

COMMON COUNCIL PROCEEDINGS
October 2, 2018

The meeting was called to order at 5:30 PM by Councilman-at-Large Woloszyn followed by the Pledge of Allegiance.

Present: Councilman Williams, Bamonto, Heenan, Civiletto, and Councilman-at-Large Woloszyn.

Also present: Mayor Rosas, City Attorney Morrisroe, City Treasurer Woods, City Assessor Mleczo, City Clerk, Public Works Director Woodbury, Fiscal Affairs Officer Beach, HR Director Campola, Executive Assistant to the Mayor Westling, Director of Development Yanus, Fire Chief Edwards, and Police chief Ortolano.

Certification of the Tuesday, September 18, 2018 Common Council Meeting was read by City Clerk Ramos.

RESOLVED: That the reading of the Tuesday, September 18, 2018 Common Council Meeting be Dispensed with.

Councilman Williams made a motion to dispense with the minutes. Seconded by Councilman Bamonto.

Carried, all voting aye.

PUBLIC COMMENTS:

Heather Crowell of 91 Ruggles Street and part owner of 73 North Martin Street inquired when the project for the road on North Martin Street would be completed as she travels the road a lot and heard the surveying project for the road was stopped.

COMMUNICATIONS FROM THE MAYOR INCLUDING DISAPPROVAL MESSAGES:

Mayor Rosas advised the paving at North Martin Street will be continuing. The reason it was paused is because there are some infrastructure issues that the City wants to take care of and advised any street that is scheduled to be paved he has the underneath inspected to ensure we do not have to go back in for infrastructure needs...sewage or water. Mayor Rosas requested Public Works Director Woodbury to speak on the matter.

Public Works Director Woodbury advised North Martin Street residents commented they liked the way South Martin Street had been paved last year and pointed out North Martin Street has a worse drainage problem. There were dips in the road that indicated there could be some infrastructure issues, but after checking it out it was confirmed the underneath is good. The worse part of the street has been paved. There is a private lateral that is starting to look bad at 73 North Martin and the owner has been notified.

Mayor Rosas advised the infrastructure that is in need of repair is the home owners' responsibility and wanted to ensure that they understand the expectation is they will be taking care of that in a timely manner.

Mayor Rosas gave a short update on the Villas at Battery Point and asked Director of Development Yanus to give further details. Director of Development Yanus reported developers will be getting demolition and building permits shortly, demolition will be taking place after asbestos abatement is done on a remaining house, construction will begin this fall so indoor work can be done during the winter season.

COMMUNICATIONS FROM THE PUBLIC AND PETITIONS:

Request from Lisa Leavitt on behalf of Harvest chapel Church to use Washington Park on Saturday, December 8, 2018 from 2:00 PM until 4:00 PM with an additional hour at each end for set-up and clean up for their "Christmas in Washington Park". Also requesting to set-up tents and a lawn tractor for train rides.

Councilman-at-Large Woloszyn advised a motion was needed to refer to appropriate departments as well as approve subject to appropriate insurances and usual conditions.

Councilman Bamonto made a motion to approve. Seconded by Councilman Williams.

Carried, all voting aye.

REPORTS OF STANDING COMMITTEES, BOARDS AND COMMISSIONS:

Councilman Williams inquired from Public Works Director Woodbury for a report on the street light at Roberts Road and Second Street and advised the lot for the Edgewood Warehouse is looking good now that the site is being cleared.

Public Works Director Woodbury advised the parts for the first street light came in, the City Electrician, Michael Przybycien, is waiting for a company representative to come train him how to program the lights, then Mr. Przybycien will proceed to replace all the city street lights at two street lights per year as recommended by Fiscal Affairs or depending on what the City Council finds feasible when reviewing the city budget.

Councilman Bamonto inquired from Public Works Director Woodbury for an update on the streets that have been paved, are about to be paved, and for an update on the Central Avenue intersections project.

Public Works Director Woodbury advised of the many streets done to date, those to be done, and explained Central Avenue is only a county road from Central Avenue to Millard Fillmore. The city will be using some CHIPS money to pave Millard Fillmore to the village line and Central Avenue to the village line so the whole area around the D&F Plaza will have new pavement and look new beyond the intersection. The project was supposed to have started today, but today's rain put a delay on that so it will probably start tomorrow.

Councilman Heenan inquired from Development Director Yanus why Development is accepting some bids related to the culvert work at entrance of the new dog park parking lot and the removal of some trees at that location, inquired why the city is not doing that work because he was under the impression that the city was going to do that work, and also inquired asked where the boundaries of the dog park and the parking lot will start and end.

Public Works Director Woodbury advised that DPW and Development were working on the project together, but Development secured extra funds to do it a different ways. Once the funds get in both departments will get together to decide how to do it together to make sure it gets done.

Councilman Civiletto advised originally the dog park was voted upon by the last council without any money coming from the city so asking Public Works to work on it does not go with the original deal. Development is going out to bid because the money that is used is supposed to be money raised privately for the dog park. Councilman Civiletto also advised there would be a Public Safety Meeting on Wednesday, October 10, 2018 at 4:00 PM in the Mayor's Conference Room.

Councilman-at-Large Woloszyn inquired of Public Works Director Woodbury if during the Central Avenue Project half the street will be blocked off while it is being done and the other side drivable and also gave a reminder that the forty five degree angle street sign on Franklin Street and Tenney Street remains unfixed. Councilman-at-Large Woloszyn advised Development Director Yanus for an update on the houses that caught on fire this weekend as well as a house on Third Street that caught on fire a couple years ago and some houses on Deer Street that caught on fire earlier this year.

