded, the City of Dunkirk will commit up to \$2,500 of in-kind services for data collection and public outreach activities as matching funds.

Carried, all voting aye.

RESOLUTION #70-2018

July 3, 2018

BY: ENTIRE COUNCIL

AUTHORIZING MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF DUNKIRK, THE VILLAGE OF FREDONIA, AND STATE UNIVERSITY OF NEW YORK AT FREDONIA: CENTRAL CONNECTION

WHEREAS, the City of Dunkirk, Village of Fredonia, and SUNY Fredonia received a grant for technical support through the NYS Consolidated Funding Application (CFA) conducted by University at Buffalo Regional Institute (UBRI); and

WHEREAS, the resultant Central Connection economic development plan serves as a roadmap for investment and development along the Central Avenue corridor; and

WHEREAS, the target outcomes of the plan include raising awareness of the unique assets of the Parties, enhancing area tourism, and building lasting partnerships between the City, the Village, and the University; now, therefore be it

RESOLVED, that the Mayor is authorized and directed to execute a Memorandum of Understanding agreeing to cooperate in the exploration and implementation of activities that would be mutually beneficial to the objectives of the Parties.

Carried, all voting aye.

RESOLUTION #71-2018
July 3, 2018

BY: ENTIRE COUNCIL

**AUTHORIZING GRANT APPLICATION
NEW YORK MAIN STREET PROGRAM**

WHEREAS, the City of Dunkirk is applying through the Consolidated Funding Application (CFA) to the New York Main Street Program (NYMS) for a project grant under the Traditional NYMS Target Area Building Renovation Project to be located within the territorial jurisdiction of the City; and

WHEREAS, as a requirement of these programs, the City must obtain the approval and endorsement of the governing body of the municipality in which the project will be located; now, therefore, be it

RESOLVED, that the Dunkirk Common Council does hereby approve and endorse the City's application for a grant under the New York Main Street Program through the Traditional NYMS Target Area Building Renovation Project for a project located within this community, and authorizes and directs such application be made to the Office of Community Renewal under the direction of the Housing Trust Fund Corporation.

Carried, all voting aye.

RESOLUTION 72 #-2018
July 3, 2018

BY: ENTIRE COUNCIL

**AUTHORIZING MAYOR TO SIGN LEASE RENEWAL WITH T-MOBILE
FOR SPACE ON THE CELL TOWER**

WHEREAS, the City of Dunkirk owns a cell tower within the City limits;
and

WHEREAS, the City leases space on the cell tower to interested parties;
and

WHEREAS, the City has been approached by T-Mobile to renew their
current lease; and

WHEREAS, the proposed lease agreement is for a five (5) year contract
at the rate of \$1,800 per month for three (3) additional five (5) year extension
terms, an increase of \$300 per month over what they are currently paying in rent;
now, therefore, be it

RESOLVED, that the Mayor is hereby authorized and directed to executed
any and all documents pertaining to the lease agreement renewal with T-Mobile
USA, Inc., 12950 SE 38th Street, Bellevue, WA 98006.

Carried, all voting aye.

RESOLUTION #73-2018
July 3, 2018

BY: COUNCILMEMBERS WILLIAMS, CIVILETTO & BAMONTO

NORTH COUNTY WATER DISTRICT INFORMATION SHARING AUTHORIZATION

WHEREAS, the City of Dunkirk entered into an agreement signed by then-Mayor
AJ Dolce to be the sole supplier of water to the North County Water District on
November 176, 2015; and

WHEREAS, as part of this agreement, the City has been asked to share names,
addresses and meter numbers of current City water customers living outside the City
boundaries; now, therefore be it

RESOLVED, that the Dunkirk Common Council does hereby authorize all City
departments, especially the City Treasurer and City Fiscal Affairs Officer, to share the
requested information as soon as possible with the North County Water District and its
agents, redacting any personal information as necessary outside of what was requested.

Carried, all voting aye.

