

AGENDA - COMMON COUNCIL MEETING – FEBRUARY 21, 2012 - 6:00 P.M.
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.
 1. Appointment of John Mackowiak to the Planning Board effective immediately and expiring December 31, 2012.
 2. Appointment of Members to the Dunkirk Local Development Corporation.
6. Communications from the public and petitions.
 1. Request for the use of roads & facilities for the triathlon event on August 26th from 7:00 AM to 3:00 PM by "Score This".
 2. Request for the use of the City Garage on Thursday, March 29th from 4:30 to 6:30 PM for the annual rabies clinic by the County Health Department.
 3. Request for two police officers at the Clarion for the Junior/Senior Prom on Saturday, May 12th from 7:00 to 11:00 PM by the Dunkirk School District.
 4. Request to hold the annual "Dunkirk Lakefront 5K" run on Saturday, August 11th starting at 9:00 AM by Kurt Warmbrodt.
 5. Harbor Commission for approval of two Commercial Bait Fishing Applications.
 6. Loudspeaker applications from:
 - a) The Conservation Club for live bands from May 20th to October 1st.
 - b) Bart's Cove for live bands from April 1st to November 30th.
7. Reports of Standing Committees, Boards and Commissions.
8. Unfinished Business:
9. Pre-filed Resolutions:
 23. Resolution directing the Building Inspector to inspect premises (209 Swan Street (79.14-4-65)) and report result.
 24. Resolution authorizing participation in Border Patrol Augmentation Program.
 25. Resolution authorizing letting of bid - Fire Rescue Vehicle.

10. New Business:

11. Adjournment.

Lacy Lawrence
City Clerk



CITY OF DUNKIRK
A Chadwick Bay Community

Office of the Mayor
City Hall, Dunkirk, New York 14048

ANTHONY J. DOLCE
MAYOR
(716) 366-9881
FAX (716) 366-2049

February 16, 2012

Dunkirk Common Council
City Hall
Dunkirk, NY 14048

Dear Council Members:

Please be advised that due to the resignation of Mrs. Aisling Heenan from the Dunkirk Planning Board, I hereby appoint Mr. John Mackowiak of 46 Otter Street, Dunkirk to fill this unexpired term. This appointment is effective immediately and will expire December 31, 2012.

Thank you.

Sincerely,

ANTHONY J. DOLCE
Mayor

AJD:cao

cc: City Clerk
Director of Development
Personnel Department
Planning Board



CITY OF DUNKIRK
A Chadwick Bay Community

Office of the Mayor
City Hall, Dunkirk, New York 14048

ANTHONY J. DOLCE
MAYOR
(716) 366-9881
FAX (716) 366-2049

February 21, 2012

Dunkirk Common Council
City Hall
Dunkirk, NY 14048

Dear Council Members:

Please be advised that I hereby appoint the following to the Dunkirk Local Development Corporation (DLDC).

Directors:

Steven Neratko – Chairman/Development Director – ex officio
Stephanie Kiyak – Economic Development Chair – ex officio
Judy Presutti – Director, Dunkirk Housing Authority – ex officio
Judy Lockett – Manufacturing Rep, Cott Industries, One Cliffstar Dr., Dunkirk
Shannon Solares – Banking Rep, HSBC Bank, Central Avenue, Dunkirk
Joseph Becerra – Service/Tourism Rep, Blind Tiger, 757 Central Ave., Dunkirk
Jamie Rodriguez – at large, 32 N. Jerboa St., Dunkirk
Ginger Pokoj – at large, 327 Lake Shore Dr. E., Dunkirk
James Muscato – at large, 280 Lake Shore Dr. W., Dunkirk
Andy Gonzalez – at large, 536 Park Ave., Dunkirk
Rosemary Banach – at large, 446 Lake Shore Dr. W., Dunkirk
Richard Halas – at large, 101 Frazier St., Dunkirk

The terms are effective this date and will expire February 20, 2014.

