

AGENDA - COMMON COUNCIL MEETING – May 17, 2016 - 5:30 PM
REGULAR MEETING

1. Call to order, Roll Call and Pledge of Allegiance to the flag.
2. Certification of prior meetings. Resolution dispensing with reading of minutes.
3. Reading of Privilege of the Floor Regulations.
4. Privilege of the Floor.
5. Communications from the Mayor including disapproval messages.
6. Communications from the public and petitions:
 1. Request from Cynthia Karnes to use Promenschenkle Stadium and Koch's Field on Saturday July 9th from 8:00 AM until 10:00 PM; also requesting permission for a food vendor for the annual "Joe Karnes Memorial Co-Ed Softball Tournament."
 2. Request from Christ Chapel Wesleyan Church to have a bounce house at the large pavilion at Point Gratiot on August 21st for their annual family picnic and requesting permission to hold Sunday worship services.
 3. Request from Dunkirk Festivals to close Lake Front Boulevard from Main Street to Serval Street on July 2nd and 3rd for the 2016 Dunkirk Lake Air Show. Also requesting the support of the City Parks/Streets Departments for assistance with barricades, garbage barrels, bandstands and the closing of Pangolin Park.
 4. Request from Iglesia Getsemani to use Memorial Park on Monday, June 11th from 1:00 PM until 6:00 PM for Church activities.
 5. Loudspeaker Application from:
 - a) Dunkirk Lighthouse to use loudspeakers on May 30th from 8:00 AM until 10:00 AM for Memorial Day Services.
 - b) Dunkirk Historical Lighthouse for loudspeakers on August 20th from 2:00 PM until 8:00 PM.
 - c) Henry Hooten, Sr. for a band at 212 Webster Road on July 3rd from 6:00 PM until 8:00 PM.
 - d) Christ Chapel Wesleyan Church to use a speaker at the large pavilion at Point Gratiot on August 21st from 10:30 AM until 2:30 PM.
 - e) Iglesia Getsemani to use musical instruments at Memorial Park on June 11th from 1:00 PM until 5:00 PM.
 6. Notice of Claim from David Nicosia for alleged damages to his house cause by large limbs from two trees.

7. Reports of Standing Committees, Boards and Commissions.
8. Unfinished Business:
 51. Resolution amending Common Council Rules of Order (City Charter, Appendix 1).
9. Pre-filed Resolutions:
 52. Resolution authorizing Lease-to-purchase one (1) vehicle for Police Department through Local Gov't (Village) Contract.
 53. Resolution modifying reservation process for groups for pavilions at Point Gratiot.
10. New Business:
11. Adjournment.

Lillian R. Divine
City Clerk

Dear City of Dunkirk Common Council,

I am writing you to ask permission to hold the 7th Annual Joe Karnes Memorial Co-Ed Softball Tournament Saturday, July 9th, 2016. The past three years have been incredibly successful, a great way for the community to come together in memory of an incredible coach. The proceeds from this tournament are going to an annual scholarship at Dunkirk High School, Little League, & we are looking for many other ways to help the community.

We are asking for use of Promenschenle Stadium as well as Koch's Field In Point Gratiot. This event will go from approximately 8 a.m. until 10 p.m. We are asking for use of the fields as well as a loud speaker permit for the evening.

We are also planning to have Lakeshore Grillworks to provide food for the players and fans.

Thank you for your time. Please feel free to contact me with any questions.

Sincerely,



Cynthia Karnes
Joe Karnes Memorial Tournament
Home: (716) 366-4405
Cell: (716) 485-1681
142 West 5th Street
Dunkirk, NY 14048

2016 NY - 2 AM 11:46
CITY CLERK'S OFFICE
DUNKIRK, N.Y.



RECEIVED
MAY 06 2016
MAYOR'S OFFICE

May 3, 2016

Mayor Willie Rosas
Common Council
City Hall
Dunkirk, NY 14048

RE: Request

Dear Mr. Mayor and Members of the Common Council:

On August 21, 2016 our church will be holding a Sunday worship service and annual family picnic. We rented the Large Pavilion at Point Gratiot.

Enclosed please find completed Application for Loudspeaker Special Permit. We will use a music system during our worship service and family picnic to play contemporary Christian music. Please consider our request for this permit.