Public Works Director Woodbury advised both contractors, the one for the intersections and the one for the road, are responsible for traffic control. The contractor for the intersections has kept traffic flowing and so will the road contractor. Traffic will be slowed down for a couple weeks, but it will be done in a manner to keep traffic flowing.

Director of Development Yanus advised the most recent fires at 191 Lake Shore Drive East and 93 Marsden Street have been looked at and are moving forward with acquiring a contractor to demolish and remove all the debris at those sites and CDBG funds will be used this fall to demolish the houses at 35 West Third Street and 434 Deer Street.

Councilman-at-Large Woloszyn inquired from Mayor Rosas timeline wise how the 2019 budget was coming along and advised once the Mayor presents and files the budget Councilman-at-Large Woloszyn will send out an email to the Council and Department Heads for questions and concerns during the budget process and to set up some meetings. Councilman-at-Large Woloszyn also inquired if there is a timeline for when the "new build" for the Edgewood project that Councilman Williams commented on earlier in this meeting.

Mayor Rosas advised he is hoping to present the 2019 Budget to the Council by October 12, 2018 and advised the new build on the site that was torn down and is being cleaned up is supposed to be in service by this time next year.

Councilman Williams inquired of Public Works Director Woodbury if "that couple weeks, is that just for the mill part or what because I was hearing that from the mill to the finish of the filling that that was going to be about five" weeks. That's five weeks with weather conditions working out for us too, "just didn't want anybody to expect just two weeks".

Public Works Director Woodbury advised “It could be that long, but we got that window to make sure we get it done before the asphalt plants close and some close toward the beginning of November so I’m looking at that. They’re under the gun. Two weeks would be optimistic. They probably have been given by the county five weeks, but the contractor I talked to was really anxious to get this over with.” I should not guarantee that. That’s what they are shooting for.

Councilman Bamonto inquired from Public Works Director Woodbury if the road work crews are working eight hours per day.

Public Works Director Woodbury advised he did not know their hours, he could get back to Councilman Bamonto with the answer tomorrow, the intersection crews are working eight hour days, the road crew is a county project, and the county may let them work late on that.

PRE-FILED RESOLUTIONS:

RESOLUTION # 102-2018
October 2, 2018

BY COUNCILMAN BAMONTO:

SIDEWALK REMOVAL AND REPLACEMENT FOR WASTEWATER TREATMENT PLANT

WHEREAS, the City of Dunkirk (Dunkirk) has recognized it must address inadequacies at the City’s wastewater treatment plant that urgently require repair and/or replacement; and

WHEREAS, the New York State Environmental Facilities Corporation (NYS EFC) granted the City of Dunkirk’s application for funding in the amounts of \$2,543,750 in grant funds and \$7,602,250 in zero-interest loan funds for these replacements and repairs at the Wastewater Treatment Plant; and

WHEREAS, the low bid of \$2,295,000 from STC Construction, 63 Zoar Valley Road, PO Box 459, Springville, New York 14141 (STC Construction), was accepted by Common Council Resolution 86-2017; and

WHEREAS, it was identified that sidewalks around the wastewater treatment plant need to be removed and replaced; and

WHEREAS, to continue this work, a \$9,600.00 change order is recommended by DPW and the City’s consulting engineers; now, therefore, be it

RESOLVED, that the Mayor is hereby authorized and directed to execute a \$9,600.00 change order for removal and repair of the sidewalks in general construction contract 17-1G with STC Construction, which will still keep this portion of the project

under budget, and contingent upon the contractor first supplying all necessary approvals from EFC to meet their funding requirements for this work, and that payment for such work will come from City Fund #21.

Carried, all voting aye.

RESOLUTION # 103-2018
October 2, 2018

BY ENTIRE COUNCIL:

**AUTHORIZING BUDGET LINE MODIFICATIONS
FOR FISCAL YEAR 2018**

WHEREAS, it is anticipated that some expenses will exceed their entire budgetary essentials, and it is anticipated that some appropriations will have surpluses for Fiscal Year 2018, ending December 31, 2018; now, therefore, be it

RESOLVED, that the Fiscal Affairs Officer is hereby authorized and directed to make the following modifications to the Fiscal Year 2018 budget:

Fund 1 - General Fund

Account Number	Department	Line	Change
001.0001.2705.7060	Revenue	Donations-Police	\$ 25.00
001.3120.4242	Police	Restricted K-9	\$ 25.00
TOTAL			\$ -
(Donation for K-9)			

Account Number	Department	Line	Change
001.0001.2705.7060	Revenue	Gifts/Donations Police	\$ 300.00
001.3120.2000	Police	Equipment	\$ 300.00
TOTAL			
(Equipment Fund Donation)			

Account Number	Department	Line	Change
001.0001.2264	Revenue	Restr Drug Enforce	\$ 37,719.08
001.3120.4240	Police	Restr Drug Purchase	\$ 37,719.08
TOTAL			\$ -
(Restricted Drug/Asset Forfeiture)			

Carried, all voting aye.

ADJOURNMENT:

Councilman Williams moved to adjourn. Seconded by Councilman Bamonto.

Carried, all voting aye.

Adjourned at 5:52 PM

Edwin C. Ramos, City Clerk