

COMMON COUNCIL PROCEEDINGS
July 31, 2017

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

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

Also present: Mayor Rosas, City Attorney Morrisroe, City Treasurer Woods, Board of Assessors Mleczko, Clerk, Public Works Director Bankoski, City Engineer Woodbury, Building Inspector Zurawski, Personnel Administrator Heyden, Executive Assistant to the Mayor Westling, Director of Development Yanus, Festivals & Special Events Coordinator Rosas, and Police Chief Ortolano.

Excused: Councilwoman Szukala

Certification of the Tuesday, July 18, 2017 Common Council Meeting was read by City Clerk Ramos.

RESOLVED: That the reading of the Tuesday, July 18, 2017 Common Council Meeting be dispensed with.

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

Carried, all voting aye.

PUBLIC COMMENTS:

Jeanette Delgado of Community Works advised the council that with the help of donations the group held their first community outreach event yesterday, a nice mix of people attended the event including a grant writer who appears to be interested in helping the group, and Ms. Delgado has agreed to meet with the grant writer.

Mike Civelletto, chairman for the CAC, spoke about issues related to parking meters and advised City Attorney Morrisroe since the Point Gratiot and Wright Park project is on hold until the Fall could some things related to the Dog Park be addressed in the interim.

COMMUNICATIONS FROM THE MAYOR INCLUDING DISAPPROVAL MESSAGES:

Mayor Rosas thanked Mr. Civelletto for his comments on the parking meter issues, advised he will review the numbers Mr. Civelletto provided, informed Mr. Civelletto the City has been working with the NYS Restructuring Board, Police Chief Ortolano has brought up this issue in the past, all would prefer to replace the old meters with new ones, it is not in the City's control where parking meters break down, and this administration has not overlooked the parking meter issue. In regards to the Dog Park, Mayor Rosas advised government has a lot of processes in place that need to happen before any major steps, the Dog Park is a major step for the City, the City will follow the process correctly, and people will need to be understanding of that fact.

Mayor Rosas advised the City of Dunkirk made contact with Dunkirk, France, a representative of their media reached out to do another story out of Dunkirk, France, and Festivals & Special Events Coordinator Rosas will reach out to make that happen. Mayor Rosas also advised he has regretfully accepted the resignation of Public Works Director Bankoski, Public Works Director Bankoski has agreed to stay on for a short time during the transition, City Engineer Woodbury will serve as interim DPW should there be a need until a permanent decision is made, thanked Public Work's Director Bankoski for a job well done, and invited him to say a word.

Public Works Director Bankoski thanked the Mayor for the opportunity to serve the city for the last eleven months, felt a lot was accomplished during that time, appreciated working with other department heads and believes positive change has occurred during his time as DPW director.

Mayor Rosas requested Development Director Yanus and Festivals & Special Events Coordinator Rosas to speak on a couple updates.

Development Director Yanus reported today she met with the architects that Gina Kron hired to make the designs for the physical enclosure for the Whispering Giant statue. The architects will be turning in stamped architecture and cost estimates so we are prepared to go out to bid for construction. Development Director Yanus also reported she and Mayor Rosas attended a dinner in Buffalo hosted by Athenex in celebration of the IPO that happened about six weeks ago in the stock market. The company is excited to be coming to the Dunkirk area and groundbreaking plans are being discussed for the near future.

Festivals and Special Events Coordinator Rosas advised a there is a photo on the City website of the new CEO of Athenex, Development Director Yanus, and Mayor Rosas from yesterday's dinner in Buffalo and invited all to attend some of the many events scheduled for the City's annual Beach Bash coming up this weekend. Some of the events planned: world renowned sand sculptor Dan Belcher at the beach areas located at the end of Main Street and at Wright Park, a marvelous music lineup, activities for children include water slide and bounce houses, and a dunk tank to raise funds for the Little League and other non for profit organizations. Festivals and Special Events Coordinator Rosas also advised that Public Works Director Bankoski was a good leader and that it was a pleasure to work with him in the City.

COMMUNICATIONS FROM THE PUBLIC AND PETITIONS:

Request from "Variety", the Children's Charity of Buffalo and Western New York for 4-6 police personnel on Saturday, September 9, 2017 at the Fairgrounds from 1:00 PM until 7:00 PM and the Dunkirk Fire Department to be on standby should there be any firematic emergency.

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 Amy Schuk to have a bounce house at the Lower Pavilion at Point Gratiot on Friday, August 4, 2017 for a graduation party.