Kindly consider our written request to have a bounce house on premises during this time. We enclose for your review a copy of our liability insurance binder showing insurance coverage.

Should you have any questions, please feel free to contact our office at the number listed below.

Thank you for your consideration of the above referenced matter. We look forward to hearing from you soon.

Grace and peace,

A handwritten signature in blue ink, appearing to read 'Barbara J. Hauck', is written over a blue horizontal line.

Barbara J. Hauck
Administrative Assistant

bjh
Enclosures

2016 MAY -9 PM 4:35
CITY CLERK'S OFFICE
DUNKIRK, N.Y.



60 Buffalo St
Silver Creek, NY 14136
ccwcsc@gmail.com
716.934.3725



CITY OF DUNKIRK
Department of Planning & Development
City Hall, Dunkirk, New York 14048
www.dunkirktoday.com

WILFRED ROSAS
Mayor
716-366-9882
Fax 716-366-2049

DUANE C. BEARD
Director
716-366-9879
Fax 716-363-6460

Dear Common Council;

Dunkirk Festivals is requesting to close Lake Front Blvd from Main Street to Serval Street on July 2, and 3rd, 2016 for the 2016 Dunkirk-Lake Shore Air Show and to ensure that the streets running north on to Lake Front Blvd are safely closed during this event.

Dunkirk Festivals is also requesting the support of the City Parks/Streets Departments for assistance with proper barricades, garbage barrels, and four 10 x10 bandstands to be used by the Airshow Boss during the Dunkirk-Lakeshore Airshow.

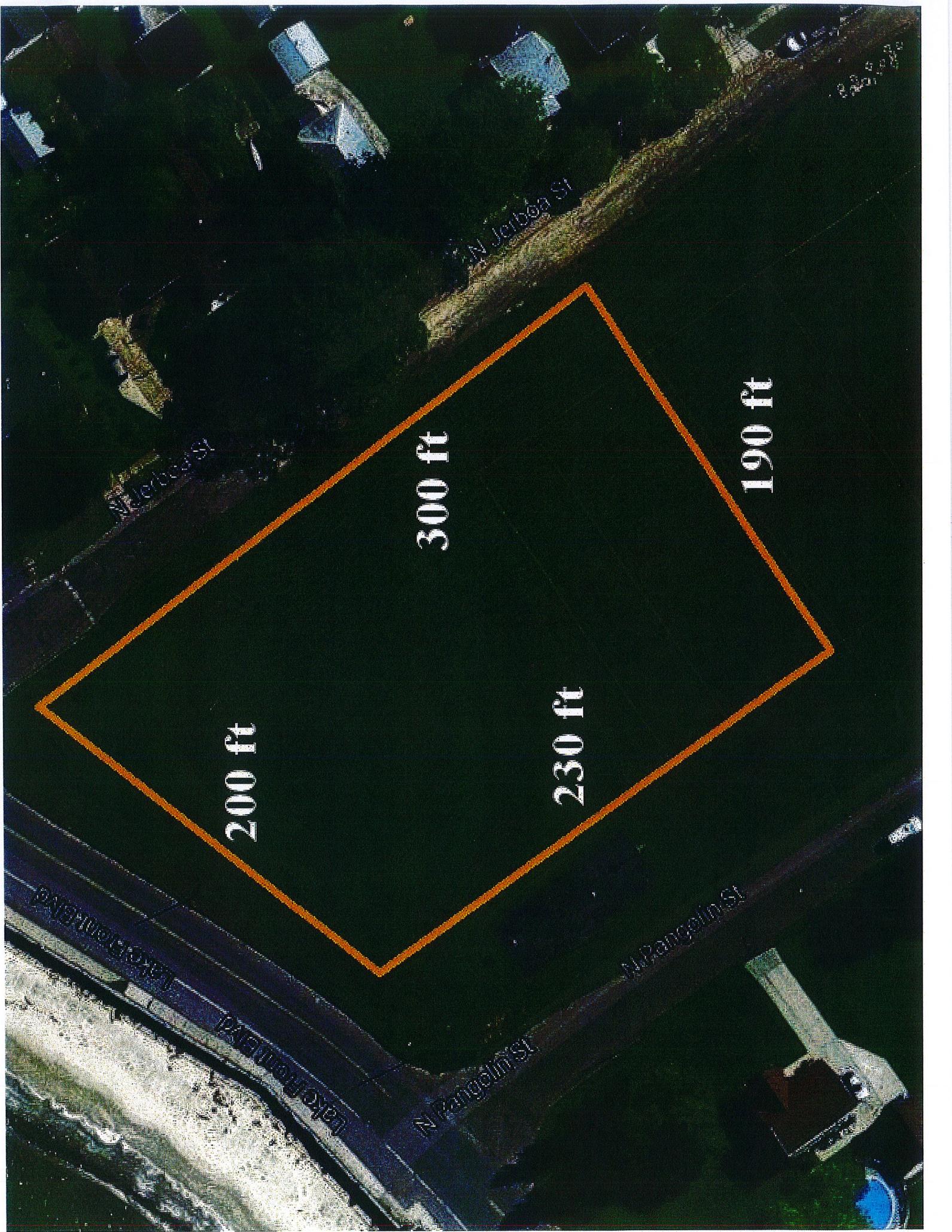
We are also requesting that the DPW close Pangolin Park for use by the parachute team as a landing pad, as referenced in the attached diagram.

