

AGENDA - COMMON COUNCIL MEETING – March 20, 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. State of the City Address by Mayor Dolce.
 2. Confirming appointment of William Tuggle to the Planning Board through December 31, 2016.
6. Communications from the public and petitions.
 1. Communication from Skeeter Tower regarding a project entitled "The Main Thing" referring to neighborhood renewal.
 2. Communication from Brooks Memorial Hospital requesting a donation for the annual Auxiliary Dinner Dance/Auction on June 9th.
 3. Request for use of city streets beginning at the D&F Plaza (by Middlesex) for a 5K road race on June 30th at approximately 9:00 or 10:00 AM by Chautauqua Health & Fitness.
 4. Request for use of city streets beginning at Dunkirk High School for the annual Autism Awareness Walk/Celebration on May 12th at 10:00 AM.
 5. Request to use the city pier for filming on April 3rd and April 5th in the evening, and on March 25th or April 1st on the sidewalk outside the park at the end of Fourth Street by John Cieply/SUNY Fredonia.
 6. Request from Mark Tredo requesting tree branch removal at Columbus Street between Sixth & Seventh.
 7. Request from MAD DADS for use of Washington Park for an Easter Egg Hunt on April 6th from 4:00 to 7:00 PM. (Raindate April 7th).
 8. Request for partial use of the Point Gratiot parking lot, permission for vendors, extra trash barrels and trash pick-up on July 8th for the Lake Shore Street Rod Association.
 9. Loudspeaker applications from:
 - a) Lake Shore Street Rod Association for a live band & disc jockey at the Large & Small Pavilions on July 8th from noon to 5:00 PM.
 - b) MAD DADS for radio amplifier in Washington Park on April 6th.

- c) Frank Acquavia Post #1344 for a band on May 28th.
- d) First Ward Falcons for a band at the Wright Park Stadium Field on July 20th from 7:00 to 11:00 PM.

7. Reports of Standing Committees, Boards and Commissions.

8. Unfinished Business:

9. Pre-filed Resolutions:

- 31. Bond Resolution authorizing the reconstruction and construction of improvements to the city water system at an estimated maximum cost of \$1,800,000 and issuance of serial bonds not to exceed same.
- 32. Resolution authorizing the Mayor to release City of Dunkirk Local Share (2011) Chadwick Bay Regional Development Corporation.
- 33. Resolution awarding the bid for 2012 requirements of Aqua Ammonia for use at the Wastewater Treatment Facility.
- 34. Resolution authorizing the Mayor to execute an agreement with Chautauqua County for Stop-DWI Program.

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

Friday, March 9, 2012

Hon. Common Council

Re: Planning Board

This is to confirm that William Tuggle, 89 West Fifth Street, Dunkirk, NY, is hereby appointed to the Planning Board, serving a term that extends through December 31, 2016.

Thank you.

Sincerely

Anthony J. Dolce
Mayor, City of Dunkirk

AJD/

2012 MAR 13 PM 2:39

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

reed
2/29/12

435 SWAN
Dunkirk, NY
Feb. 29, 2012

Dear Mayor Dolce and Members of the Common Council,

I am writing to describe a grassroots project which I believe has a high chance of success if we win the cooperation of all concerned. We will call this project "The Main Thing" and it refers to neighborhood renewal for one particular block, the 600 block of Main Street in Dunkirk. I chose this block because I have become familiar with it over the past year since my son purchased a property there. I became aware of drug dealing, prostitution, theft, rampant litter, inappropriate trash disposal, lack of recycling. Several houses are being maintained; most have obvious violations and have seen better days. It is a diverse neighborhood of Hispanics, Italian, Polish, Afro-Americans. There are people with special needs and elderly. There are children heading off to Head Start and Meals on Wheels deliveries. It is a slice of Dunkirk in a neighborhood in transition.

This used to be a stable Italian neighborhood. I have met many wonderful people who have had roots on this very block. I want to collect their stories. This block sits in the center of Dunkirk geographically. It can improve or it can go downhill. Currently only a third of the homes are owner occupied. Two thirds are absentee landlords, six of these out of state. The average home value is approx \$34,000. This may not be too different from many other neighborhoods in Dunkirk, certainly worse now than many. So it presents a challenge.

I propose to take up this challenge and attempt to gather the current property owners and try to formulate a vision for the block. I have spoken with approximately a third of the owners and they are willing but discouraged. Many are living on limited incomes. Many are frightened and have given up hope. We will need the support of city services to make a difference. We have two signs we want to put up, one at the Sixth Street entrance and one at the Seventh Street entrance. The signs read "The Main Thing" Neighborhood Renewal. This Block Matters! Help Make a Difference. 366-3738(My phone number in case anyone has questions or wants to know how to connect.)

