

**COMMON COUNCIL PROCEEDINGS**  
**March 16, 2010**

The meeting was called to order at 7:00 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, Public Works Director Gugino, City Treasurer Woods, Building Inspector Zurawski, Clerk, Board of Assessors Mleczek, Personnel Administrator Heyden, Fire Chief Ahlstrom and Police Chief Ortolano.

**RESOLVED:** That the reading of the minutes of Tuesday, March 2, 2010 be dispensed with.

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

Carried, all voting aye.

**PUBLIC COMMENTS:**

No one spoke.

**COMMUNICATIONS FROM THE MAYOR INCLUDING DISAPPROVAL MESSAGES:**

Mayor Frey addressed the public, Council, and Department Heads for their pledges and donations in supporting the Mayor's Meals on Wheels Drive in the city on March 24th. He stated that he will be driving to senior citizen homes in Dunkirk, that he was out of town last year with former Councilman-at-large Muscato taking his place, and appealed to the Council as this was a great program, and he was proud to be a part of it.

Councilman-at-large Dolce advised that the Fiscal Affairs Officer and Director of Development were excused from tonight's meeting.

**COMMUNICATIONS FROM THE PUBLIC AND PETITIONS:**

Petition from James R. White requesting to use Washington Park, including the gazebo and electricity for a Community Prayer Service on Thursday, May 6th to celebrate the 59th National Day of Prayer.

Councilwoman Szukala moved to table this petition for the Public Safety Meeting on March 23rd to enable the Council to create guidelines for the loudspeaker permits.

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

Petition from the Joint Veterans Council requesting permission to hold the Annual Memorial Day Services & Memorial Parade on Monday, May 31st starting at 10:00 AM with parade to follow and alternate route pending approval.

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

Carried, all voting aye.

Petition from Jody Briggs on behalf of the Boys & Girls Club requesting permission to use Kosciuszko Park on Saturday April 10th from 1:30 to 4:00 PM to host the Aquafina & Major League Baseball Pitch Hit & Run Competition.

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

Carried, all voting aye.

Notice of Claim from Gary L. Sutter, Jr. for damages to his car tire allegedly caused by hitting a manhole on Lake Shore Drive and Pangolin Streets.

Councilman Muldowney moved to pass this to the insurance carrier through the Mayor's Office. Seconded by Councilwoman Szukala.

Carried, all voting aye.

#### **REPORTS OF STANDING COMMITTEES, BOARDS AND COMMISSIONS:**

Councilman Michalski requested Carole Cotton to approach the front of the Court Room and read the following statement:

"On the night of February 24th, 2010, Carole Cotton was supervising more than thirty children during her Dynamics Unlimited Gymnastics class like she has done countless times before during her twenty-eight year career. However, this night would be different from most other nights. A devastating fire, which began in the rear section of the Masonic Temple Building would soon begin to spread and engulf the building in smoke and fire.

Carole, whose class was located on the fourth floor of the Masonic Building was quick to realize the potential danger of the situation as the smell of smoke entered the room. Carole gathered her students together and safely made her way down the four flights of stairs where she was met by city firefighters entering the building.

She continued to organize the children and lead them to safety a few blocks away from the burning building. Carole then proceeded to call the parents and guardians of her students and waited there with them until all the children were safely taken home.

Although Carole's actions may not have seemed all that heroic to her at the time, ultimately her quick response helped saved the lives of more than thirty children as well as her own. That no matter how great the economic loss or structural damage to a building, the loss of a life - especially that of a child's can never be replaced. Buildings can be rebuilt, lives are irreplaceable".

Councilman Michalski then presented her with a plaque on behalf of the Mayor, Council, Police & Fire Departments and Department Heads in recognition of her heroic acts during the Masonic fire on February 24th, 2010.

Mayor Frey epitomized the people of the City of Dunkirk, stating that we can be very proud with people like Carole Cotton, and thanked her for her heroic act.

Carole Cotton addressed the audience, stating that for twenty-eight years she has tried to fly under the radar, and that some people did not even know there was a gymnastic facility in the Masonic Building. She proceeded to pass around a picture to see what was lost that night, but emphasized that what was saved was thirty-six lives. She explained that the Fire Department related that there was a two minute window, and there were a lot of angels around that night, as it could have been much worse. She also recognized her coaching staff for being there, and requested that if anyone knew of a building for use, to please let her know. Mrs. Cotten closed by stating that the plaque will always serve as a reminder of how much could have been lost that night.

Councilman Muldowney welcomed everyone present, stating that it was nice to see this audience present for Carole, her staff, and our Fire & Police Departments who reached out to our community. He advised that 150 firemen were on the scene, that we were very grateful, and it was nice to see a smiling audience, thanking everyone for coming out tonight.