For the safety of our performers, residents, and visitors to the City of Dunkirk, we would appreciate your assistance in this matter.

Thank you,

Hector Rosas
Dunkirk Development Department
Dunkirk Festivals/Special Events
338 Central Ave. (Suite 210)
Dunkirk, NY 14048
(716) 366-9877
hrosas@cityofdunkirk.com

2016 JUL 10 PM 3:29
CITY OF DUNKIRK
DUNKIRK, N.Y.



N Jerboa St

N Jerboa St

200 ft

300 ft

230 ft

190 ft

N Dangelin St

N Dangelin St

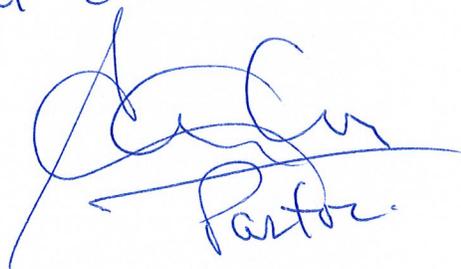
N Dangelin St

N Dangelin St

I Carol here request the use
of Memorial Park on June 11th
from 1:00 PM - 6:00 PM, for Church
Activities. Include.

- Service
- Picnic
- Hot Dogz Number 8th Comm.

Thank you in advance.


Pastor.

Add. 115 Central ave

Tel: 716-673-5713

Box 450

2016 JUN 12 PM 12:40

REC'D
CHURCH CLERK'S OFFICE
DUNKIRK, N.Y.

APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO.

(DCC-47-6-C)

DATE OF APPLICATION (must be 30 days Prior to event): 4/29/2016		
*No more than 3 days TOTAL per Individual or Group - per year EVENT SPECIFICS *EXCLUDES HARBORFRONT AREA		
DATE: 5/30/16 TIME: 8:00 am - 10am LOCATION OF EVENT: DK Lighthouse		
SPONSOR: DK Lighthouse		
NAME: David Briska		PHONE NO. 366-5050
ADDRESS: 1 Lighthouse Point Dr. Dunkirk, NY 14048		
<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> CORPORATE <input checked="" type="checkbox"/> CHARITABLE <input type="checkbox"/> COMMUNITY		
RESPONSIBLE INDIVIDUAL:		
NAME: David Briska		PHONE: 366-5050
ADDRESS: 1 Lighthouse Point Dr. Dunkirk, NY 14048		
REASON: Memorial Day Service		
AUDIO DEVICE TO BE USED: Loudspeaker microphone		
<input checked="" type="checkbox"/> PUBLIC EVENT		<input type="checkbox"/> PRIVATE EVENT
NOTIFICATION OF AFFECTED PERSONS		
<input type="checkbox"/> YES	IF YES, PROOF:	
<input type="checkbox"/> NO		
I, the undersigned, have read and agree to abide by the provisions set forth in DCC 47-6-C.		
Signature: David Briska		2016 AP 29 PM 2:33 ACCEPTED DUNKIRK, NY
DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT ok 5/2/16 [Signature]		
DEPT OF PUBLIC WORKS [Signature]		
DEPT OF LAW [Signature]		
OTHER		
COMMON COUNCIL ACTION		
RECEIPT OF REVIEW		
APPROVAL		
CONDITIONS:		
DISAPPROVED		

APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO.