Our first barrier is that we need temporary sign permits, yet these signs are no different from your political signs and they will be on private property as I was first instructed to place them. The designs have been submitted to Al

Zerowski's office for his approval. COI has offered to pay for the signs(\$72) COI has also offered to fund a mailing to each property owner or surrogate to attend a free dinner meeting at Connections to discuss improvements and solidarity in the neighborhood. We will start with whoever shows up and continue from there. We have no funds, but we have volunteers in mind. We think we can get faith based or other kinds of service youth groups to adopt one house apiece, work with the homeowner to focus on streetscape kinds of cosmetic improvements. We would have these groups all scheduled for one big clean up day in late spring. We would ask the groups to bring paint and plantings if they could. Some homeowners may qualify for free paint or other services. We do not know how many at this time. We may ask for the street to be blocked off during this one day with many kids on the street and possibly a police presence to help when necessary. We would like the public works department to install curbs where they no longer exist and to patch the holes in the street, perhaps put up signs for a neighborhood watch community if the owners decide that. We wonder about a shade garden planted in the protruding spit of land at the end of Sixth Street.

Other ideas might arise. Some landlords may need extra encouragement/enforcement to make changes. There are more significant changes required. I just want to make you aware that this is a small , but genuine effort to make things better and to instill hope and perhaps even set a model of how other blocks, other residents might work together. We want to try and we hope for your encouragement and assistance along the way.

Sincerely,



Skeeter Tower

"The Main Thing"

2012 MR - 5 PM 1:16

RECEIVED
CLERK'S OFFICE
DUNKIRK, N.Y.

Of Brooks Memorial Hospital



Lake Erie
REGIONAL HEALTH SYSTEM
of New York

2012 MAR - 7 PM 1 2012

RECEIVED
CLERK'S OFFICE
DUNKIRK, N.Y.

February 27, 2012

Mayor Anthony Dolce
City of Dunkirk
City Hall
342 Central Avenue
Dunkirk NY 14048

Dear Mayor Dolce :

Last year many local businesses and individuals generously donated to The Auxiliary of Brooks Memorial Hospital's Dinner Dance/Auction "*An Evening in Tuscany*". Are you interested in contributing this year? This year's function will support Brooks Memorial Hospital, an affiliate of the Lake Erie Regional Health System of New York.

Each year the support that local businesses and community members provide allows the Auxiliary to donate to several departments at the hospital. After our successful June 4, 2011, function, the Auxiliary updated the lighting system in Surgery; refurbished the ICU Waiting Room and helped support the community blood program. Members of the community, patients, and care providers at the hospital are extremely grateful.

This year the 2012 Dinner Dance/Auction will be held on June 9, 2012. This year's theme is "*The Eye to London*" in honor of the 2012 Summer Olympic Games in London. Would you and/or your business support this function with a donation? We are successfully able to use donations of goods, services, certificates and checks to help raise funds during this charity event.

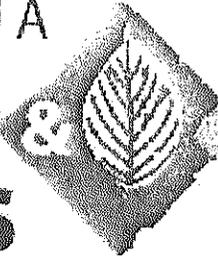
Please use the enclosed self-addressed envelope to let us know how you can help. You may contact Wendy Harrington at 716-363-7207 if you have any questions, or to arrange for an Auxiliary member to pick up your donation. Brooks Memorial Hospital is a non-profit organization, and your donations are tax-deductible.

Sincerely,

Joan Tallett
2011 Dinner Dance/Auction Chairperson
The Auxiliary of Brooks Memorial Hospital

CHAUTAUQUA

Health &
Fitness



D&F Plaza
1170 Central Ave.
Dunkirk, NY 14048
716-363-6383
www.getfitwny.com

RECEIVED

MAR 05 2012

Chief Ortalano,

DUNKIRK POLICE DEPT.

My name is Greg Craft and I am one of the managers at Chautauqua Health & Fitness in the D & F Plaza. I am interested in putting on a 5K road race at the beginning of the summer. I do have experience in running 5K races. For the last 5 years I have been a Softball Coordinator for the Town of Cheektowaga Youth & Recreation Department during the summer, and one of my main responsibilities there was to help put on the Town's 5K. The race has grown each year since I started helping out and last year we had a record 200 participants. Also, I recently graduated from SUNY Fredonia in May 2011, where I was a 4 year Track & Field athlete and now an assistant coach.

