

**TOWN BOARD TOWN OF DUNKIRK  
December 17, 2019**

The Town Board of the Town of Dunkirk held a Meeting at 6:30 p.m. on Tuesday, December 17, 2019 at the Town Hall, 4737 Willow Road, Town of Dunkirk, New York with Supervisor Richard A. Purol presiding.

**PRESENT**

Supervisor Richard Purol  
Councilman Henry Walldorff  
Councilman Robert Penharlow  
Councilman Juan Pagan

**ABSENT**

Councilman G. Jay Bishop

**OTHERS PRESENT:** Town Clerk, Jean Crane, Town Attorney, Jeffery Passafaro, Robert Abramowicz.

**REGULAR MEETING MINUTES**

A motion was made by Councilman Walldorff to approve the regular meeting minutes of November 19, 2019. The motion was second by Councilman Pagan and carried.

**ABSTRACT OF AUDITED VOUCHERS**

Councilman Pagan made a motion to approve the payment of bills as presented by the Town Clerk on the December 17, 2019 Abstract. The motion was seconded by Councilman Penharlow and carried.

General Fund	\$16,877.98
Highway Fund	\$4,448.04
Vineyard Light	\$227.51
East Industrial	\$1,033.36
East Lake Rd Sewer	\$18,345.24
Water Service Area #1	\$26,210.00

**TOWN CLERK MONTHLY REPORT: (NOVEMBER)**

Clerk fees: \$252.56

Zoning fees: \$1145.00

Dog Licensing fees: \$32.00

**TOTAL TRANSFERRED TO TOWN SUPERVISOR: \$1,429.56**

**JUSTICE REPORT: (NOVEMBER)**

Total number of cases 203

**TOTAL FINES** and surcharges submitted to the Town Supervisor were **\$21,238.00**

**ELRSD REPORT: (Supervisor Richard Purol)**

- One call to Corsoro residence for water problem in basement. Sewer pumped checked and working fine. Water problem was due to low spot.
- San George scheduled to clean out grease in pump pits.

**DATED 12/17/19****STEGELSKI:**

- Quarterly pm for maintenance completed on pump.
- Batteries are low and one needs to be replaced.
- Heat at pumphouse turned back on for the winter months so water does not freeze.

**HIGHWAY SUPERINTENDENT REPORT:**

- Put new blades and shoes on the Kenworth.
- Put up plow markers.
- Closed boat launch.
- Cleaned out bays in highway barns.
- Striped brine truck wing and repainted
- Picked up debris from the two windstorms
- Plowed and salted roads when needed.
- Changed hydraulic fittings on one ton
- Directed traffic for Town of Sheridan for bridge project on Newell road.
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**ZONING/CODE ENFORCEMENT (Ryan Moure)**

- Urgent Care issued a certificate of occupancy. Up and running.
- General Physicians (cracker barrel) renovations complete. The now occupy entire building. Will be coming to zoning board for application for a pylon sign.
- The renovation of house on Shorewood Drive almost completed. A few more things needed before certificate of occupancy issued.
- Garage addition on Wilbur road almost completed.
- Permit issued for manufactured home on Roberts road. Would like the board to move forward with local law updating manufactured homes.
- Preliminary meeting tomorrow with North County Dental for their Route 60 project. If everything in place, we will schedule a full site plan review in January.

**SUPERVISOR REPORT**

- 11/20 – attended ribbon cutting for Well Now Urgent Care
- 12/09 PPD meeting
- 12/12 monthly meeting for North County Water and Chadwick
- Received quarterly mortgage tax for \$17,524.28; State Aid for \$8137.00; and CHIPS monies in the amount of \$16,992.25.

**NORTH COUNTY WATER**

Supervisor Purol reported that monthly meetings were held on November 21<sup>st</sup> and December 12<sup>th</sup>. At the last meeting there was discussion about a problem with water volume at Athenex. Board members passed a resolution for North County to support in assisting the efforts of Athenex Engineers and Contractors and the City of Dunkirk Water Department to ensure proper water flow volumes to the Athenex complex in the Town of Dunkirk.

**DATED 12/17/19****CORRESPONDENCE**

Received a letter from Solar Liberty regarding a solar project owned by the Ball Family at 3751 Williams St. in the Town. The letter further stated that it was the intent of the State of New York for this system to be exempt from real property taxation with the support of the Town of Dunkirk. Supervisor Purol stated the Town opted out of the exemption from taxation. The town clerk will check to make sure the local law was adopted.

**APPOINT DEPUTY REGISTRAR OF VITAL RECORDS**

Councilman Walldorff made a motion to appoint Kyle Bentley as Deputy Registrar for 2020. The motion was seconded by Councilman Pagan and carried.

**APPOINT TAX COLLECTOR/DEPUTY TAX COLLECTOR**

Councilman Pagan made a motion to appoint Jean Crane as Tax Collector and Kyle Bentley as Deputy Tax Collector for 2020. The motion was seconded by Councilman Walldorff and carried.

