

COMMON COUNCIL PROCEEDINGS
August 2, 2010
-Washington Park-

The meeting was called to order at 6:02 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, Building Inspector Zurawski, Clerk, Board of Assessors Mleccko, Personnel Administrator Heyden, Fire Chief Ahlstrom and Police Chief Ortolano.

Absent: Director of Development Kory Ahlstrom.

RESOLVED: That the reading of the minutes of Tuesday, July 20, 2010 be dispensed with.

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

Carried, all voting aye.

PUBLIC COMMENTS:

Thomas M. Taylor of 223 Temple Street, Dunkirk, New York, thanked the Council for the privilege to speak and stated that he had three concerns. Mr. Taylor's first concern was a dedicated park bench at Point Gratiot. He stated that the dedication plate had been vandalized; also, the bench is in need of repair. Mr. Taylor wanted to know who will take care of the vandalized plate, and who is responsible for taking care of the bench.

Mr. Taylor expressed concern about an influx of motorized scooters in his neighborhood, and on city streets, stating that it's a safety hazard and probably a violation.

Police Chief Ortolano asked Mr. Taylor if he had called the police in regards to the motorized scooters.

Mr. Taylor responded that he did not notify the police; he further stated that he inform the children that they are breaking the law.

Police Chief Ortolano informed Mr. Taylor that the motorized scooters are illegal, to notify the police department and that a police car would be sent over to his neighborhood to take care of the problem. Police Chief Ortolano also informed Mr. Taylor it is not illegal to ride a bicycle on the sidewalk.

Mr. Taylor mentioned the City deficit, and that he read an article in the Observer stating that the City had 171 employees. Mr. Taylor wanted to hear comments from the Council, or any other elected official about this article. Mr. Taylor thanked the Council.

COMMUNICATIONS FROM THE MAYOR INCLUDING DISAPPROVAL MESSAGES:

Mayor Frey reminded residents that the Dom Polski Club will be having their Annual Street Dance this weekend. Mayor Frey encouraged everyone to support them, as they are great supporters of the community.

Mayor Frey also reminded residents that August 14th is the Nathan George Foundation Tournament at Wright Park, and that MAD DADDS will also be holding their basketball tournament at Wright Park that same day. Mayor Frey further stated that the Nathan R. George Foundation was a group of people who came from the outside, to use our facilities, realized the use of our facilities, and donated \$500.00 to the Babe Ruth League Fund. The funds will be used to reconstruct the dugouts. Mayor Frey thanked the group and City Attorney Carrie for giving to the community.

COMMUNICATIONS FROM THE PUBLIC AND PETITIONS:

Petition from Lakeshore Humane Society, Inc. requesting permission to tap into the city water and sewer system for their new Adoption Center that is being erected on 431 E. Chestnut Street in the City of Dunkirk.

Councilman Michalski moved that permission be granted and referred this to the Department of Public Works, and the City Engineer. Seconded by Councilwoman Floramo.

Carried, all voting aye.

Petition from Alan J. Gens Assistant Principal/Athletic Director of DHS requesting police coverage (2 police officers) for the following football games. Friday, September 17th, September 24th, October 1st, and Thursday October 14th from 7:00 PM to 10:00 PM. Also, requesting permission to hold Homecoming parade on Friday October 1st with the parade route beginning at the parking lot on Marauder Drive, and ending at the football field on Sixth Street.

Councilman Muldowney moved that permission be granted and referred this to the Police Department and Department of Public Works. Seconded by Councilwoman Szukala.

Carried, all voting aye.

Petition from MAD DADS requesting to use Wright Park basketball courts for their Annual 3 on 3 Basketball and Slam Dunk Contest on August 14th from 10:00 AM to 4:00 PM (rain date August 15th), requesting additional outdoor basketballs, 7-8 picnic tables, and trash barrels. Also, seeking donations of gift cards, beverages, food items and ice, along with a loudspeaker application from MAD DADDS requesting to use a loudspeaker at the Wright Park basketball courts on August 14th (August 15th rain date) from 10:00 AM to 3:00 PM for their annual 3 on 3 basketball tournament.

Councilwoman Floramo moved that permission be granted and referred this to the Department of Public Works and Police Department. Seconded by Councilman Michalski.

Carried, all voting aye.

Notice of Claim from Diane Mekus for damages to her vehicle allegedly due to a piece of metal equipment from a city truck striking her vehicle.

Councilwoman Floramo moved to refer this to the City Attorney. Seconded by Councilwoman Szukala.

Carried, all voting aye.

Petition from Dom Polski Club requesting the services of one police officer on August 7th from 7:00 PM to 11:30 PM, and August 8th from 4:00 PM to 8:30 PM for their Annual Street Dance.

Councilman Michalski moved that permission be granted and referred this to the Police Department and Department of Public Works.

Carried, all voting aye.

Councilman-at-large Dolce stated that petition #7 from Iglesia Getsemani AG youth group was pulled due to various concerns from Department Heads, and that City Clerk Tuggle will contact the group expressing the City's concerns.

Loudspeaker application from Lindalee Diaz requesting to use a stereo system with two loudspeakers at the large pavilion at Point Gratiot on August 13th from 5:30 PM to 9:30 PM.

