REGULAR TOWN BOARD MEETING
TOWN OF DUNKIRK
JANUARY 22, 2026

PRESENT:
Supervisor Miller
Councilmember Crane
Councilmember Leone

ABSENT:
Councilmember Price

OTHER PRESENT: Rebecca Yacklon, Town Clerk, Town Attorney Jeffrey Passafaro, Jared Will, Braden Carmen, Observer Reporter, Irene Strychalski

Supervisor Miller opened the Regular Town Board meeting at 4:00 P.M. with the pledge to the flag.

APPROVAL OF TOWN BOARD MEETING MINUTES DECEMBER 16,2025
DULY MOVED by Councilman Leone to accept the minutes of the December 16,2025 Regular Town Board Meeting. The motion was seconded by Councilwoman Crane and carried unanimously.

APPROVAL OF ORGANIZATIONAL MEETING MINUTES JANUARY 6,2026
DULY MOVED by Councilwoman Crane to accept the minutes of the January 6,2026 Organizational Meeting Minutes. The motion was seconded by Councilman Leone, the motion carried unanimously.

APPROVAL OF ABSTRACT OF AUDITED VOUCHERS JANUARY 22,2026
DULY MOVED by Councilwoman Crane to approve the abstract of audited vouchers as presented by the Town Clerk on January 22,2026. The motion was seconded by Councilman Leone and carried unanimously.

Shorewood Capital Project	$1,055.00
CBI Payback	$95.00
General Fund	$7,141.61
Highway Fund	$1,028.29
Shorewood Water	$4,618.89
ELR Water	$2,315.23

OPEN COMMENTS:
Jared Will, West Lake Rd informed board members that he submitted his letter of intent to serve 1 year as an alternate to the planning board. He gave the board an overview of his background work and feels he could be of great service to the board, and he is very eager and excited to learn more about the process and lend as much service as possible.

Irene Strychalski, West Shorewood Dr. submitted a letter of interest to fill the vacancy seat on the Zoning Board. Irene stated she is very interested in the position to see what's going on in Dunkirk and is eager and willing to help the Town out on either board.

TOWN CLERK REPORT: (DECEMBER 2025)

Clerk Fees	$500.00
Zoning Fees	$1,099.60
Dog Licenses	$34.00

Total amount transferred to Supervisor Miller $1,633.60

JUSTICE REPORT: (DECEMBER 2025)

Total number of cases **125**

TOTAL FINES and surcharges submitted to the Town Supervisor **$13,596.00**

Received resignation letter from Councilmember Miller resigning from her seat as Councilmember on Town Board effective 12/31/2025.

BOARD MEMBER & COMMITTEE REPORTS:

Councilmember Crane

- Worked in the office on 1/2,1/8,1/13. Closing out 2025.
- 1/15/2026 Met with Supervisor to review financial statements.

Councilmember Leone

- Attended the ZBA meeting on 1/21/2026 for a use variance which was granted.
- Attended the 7-Brew Grand Opening Ribbon Cutting.
- 1/21- Took a 2-hour webinar on BESS.
- Set a possible date for the building committee.
- Spoke on article in the Observer regarding the Dog Control Services and the shared service agreement for highway. Wondering if anyone has spoken to them regarding the shared service for the highway.

Supervisor Miller had informed Councilmember Leone that she had spoken with the Town of Sheridan and the Town of Pomfret about the possibility of helping us with our highway situation as we only have one driver and one relief driver. Supervisor Pacos put together a grant application to do a study and review how the merging of the highway departments could happen for the Village of Fredonia and Town of Pomfret. Unsure how we got included put it's just preliminary to do the study and there is no extra cost.

Supervisor Miller did state the Dog Control LLC Grant application will be amended to add the Town of Sheridan.

Councilmember Leone made the board aware that he received a phone call from a resident on Rt 5 inquiring about the speed limit in the Town and was wondering what needs to be done to get it reduced. Councilmember Leone informed him that it is a State Road and he will follow up with the Highway Supervisor.

Councilmember Crane stated we did have that reduced to 45 mph years ago.

