

**PUBLIC HEARING
November 6, 2018**

The public hearing was called to order at 5:20 PM by Acting Councilman-at-Large Williams.

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

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

Excused: Councilman-at-Large Woloszyn.

Notice of Public Hearing was read by Acting Councilman-at-large Williams.

The public hearing was held for the purpose of giving interested persons an opportunity to comment on Mayor Rosas's Proposed 2019 City Budget.

PUBLIC COMMENTS:

No one spoke.

Adjournment at 5:23 PM

Edwin C. Ramos, City Clerk

**COMMON COUNCIL PROCEEDINGS
November 6, 2018**

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

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

Excused: Councilman-at-Large Woloszyn.

Acting Councilman-at-Large Williams offered the City's condolences to the Woloszyn family during their time of grief.

Acting Councilman-at-Large Williams stated a motion is needed to appoint him as Acting Councilman-at-Large for the day.

Councilman Bamonto made a motion. Seconded by Councilman Civiletto.

Carried, all voting aye.

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

Certification of the Tuesday, October 16, 2018 Common Council Meeting was read by City Clerk Ramos.

RESOLVED: That the reading of the October 16, 2018 Common Council Meeting be Dispensed with.

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

Carried, all voting aye.

PUBLIC COMMENTS:

Jim Fisher of Revitalize Dunkirk, PO Box 107 announced that their next meeting will be held at the Fredonia Technology Incubator Building located at 314 Central Avenue November 15, 2018 at 6:30pm. Jane Bobinski will be the guest speaker. Revitalize Dunkirk appreciates Resolution #106 on the agenda and thank you to Councilman Bamonto for sponsoring it.

Lydia Faulkner of 181 Lakeshore Drive West. I have lived here all my life. I am 70 years old. I have worked in Dunkirk all my life. I have a problem. I have a sewer break in Lakeshore Drive, Mr Casale snaked my sewer several times and it is past the curb. I asked Mr Casale how much this is going to cost and he told me \$30,000. I can't pay for this. I am asking please change your rules. Can you please help me.

COMMUNICATIONS FROM THE MAYOR INCLUDING DISAPPROVAL MESSAGES:

This Friday, November 9th The Dunkirk Farmers Market will be hosting our 2nd Annual Farm to table fundraising dinner at the Dunkirk Senior Center located at 45 Cliffstar Court. The dinner will begin at 6:30pm. The Building and Zoning Department has implemented a new complaint form. This form is available online, it can be accessed at Dunkirktoday.com by selecting the Building and Zoning Office from the City offices menu, click on the link on the right hand side of the page to submit a complaint form directly to the department. The form is also available in the Clerk's Office, the Building and Zoning office and the Planning and Development office. You can also file complaints by calling 366-9858 and selecting option 1 or sending an email to propertycomplaints@cityofdunkirk.com. In the near future the department intends to transition into an online complaint system that would allow users to view updates of a submitted complaint. I just wanted to bring you all up to date that this is the new way that other municipalities are handling these complaints. He also announced that the City will be receiving a grant from Urban and Community Forestry grant in the amount of \$49,500 from the New York State Department of Environmental Conservation for City wide tree inventory and management plan. In the Spring of 2017 I directed the Planning and Development Department to look into ways in which the City could annually plant, prioritize and budget tree removals, maintenance work and planting new trees in our city. The first step was to develop a tree inventory and management plan. We applied for this funding thru the Department of Environmental Conservations Urban and Community Forestry Grant in 2017. In July 2018 the Planning Department applied again with a new approach that would create a partnership between the City,

Grass Roots Organizations and volunteers to further improve the City's Urban Forest. I am happy to say that this funding will provide the guidance needed to plan for Dunkirk's natural resources as well as make us eligible to become a tree City USA Community and access additional grant funds. I would like to thank our Governor Andrew Cuomo and the New York State Department of Environmental Conservation for the funding to help enhance our natural resources for all of Dunkirk for future generations to come.

COMMUNICATIONS FROM THE PUBLIC AND PETITIONS:

Notice of Claim from Jose A. Reyes-Collazo for damages allegedly caused when he hit a manhole cover on Central Avenue between 6th and 7th St at about 5:30am.

Acting Councilman-at-Large Williams stated a motion is needed to refer to the law department.

Councilman at Bamonto made a motion. Seconded by Councilman Civileto .

Carried, all voting aye.