(DCC-47-6-C)

DATE OF APPLICATION (must be 30 days Prior to event): 4/29/2016

*No more than 3 days TOTAL per Individual or Group - per year **EVENT SPECIFICS** * EXCLUDES HARBORFRONT AREA

DATE: 8/20/16 **TIME:** 2 - 8 pm **LOCATION OF EVENT:** DK Lighthouse

SPONSOR: DK Lighthouse

NAME: David Briska **PHONE NO.** 366-5050

ADDRESS: 1 Lighthouse Point Dr.
Dunkirk, NY 14048

INDIVIDUAL CORPORATE CHARITABLE COMMUNITY

RESPONSIBLE INDIVIDUAL:

NAME: David Briska **PHONE:** 366-5050

ADDRESS: 1 Lighthouse Point Dr. Dunkirk, NY 14048

REASON: Fund Raiser - Civil War Reenactment

AUDIO DEVICE TO BE USED: Loudspeakers and microphone

PUBLIC EVENT PRIVATE EVENT

NOTIFICATION OF AFFECTED PERSONS

YES IF YES, PROOF:

NO

I, the undersigned, have read and agree to abide by the provisions set forth in DCC 47-6-C.

Signature: David L Briska

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT <u>AS/2/16</u>		
DEPT OF PUBLIC WORKS <u>GB</u>		
DEPT OF LAW <u>ADB</u>		
OTHER		

COMMON COUNCIL ACTION

RECEIPT OF REVIEW

APPROVAL

CONDITIONS:

DISAPPROVED

2016 APR 29 PM 2:37
 DUNKIRK, N.Y.
 RECEIVED
 DEPT. OF PUBLIC WORKS

APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO.

(DCC-47-6-C)

DATE OF APPLICATION (must be 30 days Prior to event): 5/9/2016

*No more than 3 days TOTAL per Individual or Group per year **EVENT SPECIFICS EXCLUDES HARBORFRONT AREA**

DATE: 7/3/2016 **TIME:** 6 PM-8 **LOCATION OF EVENT:** 212 Webster St

SPONSOR:
NAME: Henry & Jimmy Hooten **PHONE NO.** 716-467-0065

ADDRESS: 212 Webster St.
Dunkirk N.Y. 14048

INDIVIDUAL **CORPORATE** **CHARITABLE** **COMMUNITY**

RESPONSIBLE INDIVIDUAL:
NAME: Henry Hooten Sr. **PHONE:** 716-467-0065

ADDRESS: 212 Webster St
REASON: Birthday party

AUDIO DEVICE TO BE USED: PA for BAND

PUBLIC EVENT **PRIVATE EVENT**

NOTIFICATION OF AFFECTED PERSONS

YES **IF YES, PROOF:**
 NO

2016 MAY -9 AM 10:31

I, the undersigned, have read and agree to abide by the provisions set forth in DCC 47-6-C.
Signature: Henry Hooten Sr.

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT <u>OK 5/9/16</u> <i>[Signature]</i>		
DEPT OF PUBLIC WORKS <i>[Signature]</i>		
DEPT OF LAW		
OTHER		

COMMON COUNCIL ACTION

RECEIPT OF REVIEW
APPROVAL
CONDITIONS:
DISAPPROVED

Neighbors of Henry and Jimmy Hooten
for their Birthday Party on
July 3/2016

YES
419

Angel Torres 206 Webster
Kathy 183 E Second

5/11/2016

2016 MAY 11 PM 3:04
CLERK'S OFFICE
DUKE, N.C.

APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO.