Sincerely,

Handwritten signature of Anthony J. Dolce in black ink.

ANTHONY J. DOLCE
Mayor

AJD:cao
cc: City Clerk
Director of Development
Personnel Department

2012 FEB 21 AM 10:17
RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.



SCORE THIS!!!, INC.
15 RANCH TRAIL CT.
ORCHARD PARK, NEW YORK 14127

October 13th, 2011

Mr. Kory Ahlstrom
Director, Planning and Development
Department of Development, City of Dunkirk
342 Central Avenue
Dunkirk, New York 14048

To whom it may concern from the City of Dunkirk, Town of Dunkirk, Town of Sheridan and the Village of Silver Creek:

On behalf of Score This!!!, I am requesting the use of the roads and facilities in your city or town in order to host our annual multisport event on August 26th, 2012 in the City of Dunkirk. The name of the event is "Tri Dunkirk" and it will be in a triathlon format that will include an open water swim, a bike race, and a running race. The race will take place on a Sunday and run approximately from 7:00 a.m. to 3:00pm.

This event in its second year should attract as many as 600 participants and many spectators. Last year's race attracted 300 participants in its inaugural race. Score This!!! has been organizing multisport events since 1995 and hosted the 2011 Tri Dunkirk in the City of Dunkirk. This area makes an excellent venue to host this style of event with athletes commenting on this being their favorite venue. For the last five years, our triathlon races in Western New York have all sold out in advance of race day and we would expect to realize that potential with a race in Dunkirk within the next two years.

We are writing this letter in advance to work out all of the details for the course and to help all parties take advantage of this athletic tourism influx. Many triathletes travel beyond their state borders. Almost half of all triathletes surveyed (47percent) say that they have traveled more than 500 miles to a triathlon which would include participants from as far away as the Syracuse and Albany regions of New York state as well as from surrounding cities like Cleveland of states like Ohio, Pennsylvania, Maryland, New Jersey, and Vermont.

Tri Dunkirk will surely increase visitation to Chautauqua County. Multisport athletes like to explore the areas they visit in many different ways. If they are provided the information about the surrounding areas activities they will return to explore this in the future. Advertising for this event would involve, but not be limited to the following:

- Postcards handed out at all other Score This!!! timed events (100 plus in 2011)
- Race posters throughout the county
- Email updates to a 2000 athlete Score This!!! dedicated email group and
- Email updates to a 25,000 plus athlete online registration email system (2007-2011)
- Dedicated webpage(s) at <http://tridunkirk.com> (2010-2011)
- Dedicated ad placement on score-this.com, register-this.com, keukelaketri.com, summersizzlertri.com (2007-2011)
- Web postings at duathlon.com, active.com and cooltri.com to name a few (2007-2011)
- 50,000 hits bought at trifind.com (2009-2011)
- 1 half page ads in USAT Triathlon Life Magazine distributed in January and a full page ad distributed in April to 155,000+ homes (2007-2011)
- Facebook advertising to a dedicated Score This!!! fan page (2010-2011)
- Facebook advertising targeted to 120,000 multisport enthusiasts throughout the United States (2010-2011)
- American Red Cross newsletter, website and Facebook fan page

Sincerely,

Richard J Clark
Race Director/Vice President
Score This!!!, Inc.
716.940.6294
rich@score-this.com
<http://score-this.com>



CHAUTAUQUA COUNTY DEPARTMENT OF HEALTH
Division of Environmental Health Services

Hall R. Clothier Building
7 North Erie Street, Mayville, NY 14757-1027
Phone: 716-753-4481
Fax: 716-753-4344
E-mail: cchealth@co.chautauqua.ny.us
Website: www.co.chautauqua.ny.us/departments/health

GREGORY J. EDWARDS
County Executive

CHRISTINE SCHUYLER
Public Health Director

MARK STOW
Director of Environmental Health

February 7, 2012

City of Dunkirk City Council
c/o Office of City Clerk
City Hall, Central Avenue
Dunkirk, NY 14048

RE: Dunkirk Rabies Immunization Clinic

Dear City Council members:

We are in the process of scheduling our 2012 rabies immunization clinics for dogs and cats in Chautauqua County. The Health Department would like to request use of your City Garage located on Lucas Ave, Dunkirk on Thursday March 29, 2011, for clinic house 4:30 p.m. to 6:30 p.m.

