

COMMON COUNCIL PROCEEDINGS
August 17, 2010
- Hose #4 Firehall -

The meeting was called to order at 6:04 PM by Councilman-at-large Dolce followed by the Pledge of Allegiance.

Present: Councilmen Michalski, Muldowney, Councilwomen Floramo, Szukala and Councilman-at-large Dolce.

Also present: Mayor Frey, City Attorney Cerrie, Public Works Director Gugino, City Treasurer Woods, Fiscal Affairs Officer Curtin, Clerk, Board of Assessors Mlecsko, Personnel Administrator Heyden, ACO Steve Purol, Fire Chief Ahlstrom and Police Chief Ortolano.

RESOLVED: That the reading of the minutes of Monday, August 2, 2010 be dispensed with.

Motion by Councilwoman Floramo to accept the minutes as presented. Seconded by Councilman Michalski.

Carried, all voting aye.

Councilman-at-large Dolce advised that Building Inspector Zurawski and Director of Development Ahlstrom were excused from tonight's meeting.

PUBLIC COMMENTS:

Tom Taylor, 223 Temple Street, Dunkirk, NY thanked the Parks & Public Works Departments for addressing the park bench at Wright Park. He also thanked Matt Martinez and Ben Unser for taking care of this.

David White, 43 E. Doughty Street, Dunkirk, NY addressed the situation of the premises at 41 East Doughty Street, as there are raccoon going in and out of broken windows, and cockroaches infesting neighboring homes. He advised that the house was between Lord & Hoyt Streets, and the people that lived there since moved to Courtney and Lord, and are doing the same thing. Councilwoman Szukala also advised that this was the same family.

Mr. White informed that pictures were taken showing where the insulation was falling down, there was no plumbing, and the place was completely destroyed. He also advised that the landlord came down from Brooklyn and carried out a toilet which was not even connected. Mr. White therefore questioned what could be done about this, as people are getting cockroaches three to four houses away. Mr. White also informed that a woman is trying to open a day-care, but cannot due to the cockroaches and other conditions.

Councilwoman Floramo advised that there is a committee currently working on a policy, but this is taking a long time and people like this destroy the whole neighborhood. She therefore stated that something should be done right now as this is a health issue.

Councilwoman Szukala advised that they are now living at 21 East Courtney, and Councilman-at-large Dolce stated that he along with Councilwoman Szukala spoke with the Building Inspector who is aware of the problem, that an eviction notice went up, and they are

doing all they can to circumvent the rules. Councilwoman Floramo also stated that if there was no satisfaction, she would personally call the Health Department.

Leonard Phillips, 19 East Courtney Street, Dunkirk, NY spoke in regard to the same household and the problems they are causing. He advised that the place is condemned, the party in question is living up there with the electric and lights on all day, and they (he, his wife and child) have been known to sleep in a car. Mr. Phillips further advised that after the apartment was fumigated last week, he found nine cockroaches in his house after living there for 34 years. He stated that his daughter-in-law owns the property, and that there's \$8,000 in damages to that apartment along with an increase of \$100 to the water bill which was turned into welfare to pay the difference.

Mayor Frey asked if this property was condemned, and Councilwoman Szukala advised that they were asked to remove themselves, but the problem consists with the upstairs apartment, as you cannot tell them they cannot be downstairs, the bugs have since moved down there, and the gas meter was also removed along with no hot water.

Public Works Director Gugino advised that the County Health Department should be contacted and Councilwoman Szukala further informed that a young child was involved, and if not living upstairs, they are in the car. Councilwoman Floramo therefore stated that CPS should be contacted.

Mark Lawrence, 202 Lord Street, Dunkirk, NY also spoke relative to this situation, stating that he sprayed his house and garage, never had cockroaches, and found four along with the entire neighborhood getting infested. He advised that when that place was bombed, the cockroaches were coming down the walls by the hundreds and scattered four to five houses down. Mr. Lawrence stated that they go in the apartment at 11:00 PM to sleep, and are in and out throughout the day. He further stated that they think it's a joke for the Police to show up, that when the Health Department was contacted, they kick the situation back to Al, and that something has to be done right now, right here at this meeting. Mr. Lawrence stated that this was a pathetic situation, as one problem is being moved to create another.

Councilman Muldowney questioned how long these people have been there. Mr. Lawrence informed him that they started coming three years ago when the people upstairs moved out of there. Councilman Muldowney also questioned if it was two to two and one-half years of this problem.