HIGHWAY SUPERINTENDENT: (JEFF FEINEN ABSENT)

Supervisor Miller Reported:

- Steve has been plowing a lot due to weather conditions.
- Sheridan still has one of our trucks. In the works of replacing both shoes for the plow. Sheridan will pay for one and we will pay for one.
- Picked up new sewer grinder pumps in Rochester.

Supervisor Miller thanked the Highway Dept. (Steve) for all his work plowing as it's been difficult conditions and for the hours he has put in.

Councilmember Crane had asked if the Town of Sheridan has come out at all to help out with plowing.
Supervisor Miller stated that she does know they helped plow Swamp Rd but that's all she is aware of.

ZONING/CODE ENFORCEMENT OFFICER REPORT: (RYAN MOURER ABSENT)

Report Submitted and read by Supervisor Miller and is on file in the Clerk's Office.

DOG CONTROL REPORT DECEMBER: (NICOLE WELKA)

Report submitted and read by Supervisor Miller and is on file in the Clerk's Office

Nicole Welka had listed in her report that she spoke with the Supervisor regarding the new law change for agriculture & markets article 7 section 26-c. The report is 31 pages long and it's going to be extremely hard to comply with as her shelter is not up to code with these changes and it's going to be a lot. She included the website with the resources and videos on the law itself for the Supervisor to review.

Supervisor Miller reported that we received the Municipal Shelter Inspection Report that was completed on 1/6/2026. Rating was Unsatisfactory due to no written contract from the Town of Sheridan was present at the time of inspection. Town of Dunkirk had no issues.

ATTORNEY REPORT

Town Attorney Passafaro reported Legal matters are on the agenda.

SUPERVISOR REPORT

- Talked with the Department of Health regarding our lead pipe survey and the deadline.
- Spoke with the Town assessor regarding some of the process at the Town Hall.
- Talked with CBI regarding the placement of meters and water line break repairs.
- Attended this month's North County Water meeting.
- Addressed several complaints from residents.
- Attended the ribbon cutting ceremony at 7Brew with Councilmember Price & Councilmember Leone.
- Attended the Zoning Board & Planning Board Organizational Meeting. Ran the Planning Board meeting as the Chairman Bowers was absent. We have some vacancies open on all boards.
- Working a lot on gathering info on the Battery Energy Storage Systems.

- Received a couple of letters of interest for the Planning Board, Zoning Board and Town Board. Very excited to see we have some people showing interest.

CORRESPONDENCE

- Letter of interest received from Michael Mansfield
- Letter of interest received from Scott Pagano
- Letter of interest received from Jared Will

DUNKIRK CITY POLICE CONTRACT 2026

Supervisor Miller stated we still haven't heard back from the City regarding a contract. Will follow up again with the City Mayor.

APPROVAL OF RESOLUTION FOR DOG CONTROL SERVICES

Councilmember Crane made a motion to approve the following resolution, with the stipulation that it be amended to include the Town of Sheridan. The motion was seconded by Councilmember Leone and carried unanimously.

WHEREAS, the Town of Pomfret, the Town of Dunkirk, the Village of Fredonia, and the City of Dunkirk are exploring opportunities to improve the efficiency, effectiveness, and long-term sustainability of local dog control services through inter-municipal cooperation; and

WHEREAS, the New York State Department of State administers the Local Government Efficiency (LGE) Grant Program to support planning, feasibility analysis, and the development of shared services initiatives; and

WHEREAS, the participating municipalities propose to apply for an LGE Grant to conduct a structured planning process to evaluate the feasibility of sharing dog control services; and

WHEREAS, the proposed planning effort will include a comprehensive feasibility study examining existing operations, staffing, equipment, facilities, service levels, and operational needs; and

WHEREAS, the planning process will include a cost-benefit and fiscal impact analysis to identify potential efficiencies, cost savings, avoided capital expenditures, and long-term financial impacts associated with shared dog control services; and

WHEREAS, the scope of work will also evaluate governance, administrative, legal, and labor considerations, including potential inter-municipal agreement structures necessary to support shared operations; and

WHEREAS, the Grant will support the development of implementation milestones, timelines, and performance measures to guide informed decision-making and potential future implementation of shared services; and