RESOLUTION #74-201

July 3, 2018

BY ENTIRE COUNCIL:

**AUTHORIZING THE MAYOR TO EXECUTE CONTRACT WITH
TRIDENT INSURANCE
FOR GENERAL LIABILITY, PROPERTY, AUTO AND PROFESSIONAL INSURANCE**

WHEREAS, the City's General Liability, Property, Auto and Professional insurance has been bid out by the City of Dunkirk's broker of record, Lawley Tradition, LLC, and

WHEREAS, Trident Insurance submitted a proposal for \$275,973.00 which is a decrease of over \$66,000.00 from last year's premium, now, therefore, be it

RESOLVED, the Mayor is hereby authorized and directed to sign any and all agreements necessary to award Trident Insurance the City insurance policy for the period July 2018 to July 2019, and, be it further

RESOLVED, that payment for this contract will be charged proportionately to City Budget Accounts: #001-1900-1910, #002-1900-1910, and #003-1900-1910.

Councilman Williams inquired from HR Director Campola if the City received more than one bid.

HR Director Campola advised four requests for proposals were sent out, but only one replied.

Carried, all voting aye.

RESOLUTION # 75-2018

July 3, 2018

BY COUNCILMAN BAMONTO:

**ACCEPTING APPLICATION FOR WATER AND SEWER SERVICE
FOR THE WOLFE RESIDENCE IN TOWN OF DUNKIRK**

WHEREAS, the City of Dunkirk supplies water to Willow Road in the Town of Dunkirk, at out-of-city rates; and

WHEREAS, the attached application for new water and sewer service was reviewed by DPW and recommended for approval; now, therefore, be it

RESOLVED, that the Wolfe Residence on Willow Road may establish a water account with the City of Dunkirk provided it pre-pay all connection and meter fees at the out-of-city rate and establish accounts to pay usage fees billed at the out-of-city rates.

Councilman-at-Large Woloszyn advised there are several changes needed to the title and body of this resolution and reviewed the changes.

Councilman Williams made a motion for amendments to Resolution #75-2018. Seconded by Councilman Bamonto.

Vote to amend Resolution:

Carried, all voting aye. AMENDED.

RESOLUTION # 75-2018
July 3, 2018

BY COUNCILMAN BAMONTO:

**ACCEPTING APPLICATION FOR WATER SERVICE
FOR LOCATIONS IN THE TOWN OF DUNKIRK**

WHEREAS, the City of Dunkirk supplies water to Willow Road in the Town of Dunkirk, at out-of-city rates; and

WHEREAS, the attached application for new water service was reviewed by DPW and recommended for approval; now, therefore, be it

RESOLVED, that the addresses on the attached form located on Willow Road may establish water accounts with the City of Dunkirk provided it pre-pay all connection and meter fees at the out-of-city rate and establish accounts to pay usage fees billed at the out-of-city rates.

STREET NAME	STREET #	LAST NAME	Meter pit	Meter
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Properties that could want new water service from City of Dunkirk

1	WILLOW ROAD 10655 Temple Rd	4577	ROBERTO FRED BARN	pd
2	WILLOW ROAD PO Box 209	4561	WDOE	
3	WILLOW ROAD	4542	DESMOND, ROBERT	pd.
4	WILLOW ROAD	4534	LAWRIE, ROBERT	pd
5	WILLOW ROAD	4531	JULIAN, PHILLIP	pd.
6	WILLOW ROAD	4525	WOLFE, JAMES	pd.
7	WILLOW ROAD 24 Genet St.	4517	DAVIS, KEVIN	
8	WILLOW ROAD	4508	FRED, ROBERTO JR.	pd
9	WILLOW ROAD	4504	SNYDER, CATHY	
10	WILLOW ROAD	4501	HEIDEN, MARGARET	pd
11	WILLOW ROAD	4644	VECCHIO, CONSTANTINO	pd.
12	WILLOW ROAD 4996 Morewood Dr.	4682	BENDER, ARTHUR(BARN)	
13	WILLOW ROAD	4678	JAKUBOWSKI, WILLIAM	pd
14	WILLOW ROAD	4636	MALDONADO, RANDOLFO	pd
15	WILLOW ROAD 10604 Linwood Dr.	4757	CATALANO, FRED	pd
16	TEMPLE ROAD	10607	STREFELER, STEVEN	
17	CHESTNUT ROAD	10603	HUBBARD, AMBER	
18	WILLOW ROAD	14048	DEMONET, KENNETH	