Notice of Claim from Lenore Fiebelkorn for damages allegedly caused due to sewer and drainage water that backed up in the basement on October 6th-7th.

Acting Councilman-at-Large Williams stated a motion is needed to refer to the law department.

Councilman Bamonto made a motion. Seconded by Councilman Civileto.

Carried, all voting aye.

Notice of Claim from Judith Domanski for damages caused by water backing up in the basement allegedly due to city sewers.

Acting Councilman-at-Large Williams stated a motion is needed to refer to the law department.

Councilman Bamonto made a motion. Seconded by Councilman Civileto. .

Carried, all voting aye.

Written Prior Notice from Michael Tofil for "a dangerous situation" outside 84 E Front Street. The storm sewer receiver has a large hole which has exposed the jagged re-bar.

Acting Councilman-at-Large Williams inquired to DPW Director Woodbury if this has been repaired.

DPW Director Woodbury stated that the Streets Division did an excellent job and it's fully repaired.

RECEIVED AND FILED.

REPORTS OF STANDING COMMITTEES, BOARDS AND COMMISSIONS:

Councilman Bamonto announced there will be a Personnel Meeting Tuesday, November 13 at 4:00pm in the Mayors Conference Room and inquired to DPW Director Woodbury what the game plan is for brush collection. Also thanked Mayor Rosas and Director of Development Yanus for working on the grant and thanked Mayor Rosas and his staff for all the hard work on the budget and stated there will be no tax levy, water rate or fee increases.

DPW Director Woodbury stated that the Streets Supervisor submitted a proposal that the Mayor and I are reviewing and we will be making a press release on that soon.

Councilman Civileto thanked Mayor Rosas and his staff for presenting the budget and not raising taxes or fees and announced the Public Safety Committee Meeting will be November 14 at 4:00pm. There will be a presentation from Code Red which is something we do have in the budget, if the budget goes thru.

Acting Councilman-at-Large Williams responded to Lydia Faulkner. The same issue was discussed at the DPW Committee Meetings. I think the stuff in the street we should be doing. There has been a cost that has been associated with it put out to me and there were other members who thought we should even go to the sidewalk since between the sidewalk and the curb is City property. There haven't been enough members of Council to make that change to have that go forward. Maybe after hearing what you had to say about it first hand we can gain some support to get that moving. Also inquired to DPW Director Woodbury about the light at 2nd and Roberts. He also inquired about a STEL project by Mary's that is fenced off and there is a big hole there and there is some plastic down there, does anyone know what is happening there and inquired to Police Chief Ortolano when will parking be changing. He also encouraged everyone to exercise their right to get out and vote.

DPW Director Woodbury stated the City's Licensed Master Electrician Michael Przybycien has been working very hard on that controller. This is up and running and calibrated to National Transportation Safety Board Standards for that intersection.

Planning and Development Director Yanus stated that she can look in to and get an update on that.

Police Chief Ortolano stated that is went into effect from weekly to daily this past Sunday. We will issue warning tags for about a week and then we will start issuing regular tags.

UNFINISHED BUSINESS:

NONE

PREFILED RESOLUTIONS:

RESOLUTION #106-2018
NOVEMBER 6, 2018

BY: COUNCILMAN BAMONTO

ACCEPTING HANGING FLOWER BASKET DONATION

WHEREAS, the *Beautification Committee of Revitalize Dunkirk* has generously initiated a Central Avenue Hanging Basket Project, has solicited donations and has purchased an additional fifteen (15) hanging flower baskets; and

WHEREAS, *Revitalize Dunkirk* has donated, and the City has by resolution accepted the donation, of hanging baskets in order to help beautify Central Avenue; and

WHEREAS, the City is desirous of continuing the program in order to facilitate the beautification of Central Avenue; now, therefore, be it

RESOLVED, that the City hereby gratefully appreciates and accepts the donation from the *Beautification Committee of Revitalize Dunkirk* of the fifteen (15) additional hanging baskets.

Councilman Bamonto thanked Revitalize Dunkirk and the Beautification Committee for all of the hard work they have been doing the past few years, each year it seems like you have been doing more and more. I know how much you guys are out there working hard and we thank you very much.

Councilman Civileto thanked the Council for accepting their donation.

Carried, all voting aye.