I would like to have the race on the morning of June 30th. After talking with many people I feel this is a good weekend when there is not any other activities going on in the community that would interfere. Additionally, a run at the end of June would not affect the attendance of any previously established races (Lakefront 5K, Tri-Dunkirk) which are scheduled for August. Enclosed is a map of where I would like to run the 5K. As you will see the race stays mostly clear of busy roads. The busiest road we would be on Central Ave., and that would only be for about 1/10 of a mile. I would like to start and end the race at the end of the D & F plaza by Middlesex Dr. This would offer ample room for a start line and finish shoot that would be off any road and safe for participants. This is also a lot of room for the runners to warm up and cool down, as well as a good area to set up a tent with tables, food, drinks, music, awards, etc. If the race is approved I will get a waiver of insurance from USA Track & Field. I will also have the course mapped out exactly so it will be a certified 5K.

Technically, this race begins in the corner of Dunkirk (corner of the D & F plaza and Middlesex), and I am writing to you because I want to see if there are any roadblocks or other precautions the City of Dunkirk would like to take. I will also be contacting the chief of police of Fredonia, and SUNY Fredonia, as well as Mayor Keefe of Fredonia, and Mayor Dolce of Dunkirk. Chautauqua Health & Fitness is going into its 5th year of operation and I think a 5K will be a great way to give back to the community. If you have any questions please don't hesitate to contact me at any of the numbers listed below.