(DCC-47-6-C)

DATE OF APPLICATION (must be 30 days Prior to event):

*No more than 3 days TOTAL per Individual or Group - per year **EVENT SPECIFICS EXCLUDES HARBORFRONT AREA**

DATE: 8/21/16 **TIME:** 10:30A-2:30P **LOCATION OF EVENT:** Large Pavilion Point Gratiot

SPONSOR:

NAME: Christ Chapel Wesleyan Church **PHONE NO.** 934-3725

ADDRESS: 60 Buffalo Street, Silver Creek, NY 14136

INDIVIDUAL CORPORATE CHARITABLE COMMUNITY

RESPONSIBLE INDIVIDUAL:

NAME: Barbara J. Hawck **PHONE:** 785-7145

ADDRESS: 122 S. Celot St. Dunkirk, NY 14048

REASON: Sunday worship service and annual family picnic

AUDIO DEVICE TO BE USED: Portable fender

PUBLIC EVENT PRIVATE EVENT

NOTIFICATION OF AFFECTED PERSONS

YES **IF YES, PROOF:**

NO

2016 NY - 9 PM 4:33

I, the undersigned, have read and agree to abide by the provisions set forth in DCC 47-6-C.

Signature: 

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT OK 5/10/16 		
DEPT OF PUBLIC WORKS 		
DEPT OF LAW		
OTHER		

COMMON COUNCIL ACTION

RECEIPT OF REVIEW

APPROVAL

CONDITIONS:

DISAPPROVED

APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO.

(DCC-47-6-C)

DATE OF APPLICATION (must be 30 days Prior to event):

5-10-2016

EVENT SPECIFICS

DATE: June 11 TIME: 1:00 PM LOCATION OF EVENT: 45 Cliff Street Ave
 (Senior Center)

SPONSOR: 5:00 Memorial Park

NAME: Telesia Gotsmani PHONE NO. 716-673-5713

ADDRESS: 115 Central Ave
 Dupont NY 14048

INDIVIDUAL CORPORATE CHARITABLE COMMUNITY

RESPONSIBLE INDIVIDUAL:

NAME: Carlos Wera PHONE: 716-673-5713

ADDRESS: 162 W 2nd St Dupont NY 14048

REASON: Church & Community event

AUDIO DEVICE TO BE USED: Speakers - Musical instruments

PUBLIC EVENT PRIVATE EVENT

NOTIFICATION OF AFFECTED PERSONS

YES IF YES, PROOF: NO

I, the undersigned, have read and agree to abide by the provisions set forth in DCC 47-6-C.

Signature: *Rev. [Signature]*

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT <i>OK 5/10/16 [Signature]</i>		
DEPT OF PUBLIC WORKS		
DEPT OF LAW		
OTHER		

COMMON COUNCIL ACTION

RECEIPT OF REVIEW

APPROVAL

CONDITIONS:

DISAPPROVED

2016 JUN 11 AM 11:24

Notice of Claim
City of Dunkirk, N.Y.

PLEASE TAKE NOTICE, that the undersigned, pursuant to the applicable NY State statutes, hereby makes claim against the CITY OF DUNKIRK, NEW YORK for injuries and/or damages sustained by me as hereinbelow detailed:

Claimant Name: David Nicosia
Claimant Address: 714 Deer Street
Dunkirk New York
Claimant Telephone Number: (716) 366-3085

This claim is for (injuries/damages alleged): Property damages
To my residence (see enclosed photos) -

This claim is alleged to have arisen on the 28th day of March, 2016 at approximately 11:15 a.m./~~pm~~ on that date at 714 Deer Street - Dunkirk.

The injuries and/or damages sustained by the Claimant arose in the following manner:
High sustained winds and extreme gusts caused very large limbs from two city owned trees to strike both sides of my house.

The amount and type of injuries and/or damages sustained by the Claimant consist of the following: I am seeking reimbursement of the policy deductible in the amount of \$50.00 - Please see the enclosed State Farm estimate and summary of loss.

WHEREFORE, the undersigned respectfully requests that the within claim be allowed and paid to me.

Respectfully yours,
David Nicosia 5/2/16
Claimant (date)

State of New York)
County of Chautauqua) ss.:

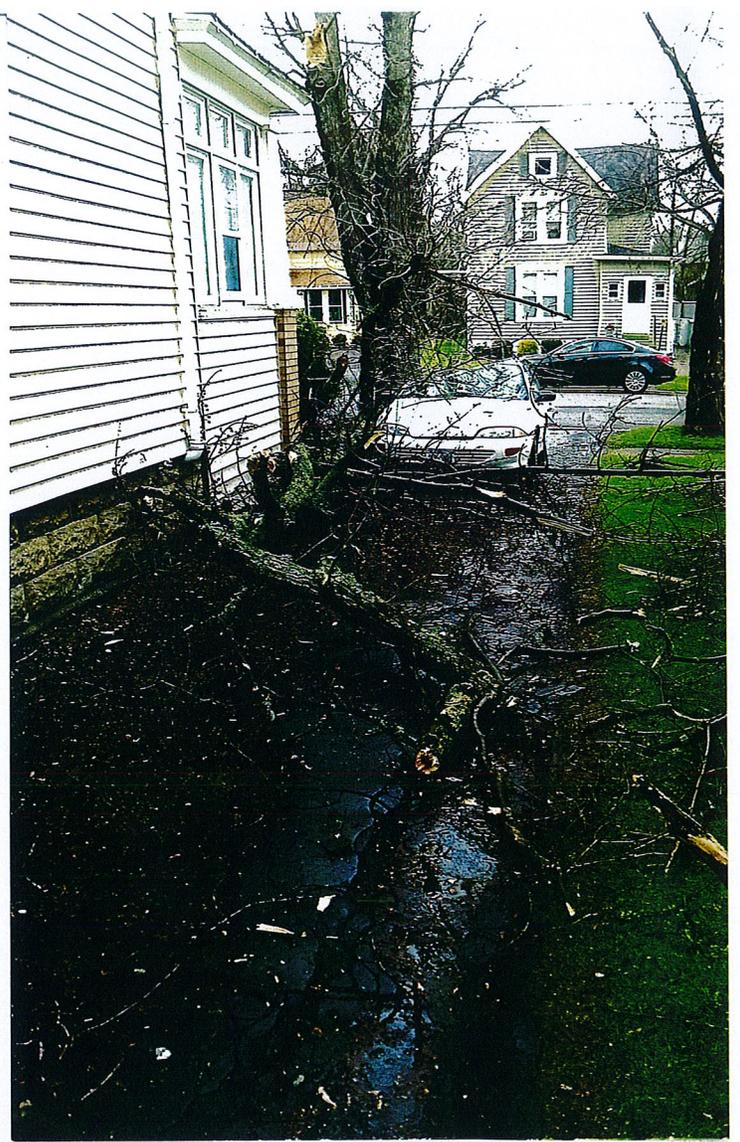
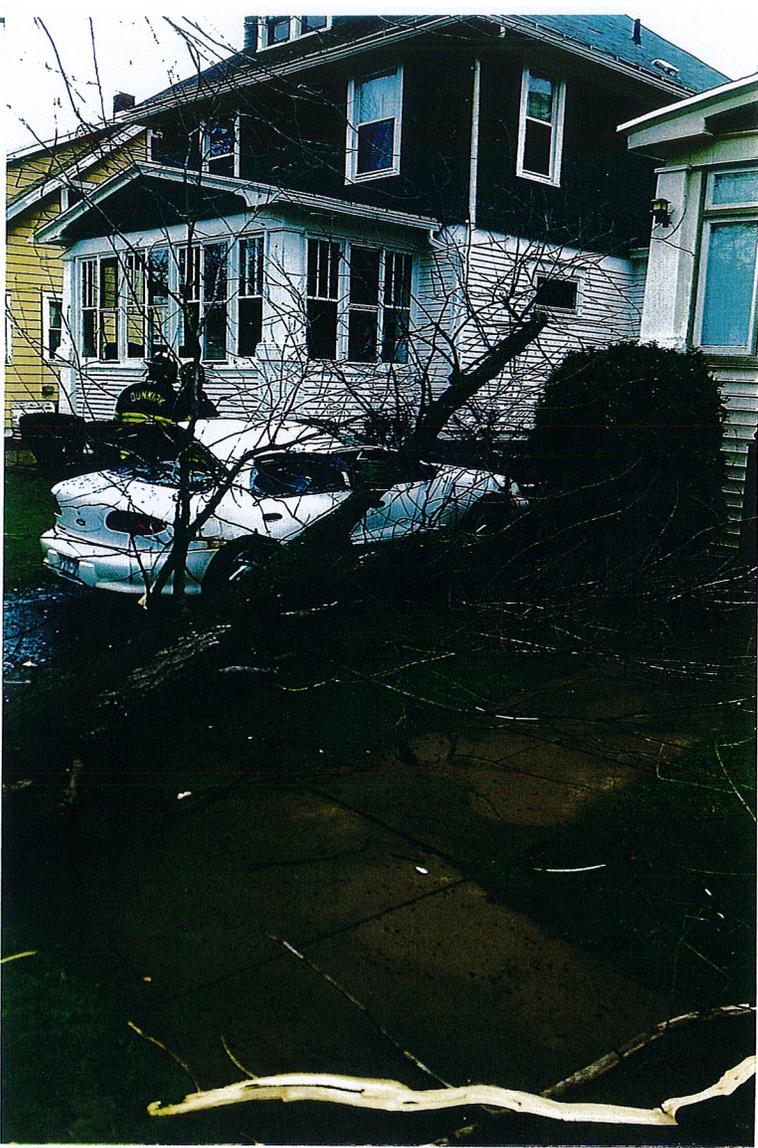
David Nicosia, being duly sworn, deposes and say that he/she is the claimant herein; that he/she has read the foregoing claim and knows the contents thereof; that the same is true to the knowledge of the deponent, except as to matters therein stated to be alleged upon information and belief, and, as to those matters, he/she believes it to be true.