RESOLUTION #107-2018
November 6, 2018

BY: COUNCILMAN HEENAN

AUTHORIZING ALTERNATIVE HOURS FOR CITY HALL EMPLOYEES

WHEREAS, the City of Dunkirk's departments and staff that work at City Hall typically work from 9AM to 5PM; and

WHEREAS, the City of Dunkirk has maintained alternative hours since the summer with no staffing issues; and

WHEREAS, the City should have the option of adopting alternative hours for city hall departments and staff, be it 8AM to 4PM, or 8:30AM to 4:30PM; and

WHEREAS, such changes in the work schedule are subject to Department Heads staffing and rotating shifts as needed for offices that need to remain open until 5:00 pm, and subject to review by union representatives for the respective bargaining units affected by any change in work schedule; now, therefore, be it

RESOLVED, that the Dunkirk Common Council does hereby authorize the Mayor and the City Hall departments and staff to have the option of alternative hours year-round.

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

Ayes: Acting Councilman-at-Large Williams, Councilmen Bamonto and Civiletto.

No: Councilman Heenan.

TABLED.

AMENDED RESOLUTION #108-2018
NOVEMBER 6, 2018

BY ENTIRE COUNCIL:

ENDORISING PURCHASE OF TWO REPLACEMENT LOADERS

WHEREAS, the City of Dunkirk has two aging loader plows that City mechanics have declared too worn to be reliable for winter plowing; and

WHEREAS, new replacement loaders are immediately available through piggybacking a New York State Contract with a loader vendor, Milton Cat; and

WHEREAS, the City of Dunkirk Public Works Committee has requested that these loaders, that can plow the City's narrower streets and also be used for loading and unloading and for other similar missions throughout DPW, be acquired quickly; now therefore be it

RESOLVED, that the Mayor and DPW Director and Fiscal Affairs Officer are hereby endorsed by the City's Common Council for the State-Contract purchase of two CAT 938M loaders using available City funds, one at a cost of \$190,386.00, and the other at a cost of \$177,547.00, to be taken from General Fund 002-1900.1990 and General Fund 003-1900.1990.

City Attorney Morrisroe stated an amendment needs to be made as follows: one at a cost of \$190,386 from General Fund 001-5110.55 and the other at a cost of \$177,547 to be taken from Water Fund 002-1900.1990 and Waste Water fund 003-1900.1990.

Acting Councilman-at-Large Wiliams stated a motion is needed to amend.

Councilman Bamonto made a motion. Seconded by Councilman Heenan.

Carried, all voting aye.

AMENDED RESOLUTION #108-2018 (REVISED)
NOVEMBER 6, 2018

BY ENTIRE COUNCIL:

ENDORISING PURCHASE OF TWO REPLACEMENT LOADERS

WHEREAS, the City of Dunkirk has two aging loader plows that City mechanics have declared too worn to be reliable for winter plowing; and

WHEREAS, new replacement loaders are immediately available through piggybacking a New York State Contract with a loader vendor, Milton Cat; and

WHEREAS, the City of Dunkirk Public Works Committee has requested that these loaders, that can plow the City's narrower streets and also be used for loading and unloading and for other similar missions throughout DPW, be acquired quickly; now therefore be it

RESOLVED, that the Mayor and DPW Director and Fiscal Affairs Officer are hereby endorsed by the City's Common Council for the State-Contract purchase of two CAT 938M loaders using available City funds, one at a cost of \$190,386.00 to be taken from General Fund 001-5110.55, and the other at a cost of \$177,547.00, to be taken from Water Fund 002-1900.1990 and Wastewater Fund 003-1900.1990.

Councilman Heenan inquired to DPW Director Woodbury how old are these loaders and how long can we expect the new ones to last.

DPW Director Woodbury stated the old loaders are approximately 20 years old and they are a good manufacturer Caterpillar. We will be replacing them an in-kind loader we think it's a good name. They are on State contract. I think we should discuss how long they should last. We want to get on a fleet rotation program. The older loaders in my opinion were held onto a little too long because we could have gotten a bigger trade in toward new ones. I think a complete maintenance program should be looked at so we can turn these over a little more quickly.

Acting Councilman-at-Large Williams stated that he believes this includes maintenance on the loaders.

DPW Director Woodbury stated there is warranty maintenance on these loaders

Carried, all voting aye.

ADJOURNMENT:

Councilman Bamonto moved to adjourn. Seconded by Councilman Heenan.

Carried, all voting aye.

Adjourned at 6:00 PM

Edwin C. Ramos, City Clerk