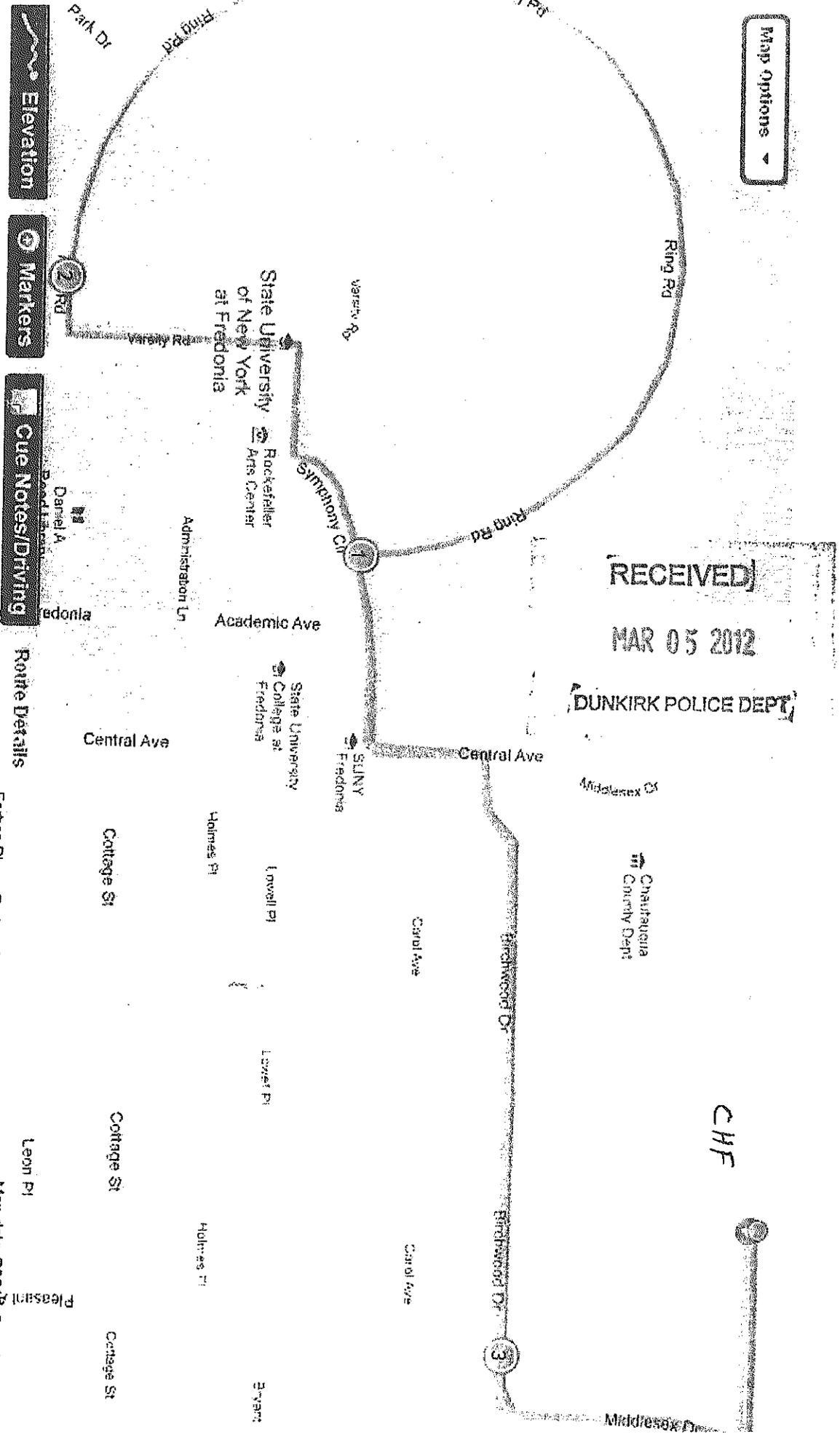
Sincerely,

Greg Craft
Chautauqua Health & Fitness LLC
1170 Central Avenue
Dunkirk, NY 14048
716-363-6383
Fax: 716-363-6384
Cell: 716-510-0702

RECEIVED
MAR 05 2012
9:50 AM
DUNKIRK, N.Y.

@ approx. 9-10 AM

Map Options



RECEIVED

MAR 05 2012

DUNKIRK POLICE DEPT

CHF

Elevation

Markers

Cue Notes/Driving

Route Details

Entrance Dr Entrance St

Leon Pl

Map data ©2012 Google - Terms

March 3, 2012

Dunkirk Common Council
Dunkirk, New York

RECEIVED
CLERK'S OFFICE
DUNKIRK, N.Y.
2012 MAR - 6 AM 9:55

Members of the Council,

This is a proposal from Mike and Diane Gifford. We are asking for you to allow us to sponsor the 2nd annual Autism Awareness Walk/Celebration. We are planning for the event to be held on May 12, 2012 at 10:00 a.m. finishing around 12:00 p.m.

We would like to take this time to thank the Council for allowing us to hold our Autism event last year. The community responded with an overwhelming response of 300 participants and a total of over 5000.00 was raised. The money went to providing School #4 with a Sensory Room, towards School 5 Sensory Playground Fund.

This year in an effort to reach out to more people in the surrounding communities we decided to take things up a notch. I have been corresponding with Sean Patrick McGraw and he has generously donated an hour of his time to perform for our event we will also be contacting some local musicians to round out the day. With the School Board and Superintendent giving us the permission to have the concert and Chicken BBQ on the school grounds.

The route that we have planned would begin at Dunkirk Senior High School Main Entrance and continue down Sixth Street towards Central Ave, taking a right onto Central Avenue proceeding up to Howard Ave. Right on Howard to Van Miller Drive. This will bring us through the Dunkirk High Football Field where weather permitting the main event will be held.

We will also be looking into having Kix 96-radio station provide music. We are anticipating about 200-250 participants.

Proceeds that are made from this walk would be distributed towards the School #5 sensitivity playground fund, School #4 family resources project and Sensory Room at School # 7. A portion will also go to the Western New York chapter of Autism. We believe that the residents of Chautauqua County are unfamiliar with the amount of families that are touched by Autism. It is our duty as citizens of this community to provide these families and children with, as many resources needed to allow our children to grow into self-sufficient, contributing members of our society.

Mike and I have owned a home in Dunkirk for 15 years. Recently our youngest son was diagnosed with Autism, the Dunkirk School System and the Special Education Department has made a huge impact on our son Jay's life. We would like the opportunity to so to speak "pay it forward" to the school, and to the Teachers, Administrators, and Aides, who provide endless hours of patience and care needed to keep these children on task. Providing them with the life skills needed for each of them to excel at their own pace.

We ask that you do give careful consideration to this request and we hope that we have provided you with sufficient information.

Sincerely,

Michael and Diane Gifford
108 West Fourth Street
Dunkirk, New York
716-366-3330
716-366-2461

John Cieply
9C Prospect St, Fredonia
ciep4483@fredonia.edu
585-943-6576

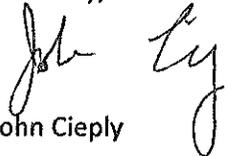
2012 MR - 6 PM 2:41

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

To the City Clerks Office of Dunkirk, NY,

My name is John Cieply and I am a senior film student at SUNY Fredonia. For our final project in the class COMM 464: Fiction II, we have two scenes we are interested in filming on the pier in Dunkirk. We are seeking permissions to film in this location. The first scene takes place in a parked car between two people. The second scene involves two characters walking along the pier. The movie is a romantic comedy about two opposite-minded students finding love. We would in no way tarnish the name of Dunkirk or the surrounding businesses. We would ideally like to shoot these scenes in the first week of April, on Tuesday the 3rd and Thursday the 5th in the evening. There would be about ten students total for each shoot, including cast and crew. We, as students, are fully insured by the university, as is our equipment. We would be able to explain our wishes better in person if that would help. Thank you for your time.