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 Dunkirk Senior High School to have three police officers present at the Homecoming Dance on Saturday, October 7, 2017 from 7:45 PM until 11:15 PM, as well as provide breathalyzer tests.

Councilman-at-Large Woloszyn advised a motion was needed to refer to the Dunkirk Police Department and their Union.

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

Carried, all voting aye.

Request from the First Ward Falcons Club to close South Serval Street between Lake Shore Drive East and Chestnut Street on Friday, September 1, 2017 thru Sunday, September 3, 2017 from 5:00 PM until 12:00 AM midnight for their annual Labor Day street dance. Also requesting use of garbage cans for the parking lot.

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

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

Carried, all voting aye.

Request from Steve Krystofiak to have a bounce house at the Lower Pavilion at Point Gratiot on Saturday, August 19, 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. Seconded by Councilman Bamonto.

Carried, all voting aye.

Request from Jose Rodriguez to use Promenschenkle Stadium and Koch's Field for the "Missing You Always" 4th Annual Memorial Coed Softball Tournament on Saturday, August 26, 2017 from 8:00 AM until 9:00PM.

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.

Loudspeaker application request from the Dunkirk School Student council to permit the DJ to use speakers in the Front Parking Lot for Homecoming on Friday, October 6, 2017 from 4:00 PM until 7:00 PM.

Loudspeaker application request from the First Ward Falcons Club for use of band speakers on September 1, 2017 thru September 3, 2017 from 6:00 PM until 10:00 PM at 341-342 Lake Shore Drive East for their annual Labor Day Street Dance.

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 both loudspeaker applications. Seconded by Councilman Gonzalez.

Carried, all voting aye.

REPORTS OF STANDING COMMITTEES, BOARDS AND COMMISSIONS:

Councilman Williams advised Police Chief Ortolano that recently he witnessed a near accident with a handicap scooter and automobile and inquired if there is anything the Chief could do that is ADA approved to educate the public on safety relating to handicap scooters in traffic. Councilman Williams also requested an update on the Rose Floremo Plan and the deteriorated NRG railroad track crossing on Lake Shore Drive.

Chief Ortolano advised there was a statement released several years ago regarding traffic safety precautions and that he will reach out to the ADA to see if that statement is still acceptable to run again.

Development Director Yanus advised a consultant has been hired to compile a residential survey, one of their components is part of the Rose Floramo Plan, a task force team will be put together by the end of August to gather data of our housing areas, the data will help the consultant develop a law that fits our city and addresses the housing issue.

Public Works Director Bankoski advised he has spoken several times with the area representative of the rail tracks and the representative's superiors have approved the removal of the rails. However, the project requires road closure permits that need to be filed with the State as Route 5 will have to be shut down for three or four days. Public Work's Director Bankoski advised he will contact the rail area representative for an update and will report back with that update.

Councilman Bamonto advised the public to enjoy and support the Beach Bash Events coming this weekend.

Councilman Gonzalez advised there was an Economic Development Meeting this afternoon and invited Director of Development Yanus to report on the updates she reported at the meeting with regards to the many building projects of the City; the Hotel, Battery Point, Dog Park, Wright Park, and Point Gratiot. Councilman Gonzalez also advised Mr. Civileto the Council talked about the parking meters several years ago, is waiting for funding to be made

available for replacements and thanked Public Work's Director Bankoski for doing a great job for the City in DPW.

Councilman-at-Large Woloszyn requested Public Work's Director Bankoski to explain why a large tree was cut down at the Lucas Avenue playground.

Public Work's Director advised a portion of Woodrow Avenue has no sidewalk and students are walking in the street. The City and the Dunkirk Public School District are working on placing a sidewalk on that portion of the street for safety reasons. A couple of trees had to be cut because they were in line along where the sidewalk will be extended up to Lucas Avenue. Once the sidewalk is in place the school district will be placing more trees along Woodrow Avenue, Lucas Avenue, and the playground.

PRE-FILED RESOLUTIONS:

RESOLUTION #69-2017

July 31, 2017

BY: THE ENTIRE COUNCIL

**ACCEPTING GRANT FOR SUMMER BETTER THAN OTHERS CAMP
(Chautauqua County)**

WHEREAS, the City submitted a request to the County of Chautauqua, which through its County Youth Services Bureau has agreed to act as a local sponsor for the receipt and disbursement of NYS Office of Children & Family Services ("OCFS") funding; and

WHEREAS, such application was approved in the amount of Nine Thousand Dollars and Zero Cents (\$9,000.00); now, therefore, be it

RESOLVED, that the City accepts NYS Office of Children & Family Services funding through the County of Chautauqua, in the amount of Nine Thousand Dollars and Zero Cents (\$9,000.00) for the City's ***Camp Gross Summer Better Than Others*** program and the Mayor and/or Recreation Program Coordinator is hereby authorized to execute any and all contracts and related documents with the County of Chautauqua to accept and utilize funds; and, be it further

RESOLVED, that such funds be credited as a receivable in Revenue Line:

001.0001.3820.8201 NYS Aid Youth & Family Services.

Vote on Resolution: Carried, all voting aye.

