

March 27, 2017

City Council

---

Proceedings by Authority

State of New York  
City of Jamestown           ss:  
City Council Chambers

A meeting of the City Council of the City of Jamestown, New York was held on Monday, February 27, 2017 at 7:30 p.m.

Members Present:     Council President Greg Rabb and Council Members, Brent Sheldon, Tony Dolce, Vickye James, Marie Carrubba, Maria Jones, Tom Nelson, Kim Ecklund, George Spitale

Members Absent:

Others Present:       Mayor Samuel Teresi, James N. Olson, Director of Financial Services/City Clerk, Corporation Counsel Marilyn Fiore-Lehman, Director of Public Works Jeff Lehman, Police Chief/Director of Public Safety Harry Snellings, Deputy Fire Chief Chet Harvey, Director of Development Vince DeJoy, Executive Assistant to the Mayor, Matt Hanley

City Council President Greg Rabb called the meeting to order and led the assembly in the Pledge of Allegiance to the Flag.

The Invocation was given by Councilwoman Rev. Maria Jones.

Councilman Spitale moved to approve the minutes from the February 27, 2017 meeting.

**OPPORTUNITIES FOR PERSONS TO ADDRESS THE COUNCIL**

201703A00.01

Mr. Sisak:            My name is Daryl Sisak. I live at 824 Spring Street. I've lived there for probably, well, since the early eighties. Now, there's two houses at the end of the street and for some reason, I don't know why, these houses should be torn out of there. I'm a recovering addict and I'll tell you something; these houses are where these sick people, these sick addicts, is where they use. It's like termites to a rotten piece of wet wood. It's like ringing the dinner bell. This is a common-sense issue right here. These two houses are going to either eventually fall down or burn down. They're no good. They're not fixable. We've got a chance here – CODE is trying to get that apartment complex put in there and there's a chance to get them out of there and what the heck the problem is, I don't know. Because, like I say, these houses eventually they're going to fall down. They're a mess. They're not fixable. My friend Don Payne, he's got one of the nicest houses in the neighborhood. I'm jealous of him; it's beautiful. And he's got to look out the door, out his front window every day at these places. I don't even drive past them anymore because it makes me sick to my stomach. This is a common-sense issue. We're going to have a rough, rough summer this year. I'm telling the Chief; I know the streets. I'm assuming you're the Chief of Police. And Chet; you guys are going to be busy this summer. And I'll tell you something, these houses start burning

March 27, 2017

down. And what happens if my grandkids are staying at my house and there's an electrical fire or something and the fire department's busy with this stuff? I mean, you're asking for trouble, leaving these houses here. Get them out of there. Like I say, it's like Obamacare. Eventually it's going to implode. They're really going to fall down or burn down. So, let's get them out of there first before anybody gets hurt or it costs lives somewhere else. And that's all I have to say. Thank you very much.

Council President Rabb: Thank you. Is there anyone else who would like to address the council this evening? Again, make sure you state your name and residential address.

201703A00.02

Mr. Payne: Well here I am again, Donald Payne, 872 Spring Street in Jamestown. After Friday night, I am here to call upon Senator Cathy Young, Assemblyman Andy Goodell, Mayor Sam Teresi and the City Council to make sure that these Jackson Spring apartments get funded. We need this more than ever to help get rid of the crappy housing on Spring Street and on North Main Street. By building a new housing project for disabled people and low income people such as – but this is not subsidized housing we're talking about. We're talking about people that have a job. They're going to pay rent like everybody else in the city. This is not subsidized like the Gebbie Foundation thinks it's going to be. It's not that. That is why everyone on my street and neighborhood supports the Spring Jackson apartments. We want this more now than ever. We need Cathy Young to deliver this funding to the city. Cathy is one of the most powerful people in the state and she needs to use her power to keep her people here. Gebbie doesn't represent our neighborhood. Gebbie is just plain wrong when they say they will not rejuvenate our city. They are trying to rejuvenate our city and CODE wants to rebuild our city and they want to rebuild it now. We don't need community gardens and stuff like that. We need houses to be torn down and new houses to be built. We are a neighborhood. We are people. We are a bunch of flowers, okay? Yes, we have economically disadvantaged people here, but we are trying. We are trying to rehabilitate North Main Street. CODE. And they have the best security systems in their housing projects that are available. When them five houses went down, the first place they came? CODE. Mr. Harry Snellings knows that. We have the best security system in that neighborhood down on Second Street and that's the first place they came. And we have it on video. So, the thing is, we need these apartments there. Yes, we have disadvantaged people, we have disabled people. Disabled people need housing. CODE is all for housing. These places are top-notch, well-maintained, by CODE and they are very, very secure. Single women need these places with one child or two child. We are there to ask. As a resident of the north side, I take responsibility for my neighborhood, but we need help from Senator Cathy Young, Andy Goodell and the city to make sure Jackson Spring Apartments get funding. To help us start to make our neighborhood great again. And that's why I'm here. Thank you. I appreciate it.