Sincerely,


John Cieply



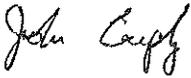
John Cieply
9C Prospect St, Fredonia
ciep4483@fredonia.edu
585-943-6576

RECEIVED
CITY CLERK'S OFFICE
DUNKIRK, N.Y.
2012 MAR 15 AM 11:58

To the City Clerk's Office of Dunkirk, NY,

Last week I submitted information requesting permission to shoot two scenes for a class project on the pier in Dunkirk. I appreciate the time and consideration you have given my proposal. Another location in Dunkirk though has now also sparked our interest. We are seeking permission to shoot an additional day on the afternoon of March 25th or April 1st on the sidewalk outside of the park at the end of 4th Street in Dunkirk. We need a sidewalk for this scene, and we chose this location so that we would not interfere with any residential homes. I look forward to seeing you again at the March 20th Common Council Meeting.

Sincerely,



John Cieply

RECEIVED
CLERK'S OFFICE
DUNKIRK, N.Y.

2012 HR -2 PM 3:22

Mark Tredo

629 Deer St

DUNKIRK N.Y. 14048

716-605-6047

To the Mayor in Council,

Please clear the street tree branches for
a way to get to my house & yard. at columb is ^{6TH}
all the trees by the wires, are 6 ft and _{7TH}
lean across the edge of the street, with no
clearance at the sides.

My camper is as tall as a tractor trailer /
almost 11 ft. in condition

I request it to be cleared, as soon as possible,

Thank you.

Mark Tredo

Feb. 2, 2012



Of Northern Chautauqua County

Men Against Destruction Defending Against Drugs and Social Disorders
Dunkirk, New York 14048
Telephone: (716)969-2654
maddadsncc@yahoo.com

Mr. Phillip Collier
Director

Mr. Dwayne Ferguson
President

**MAD DADS 2nd Annual Easter Egg Hunt
April 6, 2012**

MAD DADS is a national program that stands for Men Against Destruction-Defending Against Drugs and Social- Disorder. This non profit organization consists of volunteers who provide community based neighborhood patrols, mentoring programs, and various other activities designed to give youth constructive ways to spend their time.

MAD DADS will be holding its second annual Easter egg hunt in the Dunkirk Community for all students in grades K-8. In order for this event to be a great success we need your help. We would like to ask for the use of Washington Park on April 6, 2011 from 5:00 to 6:30pm. Children would need to be accompanied by a parent or guardian in order to participate in the egg hunt. We will be raffling off 2 bikes and 2 large Easter baskets. Refreshments will also be available. This event will be free and opened to the community.

This letter serves as a request to use Washington Park on Friday, April 6 from 4:00 to 7 pm. (Rain date: April 7). In addition to the park we would also like to seek a loud speaker permit, 5 picnic tables, and trash barrels. We thank you for your continued support.

If you have any further questions or concerns, please feel free to contact me at (716) 969-2654

Sincerely,

Phillip Collier (508 Dear St DE)
Director, MAD DADS of Northern Chautauqua County

2012 APR - 6 PM 2:05

CLERK'S OFFICE
DUNKIRK, N.Y.

Don't Just Be A Father, Step Up And Be A DAD

RECEIVED
CLERK'S OFFICE
DUNKIRK, N.Y.

2012 MR - 7 AM 10:45



RECEIVED
MAR 02 2012
MAYOR'S OFFICE

DUNKIRK & FREDONIA, NEW YORK

PO Box 641

Dunkirk, New York 14048

March 1, 2012

Honorable Mayor Anthony J. Dolce &
Members of the Common Council
CITY OF DUNKIRK
City Hall
Central Avenue
Dunkirk, NY 14048

Dear Mayor Dolce & Members of the Common Council:

The Lake Shore Street Rod Association of Dunkirk & Fredonia New York would again like to request your permission to hold our 11th Annual Harbor Cruise on Sunday, July 8th, 2012 at Point Gratiot. Last year's event at the Point drew over 450 classic cars from all over Western New York, Pennsylvania, Ohio and Canada.