**SEASONAL TO PERMANENT POSITION IN HIGHWAY DEPARTMENT**

Motion was made by Councilman Penharlow to appoint Robert Nichols to a full-time position in the highway department effect January 1, 2020. The motion was seconded by Councilman Pagan and carried.

**ADJUST FUND BALANCE**

Councilman Pagan made a motion to authorize the Supervisor to adjust budget amounts to meet the requirements of the New York State Department of Audit and Control. The motion was seconded by Councilman Walldorff and carried.

**PRIVATE WATERLINES FOR ROBERTS ROAD**

Supervisor Purol stated that property owners on Roberts road who had a well would be required to put in a meter; meter pit and install a pressure valve in the home. Proper owners with existing waterlines would be hooked up (unless their line is bad) to the new line at the shutoff and would also be required to install a pressure valve. Property owners would be responsible for the cost of the meter and meter pits.

**APPROVE AMMENDED MAP PLAN BENNETT IMPROVEMENT DISTRICT**

A motion was made by Councilman Pagan that the Town Board accept and files the amended map plan report of Clark Patterson Lee licensed engineers in the State of New York prepared at the request of the Town Board amending the 202-b proceeding for the Bennett Road Improvement District increasing the maximum amount to be expended to \$1,766,000. The motion was seconded by Councilman Walldorff and carried.

DATED 12/17/19

**ORDER CALLING PUBLIC HEARING TO BE HELD  
JANUARY 21, 2020 INCREASING THE MAXIMUM  
AMOUNT TO BE EXPENDED FROM  
\$1,533,000 TO \$1,766,000**

WHEREAS, the Town Board of the Town of Dunkirk, County of Chautauqua, State of New York, on behalf of the Bennett Road Water District in said Town, has requested CPL, licensed engineers in the State of New York, to prepare a Map, Plan and Report for the increase and improvement of facilities of the District consisting of construction of approximately fifteen hundred ( 1,500 ) linear feet of water main running from Arrowhead Drive easterly to Bennett Road, and then south on Bennett Road to an existing fire hydrant, along with an additional ten thousand ( 10,000 ) linear feet of eight inch water main, running southerly from the Town of Dunkirk – City of Dunkirk line along Bennett Road to the New York State Thruway lands, including water main lines to be placed on Williams Street East, together with all the lands, rights in lands, furnishings, equipment, machinery, and apparatus required therefore, and pursuant to the direction of the Town Board, CPL Engineers completed and filed with the Town a Map, Plan and Report for said increase and improvement of facilities of the Water District at an estimated maximum cost of One million, five hundred, thirty-three thousand dollars (\$ 1,533,000); and

WHEREAS, the Town of Dunkirk duly adopted a Resolution and Order after a Public Hearing in the above entitled proceeding on April 5, 2016, authorizing the expenditure of One million, five hundred, thirty-three thousand dollars ( \$ 1,533,000 ) for said improvement of the water system as recited therein; and

WHEREAS, due to generally increased costs of labor and materials, the maximum amount now proposed to be expended for said improvement of the water system in said District is One million, seven hundred, sixty-six thousand dollars ( \$ 1,766,000 ) being an increase of Two hundred, thirty-three thousand dollars ( \$ 233,000 ) all as recited in an amended Map, Plan and Report by CPL dated December 2019; now, therefore, be it

ORDERED, that in accordance with the provisions of Section 202-b of the Town Law, a further hearing be held in this matter at a meeting of the Town Board to be held at the Town Hall, 4737 Willow Road in the Town of Dunkirk on January 21, 2020 at 6:30 P.M. to consider an increase in the maximum amount to be expended for said improvement of facilities of the Bennett Road Water District from One million, five hundred, thirty-three thousand dollars ( \$ 1,533,000 ) to One million, seven hundred, sixty-six thousand dollars ( \$ 1,766,000 ), and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of the Town Board with relation thereto as may be required by Law;

FURTHER ORDERED, that the Town Clerk publish Notice of said Public Hearing and post on the sign board of the Town pursuant to the Town Law of the State of New York, a copy of this

Order, a first publication thereof and posting to be not less than 10, nor more than 20 days prior to the date of such Public Hearing;

FURTHER ORDERED, that a copy of the Amended Map, Plan and Report prepared by CPL Engineers is filed in the office of the Town Clerk and available for inspection at said office.

Duly moved by Councilman Pagan to adopt resolution calling for Public Hearing on January 21, 2020. The motion was seconded by Councilman Walldorff and carried.

**SCHEDULE ORGANIZATIONAL MEETING**

Councilman Pagan made a motion to schedule the Organizational meeting for 2020 on January 2, 2020 at 6:30 p.m. The motion was seconded by Councilman Walldorff and carried.

**ADJOURNMENT**

With no further business, on a motion of Councilman Pagan seconded by Councilman Penharlow the meeting adjourned at 7:20 p.m. Carried unanimously.

Respectfully submitted,

Jean Crane  
Town Clerk

CC: Town Board  
Town Attorney