WHEREAS, this planning initiative aligns with the intent of the LGE Grant Program by promoting inter-municipal cooperation, data-driven evaluation, and sustainable service delivery; and

WHEREAS, the governing body of the Town of Dunkirk recognizes the potential benefits of coordinated dog control services and supports efforts to evaluate shared service models in the interest of efficiency and responsible stewardship of public funds;

WHEREAS, the Town of Pomfret will act as the lead applicant and all the other constituent municipalities consisting of the Town of Dunkirk, the Village of Fredonia, and the City of Dunkirk will act as co-applicants in this application, and

WHEREAS, the application will seek $100,000 in total monies, $50,000 in LGE Grant funds and $50,000 from the Town of Pomfret in required matching funds (50% match required);

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Dunkirk hereby formally supports the application for a New York State Local Government Efficiency (LGE) Grant for the proposed shared dog control services among the Town of Pomfret, the Town of Dunkirk, the Village of Fredonia, and the City of Dunkirk; and

BE IT FURTHER RESOLVED, that the Town Supervisor of Town of Pomfret is hereby authorized to execute and submit the LGE Grant application, along with any required supporting documentation, agreements, certifications, and amendments, on behalf of the Town; and

BE IT FURTHER RESOLVED, that the Town Supervisor is further authorized to take any and all actions necessary to carry out the intent of this resolution, including coordination with partner municipalities and the New York State Department of State.

APPROVAL OF COURT AUDIT REQUEST

Councilmember Leone made a motion to accept the court audit request for 2025 as budgeted for. The motion was seconded by Councilmember Crane and carried unanimously.

APPROVAL OF DFT PHONE QUOTE

Councilmember Crane made a motion to accept the quote as presented from DFT for six Yealink phones at a cost of $155.70 per month. The motion was seconded by Councilmember Leone and carried unanimously.

SHOREWOOD WATER RESOLUTION

Resolution authorizing Article 4 Petition

Councilmember Leone made a motion to adopt the following resolution, seconded by Councilmember Crane and carried unanimously:

TOWN OF DUNKIRK, NEW YORK
TOWN BOARD

RESOLUTION # 2026-__

RESOLUTION AUTHORIZING ACTION TO UNDERTAKE THE ACQUISITION OF A CERTAIN REAL PROPERTY INTERESTS LOCATED IN THE TOWN OF DUNKIRK, NEW YORK SHOREWOOD WATER DISTRICT FOR A PUBLIC WATER IMPROVEMENT PROJECT.

WHEREAS, the Town Board of the Town of Dunkirk, New York (hereafter the "Town Board" and the "Town", respectively) is authorized by Article 12 or 12-A of the Town Law to increase or improve water distribution facilities when it is in the public interest; and

WHEREAS, the Town Board from time to time, may purchase real property, in the manner provided by law, or by acquisition in the manner provided by the Eminent Domain Procedure Law of the State of New York ("EDPL"), including any lands or rights thereon, which may be required for any Town public purpose under Section 74 of the NY General Municipal Law and Section 64 of the Town Law; and

WHEREAS, the Town has determined there is a public need and purpose for certain improvements and upgrades to the water distribution system in the Shorewood Water District (the "Project") are necessary for the health, safety and economic growth of the community; and

WHEREAS, to construct and operate the Project, the Town must obtain certain real property rights (permanent easements), many of which have been obtained; nevertheless, certain rights remain outstanding and require the use of the Town's power of eminent domain; and

WHEREAS, the Town Board has complied with all provisions of EDPL Article 2, including adoption of its Determination and Findings on October 21, 2025, service and publication of same, and no challenge having been filed with the Appellate Division, Fourth Department thereto; and

WHEREAS, the Town Board has now determined to use its powers of eminent domain in accordance with the provisions of the EDPL to acquire the outstanding real property interests necessary for the Project; and

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Dunkirk as follows:

Section 1. The Town has complied with the requirements of EDPL Article 2 with respect to the Project; and

Section 2. The Town has authorized and directed the Town Attorney and Special Counsel to take further action on behalf of the Town Board to pursue acquisition of all outstanding interests in the real property remaining that are necessary for the Project pursuant to the requirements of EDPL Article 4; and

Section 3. This Resolution shall take effect immediately.