Police Chief Ortolano advised that arrests for criminal issues such as the Noise Ordinance have been made in the past, but he has no control over the other issues. Mr. Lawrence stated that he was told by several Sr. Officers that if he had them arrested without any proof, they could come back with four or five witnesses for back up and sue him.

Councilman-at-large Dolce stated that more phone calls would be made, and that this was far from being over. Legislator Bob Duff advised that he would get to the right people on this tomorrow, he was sure that Keith Ahlstrom would assist in this, and if something can be done, it will be done.

COMMUNICATIONS FROM THE MAYOR INCLUDING DISAPPROVAL MESSAGES:

Mayor Frey offered condolences on behalf of the city for the loss of Jim Fafinski's brother Robert, and Al Zurawski's mother.

Mayor Frey advised that the street paving program started last week with a two-week prep time before this for our workers, painting of the water tower beginning next week, informed that Doughty & Lincoln near the trailer park was cleaned up, and the demolition of Bartela's old garage. He therefore commended and thanked the city workers for all they have done.

Mayor Frey also thanked Harriet "Skeeter" Tower for doing an outstanding job in bringing out the jewels in the "Dutch Hill" neighborhood with her work done on the garden activities this past weekend. Mayor Frey also advised that our parks have been full every weekend due to the additional labor provided for mowing, cleaning the restrooms, and rubbish pick up. He also advised of the Shark Regatta drawing in five to seven hundred people, along with the Nathan George baseball tournament, and \$500.00 presented by the Beaver Club for the Babe Ruth dugout. He further advised that the festival at the pier, the bike rally for MS, the Cameron Run, and the fundraiser for Joe Russo at the Clarion Hotel all contributed to the amount of people in the city attending these activities this past weekend.

Mayor Frey further advised that bulk pick up was still going on, there would be one more brush pick up in September, and the school zones would also be painted. He therefore stated that all of this was being done with a reduced work force, that our public employees have done an outstanding job, and he was proud of what they give everyday. He also advised that our beaches are being reduced as one stand was pulled at Wright Park, and some of the lifeguards are going back to school, as well as some of the laborers from the Parks Department. He therefore stated again that he was proud of the city employees and what they do, and have done with a reduced workforce.

COMMUNICATIONS FROM THE PUBLIC AND PETITIONS:

Petition from Steven Morales requesting permission for use of a Bounce House on August 28th from 1:00 to 7:00 PM at the Koch's Pavilion site.

Councilwoman Floramo moved that permission be granted and referred this to the Public Works Department. Seconded by Councilwoman Szukala.

Carried, all voting aye.

Petition from Jehovah Nissi Pentecostal Church requesting to use Washington Park on September 4th & 18th and on October 2nd & 16th from noon to 3:00 PM for their annual outreach service.

Loudspeaker application from Jehovah Nissi Pentecostal Church for speakers, guitars, drums, microphones and amplifier in Washington Park on September 4th & 18th and October 2nd & 16th from noon to 3:00 PM for their outreach service.

Councilwoman Floramo moved that permission be granted to Jehovah Nissi Pentecostal Church to use Washington Park along with the loudspeaker permit, and referred this to the Public Works Department.

Seconded by Councilman Michalski.

Carried, all voting aye.

Notice of Claim from Kathy Putnam for bleeding and damage to four teeth allegedly caused by breaking glasses on her face due to tripping & falling on a cement incline at the large pavilion.

Councilwoman Floramo moved to refer this claim to the City Attorney. Seconded by Councilman Muldowney.

Carried, all voting aye.

Loudspeaker application from Debbie Paul for a DJ at the large pavilion on August 28th from 5:00 to 9:00 PM for a wedding reception for Nathan Thorp.

Councilman Michalski moved that permission be granted and referred this to the Police Department. Seconded by Councilwoman Szukala.

Carried, all voting aye.

Petition from Tom Mleczo on behalf of the First Ward Falcon Club requesting an off-duty police officer for Sunday, September 5th from 6:00 to 11:00 PM.

Councilman Michalski moved that permission be granted and referred this to the PBA and Public Works Department. Seconded by Councilwoman Szukala.

Carried, all voting aye.

REPORTS OF STANDING COMMITTEES, BOARDS AND COMMISSIONS:

Councilman Michalski stated that the petition (waiver) for the Lakefront 5K race which was pulled from the meeting earlier should state the City of Dunkirk instead of Village, and address the Public Works Director relative to painting the water tower if this was structurally sound.