Councilman Michalski motioned to accept this application, with a two hour time limit specified. Seconded by Councilwoman Floramo.

Carried, all voting aye.

Petition from Karen Gardner requesting to set up a 20' x 20' tent next to the lower pavilion on Saturday August 7th for a graduation party.

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

Carried, all voting aye.

REPORTS OF STANDING COMMITTEES, BOARDS AND COMMISSIONS:

Councilman Michalski advised the Public Works Committee that he forwarded an e-mail to Councilpersons, and several Department Heads, requesting that they fill out a survey in regards to trash collection. Councilman Michalski further stated that this is still a work in progress, that he filled out the survey, along with Councilman Muldowney, and was surprised at the result of the survey.

Councilman Michalski announced that Josie Christopher of 829 Washington Avenue, was July's Rising Star winner, and that ADD Lumber was this month's sponsor.

Councilman Michalski thanked Kory Ahlstrom and Bill Tuggle for their efforts this past weekend at the Beach Bash. Councilman Michalski noted that it was a great idea to have the baseball/softball tournament at the same time of the Beach Bash, as it brought more people to the area.

Councilman Muldowney also commented on the Beach Bash, and Sand Castle event; stating that it had a nice showing, this was the third year for this event, looking for bigger and better. He further stated that Kory Ahlstrom and Bill Tuggle did a great job.

Councilman Muldowney expressed concern about graffiti in the City, and was wondering if it maybe an issue for the Public Safety Committee. Councilman Muldowney would like input from the Police Chief, Tony Gugino, and Mayor, in regards to graffiti on private property. He further stated that so much is being done on the Waterfront, that perhaps we should discuss this issue before it gets out of hand. Councilman Muldowney suggested that perhaps the seniors can focus on painting a railroad bridge or pillar during next years Senior Sweep.

Councilman Muldowney extended Happy Birthday wishes to Public Works Director Tony Gugino.

City Clerk Tuggle advised that Councilman Muldowney's birthday is this Saturday.

Councilwoman Floramo advised resident that the Council will be on WDOE this Thursday at 9:00 AM.

Councilwoman Floramo thanked the Department of Public Works for all their work.

Councilwoman Floramo reminded residents that National Night Out will be tomorrow beginning at 6:00 PM.

Councilwoman Floramo inquired about a store located at N. Point Drive and Lakeshore Drive West, and wanted to know if it was hooked up to the city sewer system. She further stated that a woman from this address was looking to hook into the City's sewer system in the past.

Public Works Director Gugino advised that it was not part of the city sewer system, and that it was one of seven properties grandfathered in the City to have a septic system. He further stated that prior to getting the occupancy and rights to renew; the occupants had to go to the County Board of Health. He further stated that the Board of Health directed them to do a total reinstall of the septic system prior to getting a Certificate of Occupancy and permits. Mr. Gugino advised that the owner did what was asked to the satisfaction of Building Inspector Zurawski, himself and the County Board of Health. Public Works Director Gugino stated in regards to the woman looking to hook into the City's sewer system in the past; the price tag scared her off.

Building Inspector Zurawski advised that they have all the permits from the County Health Department.

Councilwoman Szukala thanked Mr. Taylor for his comments, and agreed that graffiti has become a problem, and had hoped that something can be done about this issue. Councilwoman Szukala further stated that come budget time she will look at every line and every scenario, because changes need to be made whether positive or negative. She further stated that it takes a lot of peoples input, not just one or two individuals, and that she will do a lot of listening to learn

why things are done the way they are done, rather than jump to make a decision she might regret later on.

Councilwoman Szukala advised that there was a train issue last Thursday night (7/29/10), where all the gates were down in the Fourth Ward. She further stated that it was a major problem; cars were going in and out of the tracks, not watching, and that it could have been much worse than it was. Councilwoman Szukala stated that a young lady was hit as a result of this issue, and that we should press harder on the Railroads for accountability. The gates should not have been down that long; that the Railroads should have been here to address the issue; if they could not address the issue, then they should have aided in getting the traffic thru. People were getting angry, speeding away, and as a result there is now a 32 year old lady who is paralyzed from the waist down. Councilwoman Szukala further stated that she is not blaming the Railroad, but this accident did not need to happen, and that this is unacceptable.

Councilman-at-large Dolce advised that the Council will be on WDOE this Thursday from 9:00 AM to 9:30 AM, and that he appreciates all the calls.

Councilman-at-large Dolce addressed Mr. Taylor, and informed him that they will be talking about this throughout budget season, and Finance Committee.

Councilman-at-large Dolce thanked Mr. Gugino for putting together a vehicle inventory list. He further stated that they did not have enough time to look at the list for this meeting; however, they now have a month to review the list, and that it will be discussed at the next Finance Committee meeting. Councilman-at-large Dolce asked Mr. Gugino if he could make an additional three copies (without pictures).

UNFINISHED BUSINESS:

PRE-FILED RESOLUTIONS:

NEW BUSINESS:

ADJOURNMENT:

Councilwoman Szukala moved to adjourn. Seconded by Councilwoman Floramo.

Carried, all voting aye.

Adjourned: at 6:23 PM

William D. Tuggle, City Clerk