NEW BUSINESS:

RESOLUTION #70-2017

DATE: July 31, 2017

BY: ENTIRE COUNCIL

**AUTHORIZE APPOINTMENT OF CDBG PROGRAM ADMINISTRATOR
(Matthew Bourke) (U.S. Department of Housing and Urban Development,
Community Development Block Grant Program Administrator)**

WHEREAS, the City of Dunkirk has a need of a PROGRAM ADMINISTRATOR for the City to administer and to maintain certain requirements for the City's participation with the U.S. Department of Housing & Urban Development ("HUD") Community Development Block Grant ("CDBG") program, including but not necessarily limited to the provision of technical and compliance assistance necessary for the administration of the CDBG program; and

WHEREAS, it would be in the best interest of the City to contract for such services; and

WHEREAS, Matthew Bourke, candidate for CDBG PROGRAM ADMINISTRATOR, by this Resolution, will be appointed to provide such services as an at-will employee of the City in a good and workmanlike manner through the end of 2017 at the rate of Thirty thousand Dollars per annum (\$30,000/yr), up to thirty-five (35) hours per week plus benefits, paid for by the CDBG administrative dollars set aside in the CDBG annual budget previously approved by this Body; and

WHEREAS, there is a need to expand the time expended for such services to the City in order to appropriately address the requirements of the CDBG program; now, therefore, be it

RESOLVED, that the Mayor is directed and authorized to appoint **Matthew Bourke**, as CDBG PROGRAM ADMINISTRATOR to administer the City's Community Development Block Grant program, to reflect services on an annual basis, at Thirty Thousand Dollars per annum plus benefits, for up to thirty-five (35) hours per week, as services may be needed by the City with such funds reimbursed from CDBG Administrative funding, contingent upon such funds being made available.

Councilman-at-Large Woloszyn requested of Development Director Yanus to explain why this resolution was drawn up and explained this resolution is NOT the creation of a new position, but the filling of a vacant position.

Development Director Yanus advised this new resolution is needed because unfortunately former CDBG Program Administrator Christina Lincoln did not renew her contract with the City of Dunkirk.

Vote on Resolution: Carried, all voting aye.

RESOLUTION #71-2017

JULY 31, 2017

BY: THE ENTIRE COUNCIL

**AUTHORIZING EMPLOYEE ASSISTANCE PROGRAM CONTRACT
(FAMILY SERVICE OF THE CHAUTAUQUA REGION, INC.)
(AUGUST 1, 2017 THROUGH JULY 31, 2019)**

WHEREAS, Family Service of the Chautauqua Region, Inc., 332 East Fourth Street, Jamestown, New York, has developed a comprehensive education and counseling program servicing employees, retirees, and the employees' immediate family members; and

WHEREAS, the contract will be for the period of August 1, 2017 through July 31, 2019; and

WHEREAS, the annual cost for the program will be Three Thousand Four Hundred Twenty-Five Dollars and Zero Cents (\$3,425.00), based upon the current employee census; now, therefore, be it

RESOLVED, that the Mayor is hereby authorized and empowered to execute a contract, on behalf of the City of Dunkirk, with **Family Service of the Chautauqua Region, Inc.**, 332 East Fourth Street, Jamestown, New York 14701, for the provision of an Employee Assistance Program to cover eligible City employees for the period from August 1, 2017 through July 31, 2019, at a cost of Twenty-Five Dollars (\$25) per covered employee *per annum*; and, be it finally

RESOLVED, that the funds for the above will come from Account #001-1430-4036 Personnel Department Employee Services EAP.

Vote on Resolution: Carried, all voting aye.

Mayor Rosas advised the council a contract agreement with the Senior Citizen Center is due, provided the council with a copy of the contract demands, announced he looked over the demands, has no disagreements with the demands as they are repairs and upgrades the City should already be providing and that no action needs to be taken at this time.

ADJOURNMENT:

Councilman Gonzalez moved to adjourn. Seconded by Councilman Williams.

Carried, all voting aye.

Adjourned at 6:07 PM

Edwin Ramos, City Clerk