Public Works Director Gugino advised that this was Phase I of the project in accordance with the Consent Order from the County Board of Health. He explained that the first phase involved exterior painting, sandblasting, tearing down downspouts and removal of the drains. He also advised that Phase II would begin in the Spring with the interior, inspection and ascertainment of aeronautics, and cleaning. He stated that the current bid came in low, there's money for Phase II, and this will conservatively give twenty to thirty years of life.

Councilman Muldowney thanked the Mayor and Public Works Director for painting all the bridges and taking care of the graffiti. He also thanked them for cleaning the Roberts Road underpass, advised that the prisoners were still out working today, and also thanked Mike Porpiglia and the crew for the quick response in taking care of a downed tree limb in his neighborhood.

Councilman Muldowney also spoke relative to the activities this past weekend, and commended Bill Tuggle, Kory Ahlstrom and the Development crew for all of their efforts with the festival this past weekend. He agreed with the Mayor, and stated that the city people have really stepped up this past weekend.

Councilwoman Floramo advised that the Personnel Meeting would be held on August 19th at 6:00 PM in regard to some legal services with Judge Drag. She also thanked everyone that stepped up for the community-wide fundraiser for supporting our Troops.

Councilwoman Floramo also advised that the School & Parks Committee will be sponsoring a forum on gang violence with Police Officer Moses Robinson in the near future, and hopes that this is supported.

Councilwoman Floramo further spoke in regard to shopping carts left around in the city, stating that she received nine calls alone for Deer and Main Street, and this could possibly be stopped if they had to pay a deposit or not take a cart. She also advised that they could call the store at 366-1390 in regard to this situation.

Councilwoman Floramo further questioned if there was enough money to take care of the water tank. Public Works Director Gugino advised that this was covered through bonding, and part of the consensual agreement from the Consent Order drafted with the Department of Health and our Legal Department. He also advised that this was due for completion in early 2011, and the Department of Health was happy to see the aggressive pace taken by the city.

Councilwoman Szukala thanked everyone that came out and spoke earlier on the housing situation, as this was what was needed to move forward. She also thanked everyone involved with the street paving, the water tank, and removal of the trailer in her ward.

Councilman-at-large Dolce advised that the petition from School #7 requesting their first annual 5K road race was pulled from the meeting based on the recommendation of the Police Chief and Public Works Director for discussion of an alternate route. He also requested the cost involved for this (and other events such as the Skate Park) so they can implement costs for the upcoming budget. He also stated that this could be talked over with the Administration also, that no one is inferring that these events are a nuisance, but we need the costs covered to support these events.

Councilman-at-large Dolce also advised that the cat program was doing well, with a trapping last weekend and another taking place on the weekend of the 20th.

Councilman-at-large Dolce further stated that the next Finance Committee Meeting would be held on Wednesday, August 25th at 5:00 PM where discussion would take place with Fiscal Affairs Officer Curtin, Public Works Director Gugino and Mike Porpiglia in regard to two vehicle reports, along with the local law for Hawkers & Peddlers. He also complimented those in charge of the yard sale that took place in Washington Park.

Councilwoman Floramo advised that they were having Judge Drag at the meeting on Thursday August 19th instead of City Attorney Mike Cerrie due to evictions.

PRE-FILED RESOLUTIONS:

RESOLUTION #51-2010
August 17, 2010

By Councilwoman Szukala:

**AUTHORIZING AWARD OF THE 2010 EXTERIOR PAINTING OF THE
BENTON STREET STORAGE TANK**

WHEREAS, sealed bids for the *EXTERIOR PAINTING OF THE BENTON STREET STORAGE TANK* were received and opened in the City Clerk's office at 1:00 PM on Tuesday, July 13, 2010, with three (3) bids being received, now, therefore, be it

RESOLVED, upon the review and recommendation of Hill Engineering, Inc. and Director of Public Works Gugino, that the low bid of Amstar of Western New York, Inc., 825 Rein Road, Cheektowaga, NY 14225, be accepted at a lump sum cost of \$149,900, and, be it further

RESOLVED, that the Mayor is hereby authorized and directed to execute a contract on behalf of the City of Dunkirk with Amstar of Western New York, Inc., for the above described services in accordance with the contract documents, and, be it further

RESOLVED, that the funding shall be allocated from the Water Treatment Plant Phase I Account #015-8320-5041-8054, and, be it finally

RESOLVED, that the City Clerk is hereby authorized to return the bid deposits in accordance with the contract documents.

