

**COMMON COUNCIL PROCEEDINGS**  
**November 15, 2011**

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, Councilwoman 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 Mleczko, Director of Development Ahlstrom, Fire Chief Ahlstrom and Police Chief Ortolano.

Certification of November 1, 2011 meeting was read by City Clerk Mleczko.

**RESOLVED:** That the reading of the minutes of Tuesday, November 1, 2011 be dispensed with.

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

Carried, all voting aye.

**PUBLIC COMMENTS:**

Arlene Langendorfer, 86 E. Pine Street, Dunkirk, NY spoke on behalf of First Ward residents, extending congratulations to the new Council Members and Mayor, and thanking Mayor Frey for his 10 years of dedicated service, improvements to our waterfront, and Dunkirk as a whole.

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

Mayor Frey stated that Council was stepping forward and donating \$500 to Camp Gross out of the Bill Cease Fund. Mayor Frey also advised of the history of this fund which started in 1995 for youth activity in the City of Dunkirk and for Fredonia as well. He advised that Dunkirk received \$147,000, and over a period of time we received approximately \$53,450.00 in interest. He further advised that over ten years, we disbursed over \$106,000 for youth in the City, and still have \$95,000 in that account. He stated that he was proud of the Council and for what we have done for youth activity.

Mayor Frey further advised that next Wednesday, November 23rd the Christmas Tree Lighting will be taking place at 5:00 PM. He informed that the city will be doing the musical rendition this year through the cooperation of Bob Peterson his son Tim, and Tom Mleczko. He invited everyone to come and enjoy this as the start of the holiday season, advised of the decorations being put up on the poles as of today, and wished everyone a happy and safe holiday and to enjoy their family.

**COMMUNICATIONS FROM THE PUBLIC AND PETITIONS:**

City Clerk Mleczo advised that the petition from the Chautauqua County Youth Corps was pulled, and Councilman-at-large Dolce also advised that Police Chief Ortolano would be contacting them for verification.

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

Councilman Michalski had nothing to report at this time.

Councilman Muldowney addressed the Public Works Director relative to the railroad ties on Route 5 being placed to close to the road, and leaf pickup in his ward.

Public Works Director Gugino advised that this was already addressed and CSX will be coming down to clear this up next week Thursday or Friday.

Public Works Director Gugino also advised that he spoke with Dave Rowley (WDOE) every couple of weeks to let him know where the crews were for the leaves. He advised that First Ward was finished, the crew was currently in the Second Ward on Eagle & Seventh, will continue in that ward for a couple of days, and will be following through with the Third and Fourth Wards. He stated that the goal was for two times, and they will be taking leaves in bags, loose and in barrels. He further advised not to rake the leaves in the street, as this can cause drainage problems.

Councilwoman Szukala spoke relative to the retirement system that the City has maintained for the Library for the last thirty years. She stated that previous Council Members had worked on this in the past, were unable to change it, but with hard work, phone calls and the cooperation of the Mayor, Mark Woods and Zeke Curtin the library's portion back to the City will be \$6,662.00 for 2011. She advised that they were prepared to pay this back, have adjusted their budget accordingly, and thanked everyone for working on this.

Councilman-at-large Dolce advised that a Public Hearing on the budget was held on November 14th, and the next meeting for the budget would be held on Monday, November 21st at 5:00 PM. He also stated that the public was welcome to attend.

**PRE-FILED RESOLUTIONS:**

**RESOLUTION #76-2011**  
**NOVEMBER 15, 2011**

**BY ENTIRE COUNCIL:**

**INTRO NO. 8 TO LOCAL LAW #8-2011**  
**CITY OF DUNKIRK, NEW YORK**

**A LOCAL LAW TO AMEND CHAPTER 55 "PLUMBING",**  
**SECTION 55-11(A) ENTITLED "ANNUAL MASTER PLUMBER LICENSE FEE"**

**AND SECTION 55-13(A)(4) ENTITLED "TEMPORARY PERMITS"  
OF THE DUNKIRK CITY CODE**

**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 amend Chapter 55, Section 55-11(A) "Annual Master Plumber License Fee" and Section 55-13(A)(4) "Temporary Permits" to increase the present Master Plumber license fee and the fee for a temporary permit in the City of Dunkirk.