Council President Rabb: Thank you. Do you have more of those hats, Mr. Payne?

Mr. Reichardt: A couple class acts. I don't know if I can follow Mr. Payne, I don't have hats.

Council President Rabb: Make sure you give us your name and residential address.

Mr. Reichardt: I'm Randall Reichardt 868 Spring Street. I do live right across the street from two buildings that have been dilapidated and run down, for over fifteen years. What CODE is trying to do, and I realize we're beating the barn doors off this, is we want the funding. This is a letter from the Gebbie Foundation asking Senator Young to turn this money away for this project. They are a downtown initiative. They have no basis in community housing initiatives; as I see it. A lot of money goes into downtown. Let us have some of it. I'm tired. I've lived on this street, at my own recourse, for thirty years. Hoping it would get better. Initially, I got told by the city, we're not putting any money on Spring Street. You're right, you kept your word. You haven't. We have an opportunity to tear down all this dilapidated housing. Good, bad or otherwise, bringing in beautiful new housing and we can go on from there and I won't have to look at this dilapidated stuff because I know Chief Snellings and the Fire Department and a lot of you folks stayed up on Friday night wondering what's next? I stood in my front window. My wife and I have disabilities. I have emphysema. I've got 35% percent use of my lungs. Do you know where I was worried about going? To the hospital. From smoke inhalation by an arsonist. I want these houses down. They're still open. Chief Snellings, go downstairs of 869 – and the door's wide open, it's an open invitation for the next time. Tonight, tomorrow, next week. It's going to happen. You can see it. And unlike with the CODE buildings that have your back. That are helping you, with their cameras, up on Willard Street. If they start at Barrows and they go up the hill, you've got a lot of problems on your hands, you have no help, you have no cameras. And like you said, they're not talking to you, they're not giving you the answers you're looking for. The cameras do. And these cameras coming into the city on this main business area will give you answers when you need them. All I'm asking is Senator Young, don't listen to these people. Listen to these people and myself. We need that money. We want the funding for CODE. Tear down the dilapidation and make some brighter future for that side of town. I'd like to thank you for your time, the Fire Department for theirs and for the city for listening to us. Because we are going are to beat this down until those buildings are built up. That's what we're going to do. Thank you for your time.

Council President Rabb: Thank you. Is there anyone else who would like to address the council? Again, state your name and residential address please.

Ms. Pangborn: My name is Darlene Pangborn. I live at 872 Spring Street with Mr. Payne. I was concerned about the letter that we got our hands on from the Gebbie Foundation; stating that they could not support this because, as they quote on here, we have no doubt about the Mayor further concentrating subsidized housing for economically disadvantaged citizens in an already impoverished neighborhood within our community. And as stated earlier tonight, this is not for people that are being subsidized on their rent. These apartment units are being built for people that have jobs that can afford rent that's \$500.00 to \$700.00 a month. And they go on further; it says