Councilwoman Floramo stated that questions have been asked as to why all the bidders were not on the resolution, and stated that although the funding is there, they have a right to see the bids with the three bidding companies.

Public Works Director Gugino stated that we advertised per State Law, and the winning bid was the one on the resolution. He advised that the second bid was approximately half-way higher, and the third \$170,000 higher. He also advised that he expected seven or eight bids, but only three were received, which was the same as the bids received for the Safe Routes to School, which again saved a fortune.

Councilwoman Floramo stated that the public has stated that Council does not award the bids, especially for the cement, and the top three bids should be on the resolution.

City Attorney Cerrie advised that the bids are available in the Clerk's Office, and Councilwoman Szukala stated that the bid proposal states when and what time they will be opened.

Councilwoman Floramo again stated that she would like this on the resolution so she could have a record of this. Public Works Director Gugino replied that she could check with the City Clerk.

Councilman-at-large Dolce questioned the sand blasting portion of this, and if the same company was doing this.

Public Works Director Gugino advised that the process they use does not require sandblasting, other procedures would be used, and this was in the bid specs. He also advised that it has to be fully contained, and there were all assurances and inspection guidelines to be followed.

Vote on resolution: Carried, all voting aye.

RESOLUTION #52-2010
August 17, 2010

By Councilwoman Szukala:

**AUTHORIZING PURCHASE OF FLOCULATOR CHAIN FOR THE
WATER TREATMENT PLANT**

WHEREAS, sealed proposals for the *FURNISHING OF FLOCULATOR DRIVE CHAIN* for use at the Water Treatment Facility were received and opened in the City Clerk's office at 2:00 PM on Monday, August 2, 2010, with one (1) proposal being received, now, therefore, be it

RESOLVED, upon the review and recommendation of Hill Engineering, Inc. and Director of Public Works Gugino, that the sole bid of BILD Process Equipment, LLC, P.O. Box 706, Hamburg, New York 14075, be accepted at a lump sum cost of \$13,713.00, and, be it further

RESOLVED, that the Mayor is hereby authorized and directed to execute a materials contract on behalf of the City of Dunkirk with BILD Process Equipment, LLC., for the above described services in accordance with the proposal documents, and, be it further

RESOLVED, that the funding shall be allocated from the Water Treatment Plant Upgrades Account #015-8320-5041-8048.

Carried, all voting aye.

RESOLUTION #53-2010
August 17, 2010

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 by the City of Dunkirk's broker of record, Lawley Tradition, LLC, and

WHEREAS, Trident Insurance submitted a proposal for \$248,603.19 which is a decrease of \$13,642.00 from last year's premium, and

WHEREAS, this is the lowest General Liability Insurance premium which the City has paid since 2001, evidencing a decline in the cost of the City's liability insurance over the last eight (8) years, 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 2010 to July 2011, 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.

Carried, all voting aye.

RESOLUTION #54-2010
August 17, 2010

By Councilman Muldowney:

INTRO NO. 1 TO LOCAL LAW NO. 1-2010
CITY OF DUNKIRK

A LOCAL LAW TO AMEND SECTION 39-9 OF THE DUNKIRK CITY CODE
ENTITLED "HAWKERS AND PEDDLERS"

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

Section 1 **Intent.**

It is the intent of this Local Law to increase certain fees regarding Hawkers and Peddlers.

Section 2 **Amendment of City Code.**

Section 39-9 of the Dunkirk City Code is hereby amended as follows:

§ 39-9. Compliance required; fees. [Amended 5-5-94 as L.L. No. 3, 1994; Amended 4-18-2006 as L.L. #3-2006; **Amended _____ as L.L. # _____**]

DELETE

A. No permit shall be issued until the provisions of this chapter have been complied with and the following fees therefore shall be paid to the City Clerk:

- (1) A permit to sell any merchandise of any description, using a motor vehicle, pushcart or wagon or other vehicle: **One Hundred Dollars (\$100.00)** per annum. [Amended 4-18-2006 as L.L. #3-2006]
- (2) A fifteen-day permit for Subsection A(1): **Fifty Dollars (\$50.00)** per day. [Amended 4-18-2006 as L.L. #3-2006]
- (3) A permit for a single day or multiday municipal event – **Fifty Dollars (\$50.00)** per day with the exception of July Fourth, where

the fee will be **One Hundred Dollars (\$100.00)**. [Amended 5-5-1994 as L.L. #3-1994; Amended 4-18-2006 as L.L. #3-2006]