Our event is free to cruisers and the general public. We do accept donations which are given to local charities. Last year the Club donated over \$4,000 to the Chautauqua County Veteran's Endowment Fund.

We would like to again request the use of the large and lower pavilions, part of the main parking lot and permission to have food and refreshment vendors on the grounds. We will also need the use of bandstands, extra trash barrels and trash pick-up after the event.

Our club maintains liability insurance coverage for this event and will provide proof of same along with all the necessary documents required by the City.

This event will again showcase beautiful Point Gratiot and the City of Dunkirk to car enthusiasts from all over Western New York, Pennsylvania, Ohio and Canada. Thank you in advance for your anticipated approval.

Sincerely,

Keith G. Ossman
Secretary

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

DATE OF APPLICATION (must be 30 days Prior to event): 3-1-2012

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

DATE: July 8 TIME: Noon to 5 PM LOCATION OF EVENT: Large & Small Pavilion Point Gratiot

SPONSOR: Lake Shore Street Rod Association

NAME: Lake Shore Street Rod Association PHONE NO. 716-679-6134

ADDRESS: P O Box 641
Dunkirk, NY 14048

INDIVIDUAL CORPORATE CHARITABLE COMMUNITY

RESPONSIBLE INDIVIDUAL:

NAME: Keith Ossman PHONE: 716-679-6134

ADDRESS: 206 Lord Street, Dunkirk, NY 14048

REASON: Classic Car Show & Cruise-In

AUDIO DEVICE TO BE USED: Live Band & Disc Jockey

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: Keith H. Ossman

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT OK 3/6/12 <i>[Signature]</i>		
DEPT OF PUBLIC WORKS <i>[Signature]</i> 3/7/12		
DEPT OF LAW <i>[Signature]</i> 3/6/12		
OTHER		

COMMON COUNCIL ACTION

RECEIPT OF REVIEW

APPROVAL

CONDITIONS:

DISAPPROVED

RECEIVED
 CLERK'S OFFICE
 DUNKIRK, N.Y.
 2012 MAR - 6 AM 11:07

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

DATE OF APPLICATION (must be 30 days Prior to event):		3-6-12
* No more than 3 days TOTAL per Individual or Group - per year		EVENT SPECIFICS * EXCLUDES HARBORFRONT AREA
DATE: 3-6-12	TIME: 5:00-6:30 PM	LOCATION OF EVENT: Washington Park
SPONSOR: Mad Dads		
NAME: Phillip Collier		PHONE NO. 716-969-2654
ADDRESS: 508 Deer St Dunkirk, N.Y. 14048		
<input type="checkbox"/> INDIVIDUAL <input type="checkbox"/> CORPORATE <input checked="" type="checkbox"/> CHARITABLE <input type="checkbox"/> COMMUNITY		
RESPONSIBLE INDIVIDUAL:		
NAME: Phillip Collier		PHONE: 716-969-2654
ADDRESS: 508 Deer St Dunkirk, N.Y. 14048		
REASON: Easter Hunt at Washington Park		
AUDIO DEVICE TO BE USED: Radio Speaker Amplified		
<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>Phillip Collier</u>		
DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT <u>OK 3/6/12</u>		
DEPT OF PUBLIC WORKS <u>AS 3/7/12</u>		
DEPT OF LAW <u>AS 3/9/12</u>		
OTHER		
COMMON COUNCIL ACTION		
RECEIPT OF REVIEW		
APPROVAL		
CONDITIONS:		
DISAPPROVED		

RECEIVED
 CLERK'S OFFICE
 DUNKIRK, N.Y.
 12 HR - 6 PM 2:00

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: MAY 28 TIME: 3PM-7PM LOCATION OF EVENT: 221 LAKE SHORE DR W. DUNKIRK N.Y. 14048

SPONSOR: FRANK ACQUAVIA MEMORIAL POST 1344 AMERICA LESION

NAME: SAME

PHONE NO. 716-363-1344
680-0676

ADDRESS: 221 LAKE SHORE DR. W. DUNKIRK N.Y. 14048

INDIVIDUAL CORPORATE CHARITABLE COMMUNITY

RESPONSIBLE INDIVIDUAL:

NAME: JAMES A. MUSCATO

PHONE: 680-0676

ADDRESS: 280 LAKE SHORE DR WEST DUNKIRK N.Y. 14048

REASON: ANNUAL MEMORIAL DAY B-B-Q

AUDIO DEVICE TO BE USED: AMPS FOR BAND

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: James A. Muscato

DEPARTMENTAL REVIEW	DATE SENT	REPORT BACK
POLICE DEPT OK 3/7/12		
DEPT OF PUBLIC WORKS 3/9/12		
DEPT OF LAW 3/9/12		
OTHER		

COMMON COUNCIL ACTION

RECEIPT OF REVIEW

APPROVAL

CONDITIONS:

DISAPPROVED

2012 MAR - 7 PM 1:33
 TELECOMS OFFICE
 DUNKIRK, N.Y.

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

DATE OF APPLICATION (must be 30 days Prior to event): 3/7/12

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

DATE: ^{Friday} July 20, 2012 TIME: 7:00-11:00PM LOCATION OF EVENT: Stadium Softball Field--Right Fi

SPONSOR: First Ward Falcons

NAME: Timothy Wdowiasz PHONE NO. 679-6797

ADDRESS: 112 Otter Street - Dunkirk, New York

INDIVIDUAL CORPORATE CHARITABLE COMMUNITY

RESPONSIBLE INDIVIDUAL:

NAME: Timothy Wdowiasz PHONE: 679-6797 (cell)

ADDRESS: 112 Otter Street - Dunkirk, New York

REASON: Softball

AUDIO DEVICE TO BE USED: Live Band

PUBLIC EVENT PRIVATE EVENT

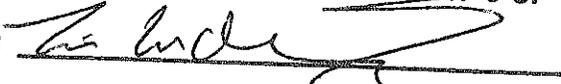
NOTIFICATION OF AFFECTED PERSONS

YES IF YES, PROOF:

NO

2012 MAR - 8 AM 11:13
CLERK'S OFFICE
DUNKIRK, N.Y.

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 3/8/12 (C)		
DEPT OF PUBLIC WORKS 3/7/12		
DEPT OF LAW 3/8/12		
OTHER		

COMMON COUNCIL ACTION

RECEIPT OF REVIEW

APPROVAL

CONDITIONS:

DISAPPROVED

RESOLUTION #31-2012
MARCH 20, 2012

BY: ENTIRE COUNCIL

A BOND RESOLUTION, DATED MARCH 20, 2012, OF THE COMMON COUNCIL OF THE CITY OF DUNKIRK, CHAUTAUQUA COUNTY, NEW YORK (THE "CITY"), AUTHORIZING THE RECONSTRUCTION OF AND CONSTRUCTION OF IMPROVEMENTS TO THE CITY WATER SYSTEM, AT AN ESTIMATED MAXIMUM COST OF \$1,800,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,800,000, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SAID PURPOSE, SAID AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE CITY TREASURER.

WHEREAS, it has been determined by the City's retained consultant, Hill Engineering, Inc., that there is a need for the installation, reconstruction and replacement of water lines in the general area along Lakefront Boulevard from North Main Street easterly to North Serval Street including, but not limited to, the installation of a new line along Lakefront Boulevard, and the replacement of existing intersecting side street water lines north of East Pine Street; and

WHEREAS, the Common Council of the City of Dunkirk, Chautauqua County, New York (the "City") , has, based upon recommendations by Hill Engineering, determined that such a project will improve both the quality and quantity of water and will also improve fire-protection in such area; and

WHEREAS, the Common Council desires to issue obligations of the City to finance the costs of the Project; now, therefore, be it

RESOLVED, by the Common Council (by the favorable vote of not less than two-thirds of all the members of the Council) as follows:

SECTION 1. The specific purpose (hereinafter referred to as "purpose") to be financed pursuant to this resolution is the reconstruction of and construction of improvements to the City water system including, but not limited to, the installation, reconstruction and replacement of water lines in the general area along Lakefront Boulevard from North Main Street easterly to North Serval Street including, but not limited to, the installation of a new line along Lakefront Boulevard, and the replacement of existing intersecting side street water lines north of East Pine Street, and any associated work as found necessary, and all preliminary work and necessary equipment, materials and site work and any preliminary costs and costs incidental thereto (collectively, the "Project"). The estimated maximum cost of said purpose is \$1,800,000.