Would you please advise this office of your decision as soon as possible so that arrangements can be finalized and advertising can begin for the first clinic for this year.

Should you have any questions, please call this office at 753-4798. Thank you for your continued support over the years.

Sincerely,

Paula J. Gustafson

Paula J. Gustafson
Environmental Health Services
Chautauqua County Dept. of Health

2017 FEB -8 PM 1:55

CLERK'S OFFICE
DUNKIRK, N.Y.



DUNKIRK CITY SCHOOL DISTRICT

620 Marauder Drive
Dunkirk, New York 14048
Telephone (716) 366-9300
Fax (716) 366-9399

MR. ROOSEVELT HAYNES
President
Board of Education

MR. GARY CERNE
Superintendent

RECEIVED
CLEAN COPY MADE
DUNKIRK, N.Y.
FEB 8 AM 10:10

Dunkirk Police Department
342 Central Avenue
City Hall
Dunkirk, NY 14048

RECEIVED

FEB 08 2012

DUNKIRK POLICE DEPT

To Chief of Police David Ortolano:

The Class of 2013 will be hosting the Dunkirk High School Junior/Senior prom. It will be held at the Clarion Hotel in Dunkirk, New York on Saturday, May, 12, 2012 from 7:00pm-11:00. We would like to employ 2 police officers for the event. Please let me know if you need any additional information. I can be contacted at 716 410-1370.

Thank you.

Sincerely,

Kim Roque- Class of 2013 Class Advisor

February 16, 2012

Dunkirk Mayor Dolce

Dunkirk Common Council

2012 FEB 16 PM 12:28

MEMORIAL PARK
DUNKIRK, N.Y.

The Dunkirk High School Track & Field teams request the City's assistance in holding the 14th annual "Dunkirk Lakefront 5K" on Saturday August 11, 2012 with a 9:00 am start time.

We will be using the race course used last year, which starts in Memorial Park by the Yacht Club travels East along Lakefront Boulevard around Serval Street and returns to Memorial Park for the finish. This race will be one of ten races in the Chautauqua Striders series. This course was recommended and approved by the Police Chief and the Mayor.

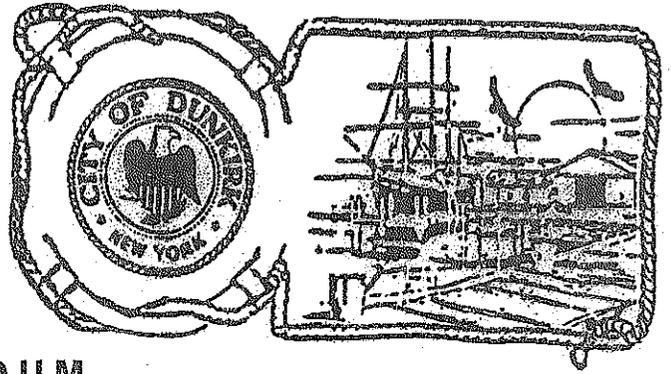
Thank you for supporting local youth and physical fitness.

Sincerely

Kurt Warmbrodt Boys Coach



**The
GREATER DUNKIRK AREA
HARBOR COMMISSION**



MEMORANDUM

TO: Members of Common Council
FROM: Dunkirk Harbor Commission
DATE: February 16, 2012
RE: Application Permits for Commercial Bait Fishing

2012 FEB 16 AM 10:25

RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.