- B. **All permittees may employ such additional solicitors as they may desire by registering the names of such additional solicitors and by paying a fee of Fifty Dollars (\$50.00) for each additional solicitor. [Amended 4-18-2006 as L.L. #3-2006]**
- C. All permittees may use one (1) additional person and no more in selling and distributing their merchandise, but such additional person shall only act while accompanying a permittee, hawker, peddler or solicitor.
- D. The permit fees set forth in Subsections A and B shall not apply to individuals with licenses obtained under § 32 of the General Business Law.

AMEND

- A. No permit shall be issued until the provisions of this chapter have been complied with and the following fees therefore shall be paid to the City Clerk:
 - (1) A permit to sell any merchandise of any description, using a motor vehicle, pushcart or wagon or other vehicle: **Three Hundred Dollars (\$300.00)** per annum. [Amended 4-18-2006 as L.L. #3-2006] **[Amended _____ as L.L. # _____]**
 - (2) A fifteen-day permit for Subsection A(1): **One Hundred Dollars (\$100.00)** per day. [Amended 4-18-2006 as L.L. #3-2006] **[Amended _____ as L.L. # _____]**
 - (3) A permit for a single day or multiday municipal event – **One Hundred Dollars (\$100.00)** per day with the exception of July Fourth, where the fee will be **Two Hundred Fifty Dollars (\$250.00)**. [Amended 5-5-1994 as L.L. #3-1994; Amended 4-18-2006 as L.L. #3-2006] **[Amended _____ as L.L. # _____]**
- B. **All permittees may use one (1) additional person and no more in selling and distributing their merchandise, but such additional person shall only act while accompanying a permittee, hawker, peddler or solicitor.**
- C. **The permit fees set forth in Subsections A and B shall not apply to individuals with licenses obtained under § 32 of the General Business Law.**

Section 3 Effective Date.

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

Councilman Muldowney moved to table Local Law #1-2010 with the Public Hearing to be held on September 7th at 6:50 PM.

Vote on motion to table: Carried, all voting aye. Tabled.

RESOLUTION #55-2010
August 12, 2010

By Entire Council:

**AUTHORIZING MAYOR TO EXECUTE LICENSE
AGREEMENT FOR OPERATION OF WRIGHT PARK REFRESHMENT STAND**

WHEREAS, John Dolce of 60 Sahle Place, Fredonia, New York is willing and able to operate the Wright Park Refreshment Stand, known as Beach House Grill; and
WHEREAS, the terms of the lease shall be for a period of five (5) years, and, therefore be it

RESOLVED, that the Mayor is hereby authorized and directed, to execute a license agreement, and to execute any and all documents related to the agreement, on behalf of the City of Dunkirk, to operate the Wright Park Refreshment Stand, known as Beach House Grill, upon the following terms and conditions:

- TERM: Five (5) years 2011, 2012, 2013, 2014 and 2015 (May 15th through September 15th for the calendar years);
- LICENSE FEE: One Thousand Six Hundred Forty-Eight Dollars (\$1,648.00) for the year 2011, One Thousand Six Hundred Ninety-Seven Dollars (\$1,697.00) for the year 2012, One Thousand Seven Hundred Forty-Eight Dollars (\$1,748.00) for the year 2013, One Thousand Eight Hundred Dollars (\$1,800.00) for the year 2014, and One Thousand Eight Hundred Fifty-Four Dollars (\$1,854.00) for the year 2015;
- LOCATION: Structure commonly known as Beach House Grill at Wright Park, consisting of two (2) rooms (8'x18' and 13.33'x18');
- HOURS OF OPERATION: 8:00 a.m. to 12:00 Midnight;
- INSURANCE: Statutory Workmen's Compensation and public liability coverage as per City regulations.

Carried, all voting aye.