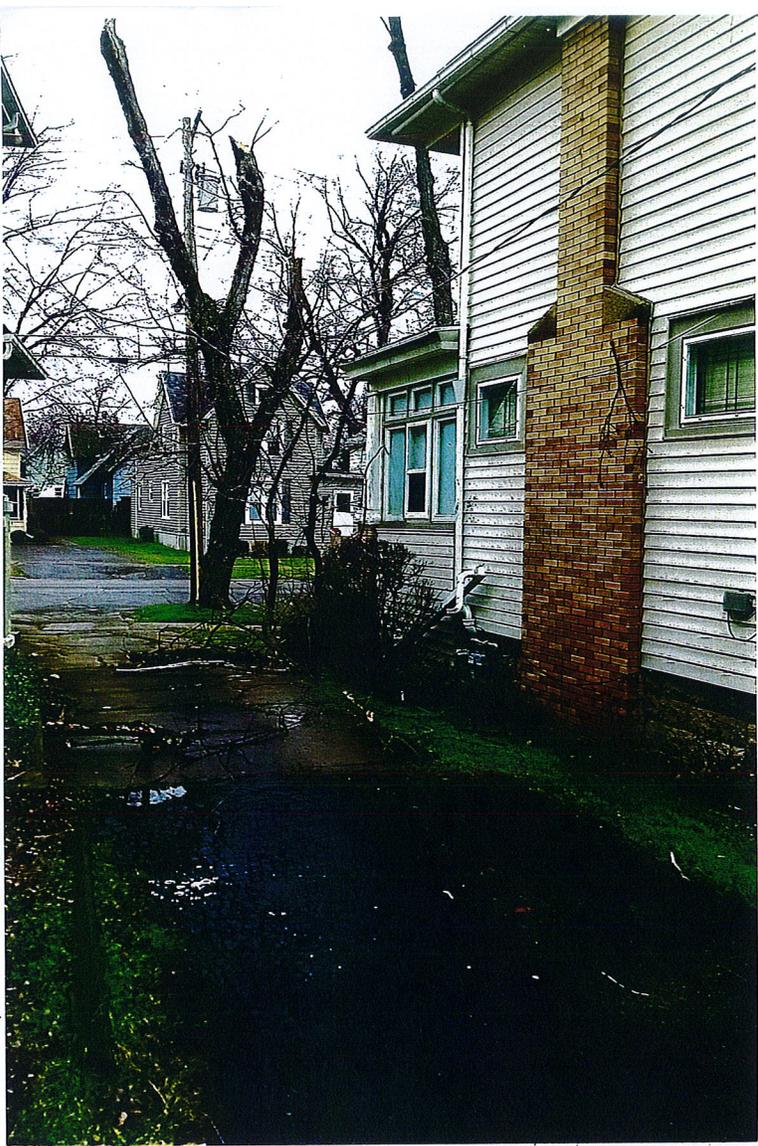
Katie Reilly
Notary

Sworn to before me this 5 day of May, 2016.