Dear Common Council Members:

According to the City Code Section 24 "L"(5), any applications for commercial bait fishing must be reviewed by the Harbor Commission prior to Common Council approval.

After reviewing said applications at the February 15, 2012 meeting, it was unanimously voted upon to approve the bait fishing applications from:

1. David E. Watts Dave's Bait & Tackle Derby, NY
2. Gerald Olejniczak Penrod's Bait & Tackle Buffalo, NY

In order to facilitate these applications, we would like to suggest that this Common Council act on the approval of this application permit as soon as possible.

Thank you.

Jim Nichols
James Nichols, Chairman
Dunkirk Harbor Commission

JN/pjp
Attach.

APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO.
(DCC-47-6-C)

DATE OF APPLICATION (must be 30 days Prior to event):		2/8/12
* No more than 3 days TOTAL per Individual or Group - per year EVENT SPECIFICS * EXCLUDES HARBORFRONT AREA		
DATE: May 20, 2012 Oct. 1, 2012	TIME: As allowed 1:00AM	LOCATION OF EVENT: 1 Mullet Street
SPONSOR: Northern Chautauqua Conservation Club, Inc.		
NAME: Doug Jaffray		PHONE NO. 366-8836
ADDRESS: P. O. Box 178 Dunkirk, NY 14048		
<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> CORPORATE <input checked="" type="checkbox"/> CHARITABLE <input type="checkbox"/> COMMUNITY		
RESPONSIBLE INDIVIDUAL:		
NAME: Doug Jaffray, President		PHONE: 366-8836
ADDRESS: P. O. Box 178 1 Mullet Street Dunkirk, NY 14048		
REASON: Fundraisers, tournament loud speakers, seminar loud speakers, live bands, recorded music on deck. Various events.		
AUDIO DEVICE TO BE USED: Live bands, speakers.		
<input checked="" type="checkbox"/> PUBLIC EVENT		<input type="checkbox"/> PRIVATE EVENT
NOTIFICATION OF AFFECTED PERSONS		
<input type="checkbox"/> YES	IF YES, PROOF:	
<input checked="" type="checkbox"/> NO		
I, the undersigned, have read and agree to abide by the provisions set forth in DCC 47-6-C.		
Signature: <u><i>Douglas Jaffray</i></u>		
DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT OK 2/10/12 <i>ND</i>		
DEPT OF PUBLIC WORKS <i>OK 2/10/12</i>		
DEPT OF LAW <i>OK 2/13/12</i>		
OTHER		
COMMON COUNCIL ACTION		
RECEIPT OF REVIEW		
APPROVAL		
CONDITIONS:		
DISAPPROVED		

2012 FEB 9 09:14
 1 OF 1
 DUNKIRK, N.Y.

APPLICATION FOR LOUDSPEAKER SPECIAL PERMIT NO.
(DCC-47-6-C)

DATE OF APPLICATION (must be 30 days Prior to event):		2-7-12
EVENT SPECIFICS		
DATE: 4-1-12-11-30-12	TIME: 1pm-1 AM	LOCATION OF EVENT: Bart's Cove Marina
SPONSOR:		
NAME: Bart's Cove	PHONE NO. 366-8243	
ADDRESS: 1/2 Woodrow Ave, Dunkirk, N.Y. 14048		
<input type="checkbox"/> INDIVIDUAL <input checked="" type="checkbox"/> CORPORATE <input type="checkbox"/> CHARITABLE <input type="checkbox"/> COMMUNITY		
RESPONSIBLE INDIVIDUAL:		
NAME: Jason Schantz	PHONE: 672-4125	
ADDRESS: 3464 Stone Quarry Rd Fredonia, N.Y. 14063		
REASON: Bart's - Inside + outside from April 15 th 2012 until November 30, 2012 Time's will vary from 1pm end by 1 AM		
AUDIO DEVICE TO BE USED:		
Live Bands		
<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: <u>Jason Schantz</u>		
DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT OK 2/1/12 @		
DEPT OF PUBLIC WORKS (USA) 2/1/12		
DEPT OF LAW		
OTHER		
COMMON COUNCIL ACTION		
RECEIPT OF REVIEW		
APPROVAL		
CONDITIONS:		
DISAPPROVED		