Councilwoman Floramo advised that there would be a Personnel Committee Meeting coming up soon. She advised that we are currently without a City Attorney, and did not want to approach some legal matters. She advised that she was seeing an Attorney Thursday at 1:30, inviting anyone to join her, and in the meantime they were taking care of the ACO position.

Councilwoman Floramo also addressed a letter from "Poles for Peace", questioning if this letter was answered. Mayor Frey advised that there was no problem with this, but we needed a place and date to do it, and this should take a shorter amount of time than the ACO position.

Councilwoman Floramo also spoke relative to a change in a local law in 2009, which was previously adopted in 1985, if these letters that are addressed to the Council and Mayor are answered, and if the letter would be answered relative to the lot on Second & Main Street.

Mayor Frey advised that this was discussed numerous times, (the letter from Florida) and if Councilwoman Floramo was interested in this lot. Mayor Frey further advised that he would be glad to respond to it, but 90% of the time he does not write a letter, but makes a call to speak to them personally.

Councilwoman Floramo also reported about complaints received in the Third Ward with gym shoes hanging on wires.

Public Works Director Gugino advised that he would take care of this. Police Chief Ortolano also advised that he and Tony would take care of this if she gives them a list of addresses. Public Works Director Gugino further advised that every spring, he and the Police Chief get together and take care of this problem, as it's usually the same areas.

Councilwoman Szukala stated that if there is going to be any type of a fundraiser for the dance studio which was in the Masonic Building, to drop off any information at City Hall for the Council Members.

Joan Michalski, wife of firefighter Joel Michalski advised that there is currently an ongoing raffle for a vacation in Vermont, and she could bring these forms to City Hall. Councilwoman Szukala advised her to drop this off at the City Clerk's Office.

Councilwoman Szukala also advised the public that there will be a Public Safety Meeting on March 23rd at 9:15 at City Hall to discuss the solicitation of funds on city streets and loudspeaker permits, with guidelines for both. She invited anyone with questions or concerns to attend.

Councilman-at-large Dolce advised that there will be a Finance Committee Meeting on March 24th at 5:00 PM, stating that the public was more than welcome to attend these meetings, as well as Council meetings.

**PRE-FILED RESOLUTIONS:**

**RESOLUTION #27-2010**  
**MARCH 16, 2010**

**BY COUNCILMAN MULDOWNEY AND COUNCILWOMAN SZUKALA:**

**AUTHORIZING A RENEWAL OF LEASE AGREEMENT WITH HOSE CO. NO. 4, INC.**

**WHEREAS**, by Resolution #56-99, passed by the Dunkirk Common Council at its May 18, 1999 meeting, the City and Murray Hose Co. No. 4, Inc., entered into a Lease Agreement allowing Murray Hose Co. No. 4, Inc., to use a section of Point Gratiot for various civic functions; and

**WHEREAS**, the Lease Agreement expired on December 31, 2009; and

**WHEREAS**, the City and Murray Hose Co. No. 4, Inc., wish to renew this Agreement for a period of five (5) years, commencing January 1, 2010 and terminating on December 31, 2015; now, therefore, be it

**RESOLVED**, that this Common Council hereby approves a renewal of the Lease Agreement between Murray Hose Co. No. 4, Inc. and the City, for the section of Point Gratiot commonly known as the "Hose 4 Picnic Grounds", and more particularly described as:

Commencing at the intersection of the centerline of W. Beach Road (twenty-five feet (25') wide) and the centerline of West Chestnut Street; thence westerly along said centerline of West Chestnut Street four hundred thirty-nine and eight one hundredths feet (439.08'); thence northerly one hundred fifty and eighty-one hundredths feet (150.81') and at a right angle with the last described course to the point or place of beginning; thence westerly and at a right angle one hundred feet (100') to an iron pin; thence northerly and at a right angle one hundred eighty feet (180') to an iron pin; thence easterly and at a right angle one hundred feet (100') to an iron pin; thence southerly and at a right angle one hundred eighty feet (180') to the point or place of beginning and containing 0.41 acres more or less.

for the fee of One Dollar (\$1.00) per year; and, be it finally

**RESOLVED**, that the Mayor is hereby authorized and directed to execute said Lease Agreement on behalf of the City of Dunkirk with Hose Co. No. 4, Inc., renewing the Lease Agreement for a period of five (5) years, commencing January 1, 2010 and terminating on December 31, 2015.

Carried, all voting aye.

Councilwoman Szukala moved to adjourn. Seconded by Councilman Michalski.

Carried, all voting aye.

**Adjourned at 7:30 PM**

**William Tuggle, City Clerk**

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