SECTION 2. The Common Council plans to finance the maximum estimated cost of said purpose by the issuance of serial bonds in an amount not to exceed \$1,800,000 of the City, hereby authorized to be issued therefore pursuant to the Local Finance Law, said amount to be offset by any federal, state, county and/or local funds received. Unless paid from other sources (including without limitation, user charges paid by the owners of properties on which water meters are installed), the cost of such reconstruction and construction is to be paid by the levy and collection of taxes on all real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

SECTION 3. It is hereby determined that said purpose is an object or purpose described in subdivision 1 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is 40 years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of said bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

SECTION 6. The faith and credit of the City are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. Unless paid from other sources (including without limitation, user charges paid by the owners of properties on which water meters are installed), there shall annually be levied on all the taxable real property of the City a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said notes and of Section 21.00, Section 50.00, Sections 56.00 to 60.00, Section 62.00 and Section 63.00 of the Local Finance Law, the powers and duties of the Common Council pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the City Treasurer, the chief fiscal officer of the City.

SECTION 8. The temporary use of available funds of the City, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in Section 1 of this resolution. The City then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the date hereof) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute the

declaration of the City's "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

SECTION 9. The City Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution, and any notes issued in anticipation thereof as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 10. The City Treasurer is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11. The City has complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQ RA"), comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issued a negative declaration and/or other applicable documentation, and therefore, no further action under the State Environmental Quality Review Act is necessary.

SECTION 12. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

- (1)
 - (a) such obligations were authorized for an object or purpose for which the City is not authorized to expend money, or
 - (b) if the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication; or
- (2) such obligations were authorized in violation of the provisions of the Constitution of New York.

SECTION 13. The City Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in a newspaper having a general circulation in said City and hereby designated as the official newspaper of said City for such publication.

SECTION 14. This Project will fulfill requirements outlines in a Consent Order dated October 7, 2009, from the Chautauqua County Department of Health.

SECTION 15. This Resolution shall take effect immediately.

RESOLUTION #32-2012

March 20, 2012

BY THE ENTIRE COUNCIL:

**AUTHORIZING MAYOR TO RELEASE CITY OF DUNKIRK LOCAL SHARE (2011)
CHADWICK BAY REGIONAL DEVELOPMENT CORPORATION**

WHEREAS, the City of Dunkirk has been a participant in the Chadwick Bay Regional Development Corporation (the "C BRDC"); and

WHEREAS, each participating municipality is levied an annual *per capita* local share for membership in the CBRDC; now, therefore, be it

RESOLVED, that the Mayor is hereby authorized and directed to release the City of Dunkirk' s local share (2011) for the Chadwick Bay Regional Development Corporation, per invoice #1-2011, July 1, 2011, in the amount of \$6,565.50.

RESOLUTION #33-2012

March 20, 2012

By Councilwoman Szukala:

**AWARDING BID FOR YEAR 2012 REQUIREMENTS OF AQUA AMMONIA
FOR USE AT THE WASTEWATER TREATMENT FACILITY**

WHEREAS, sealed bids for the furnishing of aqua ammonia for use at the wastewater treatment facility were opened and read aloud in the Dunkirk City Clerk's Office at 10:00 a.m. on March 7, 2012, with three (3) bids being received, and

WHEREAS, bids have been reviewed by Public Works Director Gugino, now, therefore, be it

RESOLVED, that the low bid of Amrex Chemical Company, 117 East Frederick Street, P.O. Box 642, Binghamton, NY 13902, be accepted for furnishing 2012 requirements of aqua ammonia treatment chemical, at a unit cost of \$0.275 per pound of NH_4OH in the required percentage solution, and, be it further

RESOLVED, that the Mayor is authorized and directed to execute any and all documents, on behalf of the City of Dunkirk, for the purchase of such treatment chemical for the wastewater treatment facility, and, be it finally

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

RESOLUTION #34-2012
MARCH 20, 2012

By: Councilwoman Szukala

**AUTHORIZING MAYOR TO EXECUTE AGREEMENT WITH
CHAUTAUQUA COUNTY FOR STOP-DWI PROGRAM**

WHEREAS, the City has participated in the STOP-DWI Program with Chautauqua County for several years, and

WHEREAS, the County has requested that the City execute an agreement to participate with the program for the term from January 1, 2011 to December 31, 2015, and

WHEREAS, the County will reimburse the City, a sum not to exceed an amount equivalent to forty percent (40%) of the total of fines levied and paid to the City of Dunkirk Court resulting from the arrest and prosecution of DWI and related offenses, now, therefore, be it

RESOLVED, that the Mayor is hereby authorized and directed to execute the Agreement, on behalf of the City of Dunkirk, with the County of Chautauqua, for the City's participation in the STOP-DWI Program for the term January 1, 2011 through December 31, 2015.