2012 FEB - 7 AM 10:45
 CLERK'S OFFICE
 DUNKIRK, N.Y.

RESOLUTION #23-2012
FEBRUARY 21, 2012

BY: COUNCILMAN RIVERA

**DIRECTING BUILDING INSPECTOR TO INSPECT PREMISES
(209 SWAN STREET (79.14-4-65)) AND REPORT RESULT**

WHEREAS, a structure situate at premises designated as 209 Swan Street, Dunkirk, NY 14048 (79.14-4-65) appears to be abandoned, dilapidated, deteriorated, decayed or unattractive and appears to be or become a danger to the health, safety or welfare of the public; and

WHEREAS, it would be in the best interests of the public for an inspection of such premises to be undertaken by the City's Building Inspector and for a report of such inspection to be provided to this Common Council; now, therefore, be it

RESOLVED, that the Building Inspector is hereby directed to inspect the building or structure situate at premises designated as 209 Swan Street, Dunkirk, NY 14048 (79.14-4-65) and to report the results of such inspection to this Common Council in accordance with the provisions of Chapter 18 of the City of Dunkirk Code.

RESOLUTION #24-2012
FEBRUARY 21, 2012

BY: COUNCILWOMAN SZUKALA

AUTHORIZING PARTICIPATION IN BORDER PATROL AUGMENTATION PROGRAM

WHEREAS, the County of Chautauqua has received certain grant funds in order to enhance law enforcement preparedness and operational readiness along the borders of the United States among federal, State, local and tribal enforcement agencies; and,

WHEREAS, the County of Chautauqua, through Resolution No. 20-12, is authorized to enter into an agreement with the City for such border patrol augmentation services for the period January 1, 2012 through July 31, 2013, with payment in an amount not to exceed \$14,000.00 for overtime wages and an amount not to exceed \$3,500.00 for fringe benefits; and,

WHEREAS, the City is ready, willing and able to provide such augmented border patrol services through overtime details on land and on water in the form of roving patrols, surveillance of marinas and crewing of Sheriff's Office boats; now, therefore, be it

RESOLVED, that the Mayor, Anthony J. Dolce, is hereby authorized to execute contracts and agreements with the County of Chautauqua for the City to provide augmented border patrol services through overtime Police Department details on land and on water in the form of roving patrols, surveillance of marinas and crewing of Sheriff's Office boats, for the period January 1, 2012 through July 31, 2013; and, be it finally

RESOLVED, that the Fiscal Affairs Officer and City Treasurer be directed to create General Ledger to record these funds as follows:

Stone Guard Grant Account No. 001-0001-2288; and, further,

Reimburse Police Department appropriation line:

Overtime Account No. 001-3120-1001,

as such funds are received from the County of Chautauqua.

RESOLUTION #25-2012
FEBRUARY 21, 2012

By: COUNCILWOMAN SZUKALA

AUTHORIZING LETTING OF BID – FIRE RESCUE VEHICLE

WHEREAS, the City of Dunkirk Fire Department currently operates a 2001 Fire Rescue Vehicle that has experienced more than 15,000 operating hours and more than 50,000 miles of usage; and,

WHEREAS, in order to maintain the level and degree of service and operation to the community, the City of Dunkirk Fire Department is in need of a new Fire Rescue Vehicle; now, therefore, be it

RESOLVED, that the Mayor and/or Chief of the City of Dunkirk Fire Department is hereby requested to draft, advertise and request bids for a new Fire Rescue Vehicle that will adequately and properly serve the needs of the City.