NEW BUSINESS:

RESOLUTION #56-2010
NEW BUSINESS
AUGUST 17, 2010

BY COUNCILMAN MICHALSKI AND COUNCILMAN MULDOWNEY:

**RESOLUTION APPROVING THE
LAKE ERIE CONCORD GRAPE BELT HERITAGE AREA MANAGEMENT PLAN**

WHEREAS, the Lake Erie Concord Grape Belt Heritage Area was recognized by the New York State Legislature as a state designated heritage area on September 13, 2006 as a means to promote, develop and preserve the unique historic, cultural, recreational, and natural resources of the Lake Erie Concord Grape Belt corridor; and

WHEREAS, the Commissioner of the Office of Parks, Recreation and Historic Preservation is required to request the preparation of a comprehensive management plan for each designated state heritage area pursuant to Section 35.03 of the Parks, Recreation and Historic Preservation Law by a local planning commission; and

WHEREAS, the Concord Grape Belt Heritage Association was recognized within the Act establishing the Lake Erie Concord Grape Belt Heritage Area as the organization authorized to prepare or cause to be prepared a management plan pursuant to Section 35.05 of the Parks, Recreation and Historic Preservation Law; and

WHEREAS, the Town of Westfield secured grant funding, on behalf of the Concord Grape Belt Heritage Association, to fund the completion of the Lake Erie Concord Grape Belt Heritage Area Management Plan, with the assistance of a planning consultant, through New York State's Department of State Division of Coastal Resources under Title 11 of the Environmental Protection Fund; and

WHEREAS, in 2009 the Concord Grape Belt Heritage Association formed the Concord Grape Belt Advisory Commission to act as the local planning commission and assist with the completion of the Lake Erie Concord Grape Belt Heritage Area Management Plan pursuant to Section 35.05 of the Parks, Recreation and Historic Preservation Law of New York State; and

WHEREAS, the draft management plan completed by the Concord Grape Belt Advisory Commission identifies a series of strategies and partnerships for communities in Chautauqua County for the preservation, education, recreation, and economic revitalization of their unique resources and for the implementation of programs and projects; and

WHEREAS, the Concord Grape Belt Advisory Commission held meetings within the proposed heritage area to inform the public and stakeholders about the development of the Lake Erie Concord Grape Belt Heritage Area Management Plan and to gather input from involved and interested agencies and residents; and

WHEREAS, this effort was completed in July of 2010 and subsequently the completed Lake Erie Concord Grape Belt Heritage Area Management Plan was posted for review on the Chautauqua County Planning Division's (www.planningchautauqua.com) and on the Concord Grape Belt Heritage Association (www.concordgrapebelt.org) websites, and provided to municipalities within the heritage area boundaries; and

WHEREAS, the Town of Westfield declared its intent to act as Lead Agency through resolution 10-2010 enacted January 10, 2010 pursuant to Article 8 of the Environmental Conservation Law and Part 617 of the State Environmental Quality Review Act (SEQRA) without objection; and

WHEREAS, the Town of Westfield conducted a coordinated review of the Lake Erie Concord Grape Belt Heritage Area Management Plan, a Type I action, for purposes of determining significance of the Heritage Area Management Plan; and

WHEREAS, a public hearing will be held on August 25th, 2010, on the Heritage Area Management Plan before it is submitted to the NYS Office of Parks, Recreation & Historic Preservation for approval; and

WHEREAS, the boundary of the Lake Erie Concord Grape Belt Heritage Area included specific designated areas within the Towns of Ripley, Westfield, Portland, Pomfret, Dunkirk, Sheridan, Hanover, Arkwright and Chautauqua and the Villages of Westfield, Brocton, Fredonia, Silver Creek and Forestville, and the City of Dunkirk; and

WHEREAS, each municipality with land ~~within the boundaries~~ of the proposed Lake Erie Grape Belt Heritage Area must review and approve the Lake Erie Concord Grape Belt Heritage Area Management Plan pursuant to Section 35.05 (3) of the Parks, Recreation and Historic Preservation Law prior to submittal to the Commissioner of the Office of Parks, Recreation and Historic Preservation for consideration; and, now, therefore, be it

RESOLVED, that the City of Dunkirk hereby approves the Lake Erie Concord Grape Belt Heritage Area Management Plan, and, be it further

RESOLVED, that such resolution will be forwarded to the Concord Grape Belt Heritage Association, the Chautauqua County Department of Planning and Economic Development and the Chautauqua County Legislature for submittal to the Commissioner of the Office of Parks, Recreation and Historic Preservation for consideration.

Councilwoman Floramo stated that she was opposed to this until she spoke with Councilman Muldowney, as he told her that he looked at this.

Vote on resolution: Carried, all voting aye.

Councilwoman Szukala moved to adjourn. Seconded by Councilwoman Floramo.

Carried, all voting aye.

Adjourned at 6:45 PM

William Tuggle, City Clerk