**Section 2**     **Amendment of City Code.**

Chapter 55, Section 55-11(A) of the Dunkirk City Code is hereby amended as follows:

**§ 55-11.**        **Annual Master Plumber License Fee.**

**DELETE**

- A.     The annual fee for a Master Plumber license in the City is **Fifty** Dollars (**\$50.00**) per year. Those who hold Master Plumber licenses from other cities shall be required to pay the annual fee to the City of Dunkirk.

**AMEND**

- A.     The annual fee for a Master Plumber license in the City is **One Hundred** Dollars (**\$100.00**) per year. Those who hold Master Plumber licenses from other cities shall be required to pay the annual fee to the City of Dunkirk.

Chapter 55, Section 55-13(A)(4) of the Dunkirk City Code is hereby amended as follows:

**§ 55-13.**        **Temporary Permits.**

- A.     Contractors or corporations not licensed within the City of Dunkirk may apply for a temporary permit in accordance with the following:

**DELETE**

4.     Fee for temporary permits shall be **Sixty** Dollars (**\$60.00**) per job per year.

**AMEND**

4.     Fee for temporary permits shall be **One Hundred Twenty-Five** Dollars (**\$125.00**) per job per year.

**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 #8-2011 with a Public Hearing to be held on December 6th at 5:50 PM.

Carried, all voting aye. Tabled.

**NEW BUSINESS:**

**RESOLUTION #77-2011**  
**NEW BUSINESS**  
**NOVEMBER 15, 2011**

**BY ENTIRE COUNCIL:**

**APPOINTMENT OF THIRD WARD COUNCILPERSON**

**WHEREAS**, the Third Ward Councilperson position has become vacant, due to the resignation of Councilwoman Rose Floramo; and

**WHEREAS**, Councilman-at-Large Dolce wishes to appoint Adelino Gonzalez to the position of Third Ward Councilman effective November 15th, 2011 and will expire December 31st, 2011; now, therefore, be it

**RESOLVED**, that this Common Council hereby appoints Adelino Gonzalez as Third Ward Councilman, effective November 15th, 2011 and will expire on December 31st, 2011.

Carried, all voting aye.

Councilman-at-large Dolce invited Councilman Gonzalez to take his seat.

**RESOLUTION #78-2011**  
**NEW BUSINESS**  
**NOVEMBER 15, 2011**

**BY ENTIRE COUNCIL:**

**TRANSFERRING FUNDS FROM THE BILL CEASE FUND**

**WHEREAS**, the Bill Cease Fund was created to support youth activities within the City of Dunkirk; and

**WHEREAS**, the City of Dunkirk currently has the funds available and designated for youth use in a reserve account; now, therefore, be it

**RESOLVED**, that a transfer not exceeding Five Hundred Dollars (\$500.00) be withdrawn in accordance with the terms of the reserve fund to contribute toward Camp Gross; and, be it finally

**RESOLVED**, that the Fiscal Affairs Officer and the Treasurer's office make the following entries on the ledger of this City, to accommodate the City's share of this project:

<u>ACCOUNT NO.</u>	<u>LINE</u>	<u>INCREASE</u>	<u>DECREASE</u>
001-7140-4163	Camp Gross Projects	\$ 500.00	
001-0001-5031	Interfund Transfer	500.00	
070-0070-2403	Reserve/Youth Programs	500.00	
070-0070-9901-9000	Transfer to General Fund	500.00	
070-0070-0201-2010	Recreation Cert of Deposit		\$ 500.00
070-0070-9999	Suspense – Recreation	500.00	
070-0070-0200-2000	Cash		500.00
070-0070-9901-9000	Transfer to General Fund	500.00	
001-0001-0200-2016	Cash	500.00	
001-0001-5031	Interfund Transfer		500.00

Carried, all voting aye.

Councilwoman Szukala moved to adjourn. Seconded by Councilman Michalski.

Carried, all voting aye.

**Adjourned at 6:12 PM**

**Tom Mleczko, City Clerk**

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