KATIE REILLY
Notary Public, State of New York
No. 01RE6209026
Qualified in Chautauqua County
Commission Expires July 13, 2017

2016 HY - 2 AM 11:42
CITY CLERK'S OFFICE
DUNKIRK, N.Y.





UNFINISHED BUSINESS:

RESOLUTION #51-2016
May 3, 2016

BY: ENTIRE COUNCIL

**AMENDING COMMON COUNCIL RULES OF ORDER
(CITY CHARTER, APPENDIX 1)**

WHEREAS, the City of Dunkirk Common Council, by Resolution No. 74-2012 (September 18, 2012), adopted a set of Rules of Order which are intended to govern the proceedings of the council; and,

WHEREAS, as part of such Rules of order, preview workshops, which were previously scheduled to commence one-half (1/2) hour before regularly-scheduled Common Council meetings were eliminated; and,

WHEREAS, the Common Council believes that it would be in the best interests of the residents and taxpayers of the City and would provide more efficient practices for Citizens, taxpayers, the City, and its employees, to re-institute "Preview Workshops" which will convene one half hour prior to the regularly scheduled Common Council meetings; now, therefore, be it

RESOLVED, that the Rules of Order of the Common Council are hereby amended as follows:

CITY CHARTER, APPENDIX 1, I. MEETINGS

1. The regular meetings of the Common Council shall be held the first and third Tuesday of every month at 5:30 P.M. in the Common Council Chambers in the City Hall, unless changed at a prior meeting. **Preview workshops shall convene at 5:00 on the day of each regular meeting.**

(Matter underlined and **bold** is new)

5-3-16 Councilwoman Szukala moved to table this Resolution with a Public Hearing to be held on May 17th at 5:15 PM. Carried, all voting aye. TABLED.

RESOLUTION #52-2016
May 17, 2016

BY: COUNCILWOMAN SZUKALA

**AUTHORIZING LEASE-TO-PURCHASE ONE (1) VEHICLE
FOR POLICE DEPARTMENT THROUGH LOCAL GOV'T (VILLAGE) CONTRACT**

WHEREAS, the City of Dunkirk Police Department is in need of one (1) new automobile for use by the Police Department; and

WHEREAS, one (1) suitable vehicle is available for purchase on Local Government (Town) Contract Bid; and

WHEREAS, sufficient funds are available in the Police Department's Budget [Rent/Lease Account 001-3120-4150]; and

WHEREAS, the cost of one (1) vehicle is \$28,889.16, from DeLacy Ford, Inc. (including extended warranty service contract and financing charges); now, therefore, be it

RESOLVED, that the Mayor is authorized and empowered to execute a two-year lease-to-purchase agreement, on behalf of the City of Dunkirk, with DeLacy Ford, Inc., 10361 Transit Road, Elma, New York 14059-0437, and/or First Niagara Leasing, Inc., for the purchase of one (1) Year 2016 Ford Police Interceptor SUV for the sum of Twenty Eight Thousand, Eight Hundred Eighty Nine Dollars and Sixteen Cents (\$28,889.16) (including extended warranty service contract and financing charges), with such funds to come from Account 001-3120-4150.

RESOLUTION #53-2016

May 17, 2016

By Councilman Williams, Councilman Bamonto, Councilman Gonzalez:

**MODIFYING RESERVATION PROCESS FOR GROUPS
FOR PAVILIONS AT POINT GRATIOT**

WHEREAS, there exists a great demand during the summer months for the use of the pavilions at Point Gratiot park by members of the public, clubs, groups and associations; and

WHEREAS, Section 49-6B of the Dunkirk City Code, delegates to the City Clerk the power to reserve the use of the Point Gratiot pavilions for picnics; and

WHEREAS, this Council wishes to modify the existing system of reserving the pavilions (established by Resolution #29-2005) at Point Gratiot Park, and allow for large groups and organizations to apply for use of the pavilions to facilitate planning and predictability; now, therefore, be it

RESOLVED, That groups, associations, and public organizations shall be permitted to reserve the pavilions at Point Gratiot Park or specified sections of the pavilions at Point Gratiot Park after January 1st for events occurring during that same calendar year, after completion of the required application and payment of the applicable fees to the Dunkirk City Clerk as more fully described in Resolution #29-2005. All other applications shall be accepted on February 1st of the same calendar year for the same year. Any early application rejected by the Common Council does not prevent that group, association, or public organization from applying for use of a pavilion. And, be it further;

RESOLVED, That all of the requirements and restrictions established by Common Council Resolution #29-2005 shall remain in effect, except as modified by this resolution.