Properties previously had water service from main along Route 5

1	WILLOW ROAD	4741	WEST DUNKIRK FIRE DEPT.	X
2	WILLOW ROAD	4737	DUNKIRK TOWN HALL	X
3	WILLOW ROAD	4740	VECCHIARELLA, VINCENT	X

Councilman-at-Large Woloszyn advised that during today’s council workshop a lengthy conversation was had on this resolution on a couple different levels and that he was happy to see Town of Dunkirk Supervisor, Richard Purol, at this present meeting because the council members still have questions Mr. Purol may be able to help answer. The first question pertained to Resolution # 73-2018. Was it worth these people doing this for the sake of four months since the North County Water District is supposed to begin in four months; therefore the City would only have four months worth of billings and things of that nature? The biggest question the council has going forward is receivables with the NCWD. “We realize a lot of the accounts that we are handing over to the NCWD according to Resolution #73-2018 have past due balances on them, but it’s also our understanding that the NCWD is not going to inherit those past due water balances and guarantee them for us.” Therefore, these balances would be receivables that we would have in hand for accounts that we no longer service. The number is quite substantial, almost seven figures. We talked about going forward with approaching the NCWD and the County together about possibly being able to re-levy those, making a law at the county level to re-levy those past due balances on the county tax bills because it’s the NCWD, and right now there is nothing written saying there is going to be any assistance from anyone to recover that money.

Town of Dunkirk Supervisor Richard Purol advised this was the first time he heard any of this, it’s quite involved, he would like to see the list of people who do owe money, and would like to help the city find a way to recover that money. Town of Dunkirk Supervisor Purol explained why the Town of Dunkirk is pursuing the City of Dunkirk to provide water to the Willow Road residents for four months even though the NCWD is scheduled to begin soon.

Vote on Resolution as Amended:

Carried, all voting aye.

RESOLUTION #76-2018
July 3, 2018

BY: COUNCILMAN WILLIAMS

**AUTHORIZING PRELIMINARY STUDY FOR ALTERNATIVE ENERGY
OPPORTUNITIES AT CITY OF DUNKIRK WATER TREATMENT PLANT AND
WASTEWATER TREATMENT PLANT**

WHEREAS, the City of Dunkirk has an interest in determining if green energy solutions would be a feasible addition to the City of Dunkirk Water Treatment Plant (WTP) and Wastewater Treatment Plant (WWTP); and

WHEREAS, Clark Patterson Lee has submitted a proposal for the preparation of a Preliminary Engineering Report to evaluate the potential of installing green energy solutions at both the WTP and the WWTP; and

WHEREAS, the purpose of the report is to evaluate the capital costs, operational expenses, advantages, disadvantages, environmental impacts, and potential funding sources for green energy solutions at both facilities; and

WHEREAS, this report can be used to determine if implementing a green energy solution is cost effective, as well as being used as a supporting document for funding applications ; and

WHEREAS, the cost of this report is \$4,950.00; now, therefore be it

RESOLVED, that the Mayor be authorized and directed to execute an agreement, on behalf of the City of Dunkirk, with Clark Patterson Lee, 1279 North Main Street, Jamestown, New York 14701, for a Preliminary Engineering Report of the potential for installing green energy solutions at the WTP and WWTP.

Councilman Williams thanked Public Works Director Woodbury publicly for his assistance at DPW meetings in discussing this topic and for his effort in making this resolution happen.

Vote on Resolution:

Carried, all voting aye.

ADJOURNMENT:

Councilman Bamonto moved to adjourn. Seconded by Councilman Civiletto.

Carried, all voting aye.

Adjourned at 6:58 PM

Edwin C. Ramos, City Clerk
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