PASSED AND ADOPTED by the Town Board of the Town of Dunkirk the 22nd day of January, 2026.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Shari Miller, Supervisor	VOTING	AYE
Jean Crane, Deputy Supervisor	VOTING	AYE
Phil Leone, Councilman	VOTING	AYE
Robert Price, Councilman	VOTING	ABSENT

PASSED AND ADOPTED by the Town Board of the town of Dunkirk on January 22, 2026

RESOLUTION TO ALLOW SUPERVISOR TO MAKE BUDGET TRANSFERS FOR 2025

Councilmember Crane 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 Councilmember Leone and carried.

AGREEMENT FOR THE EXPENDITURE OF HIGHWAY MONIES

AGREEMENT between the Town Superintendent of the Town of Dunkirk, Chautauqua County, New York and the undersigned members of the Town Board.

Pursuant to the provisions of Section 284 of the Highway Law, we agree that the monies levied and collected in the Town for the repair and improvement of highways, and received from the State for State Aid for the repair and improvement of highways, shall be expended as follows:

GENERAL REPAIRS. The sum of **$39,437** shall be set aside to be expended for primary work and general repairs upon **+/- 7** miles of town highways, including sluices, culverts and bridges having a span of less than five feet and board walks or renewals thereof.

DULY MOVED by Councilwoman Crane, seconded by Councilmember Leone and carried unanimously.

RENEWAL OF CERTIFICATE OF DEPOSIT FOR COMMUNITY BANK

Councilmember Leone made a motion to renew the Town CD with Community Bank for another 6 months at a rate of 3.20%. The motion was seconded by Councilmember Crane and carried unanimously.

SCHEDULE WORKSHOPS FOR BESS

No Action Taken -

DULY MOVED by Councilmember Leone to exit the Regular Town Board Meeting and enter into Executive Session for the purpose of discussing Personnel matters. The motion was seconded by Supervisor Miller and carried unanimously. Time: 4:45 P.M.

DULY MOVED by Councilmember Crane to close Executive Session and return to the Regular Town Board Meeting. The motion was seconded by Councilmember Leone and carried unanimously. Time: 5:06 P.M.

APPOINTMENTS:

Supervisor Miller made a motion to approve the following resolution. The motion was seconded by Councilmember Leone and carried unanimously.

TOWN BOARD, TOWN OF DUNKIRK
RESOLUTION OF APPOINTMENT TO FILL VACANCY
IN TOWN BOARD

WHEREAS, a vacancy currently exists in the Town Board in the Town of Dunkirk by reason of resignation, and

WHEREAS, the Town Board of the Town of Dunkirk desires to appoint a qualified resident elector of the Town to sit as a member of the Town Board, until such time as the position can be filled by election,

NOW THERFORE, pursuant to the power vested in the Town Board by section 64(5) of the Town Law of the State of New York, Scott Pagano, a duly qualified resident of said Town, is hereby appointed to the Town Board of the Town of Dunkirk to fill the vacancy currently existing in such office. Such appointment is effective immediately, and he/she shall hold such office until December 31,2026.

ROLL CALL VOTE:
Supervisor Miller – AYE
Councilmember Crane – AYE
Councilmember Leone - AYE

- A motion was made by Supervisor Miller to appoint Irene Strychalski to the Zoning Board of Appeals to fill the vacancy that currently exists with a term to expire 12/31/2030. The motion was seconded by Councilmember Leone and carried unanimously.
- A motion was made by Supervisor Miller to appoint Jared Will as an alternate to the Planning Board for a 1-year term to expire on December 31,2026. The motion was seconded by Councilmember Leone and carried unanimously.

- A motion was made by Supervisor Miller to appoint Michael Mansfield to a 5-Year Term to the Planning Board with a term to expire 12-31-2030. The motion was seconded by Councilmember Crane and carried unanimously.

DULY MOVED by Councilmember Leone to adjourn the Regular Town Board Meeting at 5:13 P.M., seconded by Councilmember Crane and carried unanimously.

Respectfully Submitted,

Rebecca Yacklon
Town Clerk