March 27, 2017

with our understanding of the entire project isn't complete and it appears that nine existing dwellings will be demolished and will be replaced with 43 separate living units. All certain units are appropriately rented to disabilities. They worry about the remaining units being rented to the economically eligible for rental subsidies which is not true. If you had gone to any of the meetings that CODE has had with the neighbors in that area, we've been told many times over that it is not government subsidized housing. I have many copies of this. If the press would like to take a copy and quote Gebbie on there, you're welcome to. That's my main concern. My concern Friday night is after hearing the fire alarms going off, they went from Sixth Street, walked up Winsor Street, went down Crossman, lit that house on fire – that's a block and a half up from where I live and I had friends over to the house tonight and they said that they heard that on the scanner, their first remark was Spring Street's next. There are people that park on that street, that's full of cars. There are times I have to park halfway down the block because there are people that are fully blocked and if those houses are ever lit on fire and there's vehicles parked there, the fire department's going to have a gay old time getting in there to fight those fires and other people not losing their property, their vehicles and stuff in that area. The house directly across from ours is a green house, as Mr. Reichardt said, the bottom downstairs apartment is wide open. That house, during the summer, you could sit outside and write down license plate numbers for thirty different cars in a given day that were in there trafficking with drugs. Is that the neighborhood that we want to continue to live in? They say that they're concerned about economically disabled people. I'd rather have a poor person living in those apartments down there than having a drug infested neighborhood.

Council President Rabb: Thank you. Is there anyone else who would like to address the council this evening? Again, state your name and residential address.

201703A00.05

Mr. Gardner: My name is Chris Gardner. I live at 24 Woodlawn Avenue, over by the college in Jamestown. I've submitted a bid or actual cash payment proposal for \$5,519.00 for the alleyway between Woodlawn and Lindsay Avenue. I want to continue the right of way that exists now with a small gravel road and basically grow trees there again. Six years ago, an individual moved into the house at 13 Lindsay Street and cut down all the vegetation that was sucking up water. We're talking about the lowest point, physically, in the City of Jamestown. When it rains there, you get a small lake. I'm fortunate they built my house up with a solid brick foundation in the 1920s; up above the waterline. But, it's just bad down there without vegetation and we've got a beautiful city and what these people are saying is true. A lot of these people on entitlements could own homes. And they put a lot more time and energy and money into maintaining them if they had some kind of a place. As far as this neighborhood deal I'm concerned about is, that's what drew me back to Jamestown. I lived in Dallas for ten years. I came back here. I was going to move to Dunkirk and Fredonia. I started a business here; using the computers down at JCC to do my first project, an interim directory for the Comfort Inn. I want to continue my business in digital science, data science, virtualization. These are cutting edge fields that are being celebrated and used in neighborhoods throughout cities in this country. When I started doing desktop publishing here, I was the only person doing it in Western New York. So, we've got a great town. Where there's always been innovation, invention and just basically people really loving the town and making it better. And it takes everybody together to do that and we need to take these green spaces and

March 27, 2017

preserve them and keep them and get neighborhood people involved in keeping them nice. That's all.

Council President Rabb: Thank you. Is there anyone else who would like to address the council this evening?

201703A00.06

Ms. Woodfield: Hi. My name is Kristy Woodfield, I'm an Equal Justice Works attorney for veterans at Legal Assistance Western New York; just kitty-corner. I'm also Chair of the Chautauqua County Veterans Coalition. The coalition is a recently formed group of a lot of the local service providers and organizations who offer services to veterans, like the Veterans Service Agency, Chautauqua Opportunities, President Rabb, Blue Star Mothers, Fenton History Center and Legal Assistance Western New York; just a few of them. We're hosting two veterans benefits workshops.

Council President Rabb: Kristy, before you do that, we need your residential address for the record; sorry.

Ms. Woodfield: Right; 4128 Cowing Road. We're hosting two veterans benefits workshops in April. April 8<sup>th</sup> at the JCC Dunkirk Training Facility from 10:00-2:00 and April 29<sup>th</sup> at the JCC Jamestown Campus at the student union. We're going to have all the local service providers. We're going to have a small employment jobs fair. We are going to have a lot of the local veterans benefits and local organizations. We are going to have educational opportunities like JCC, JBC, BOCES and we are going to be hosting free legal clinic, we're going to be having free legal consultations with local volunteer attorneys. The Chautauqua County Health Department is going to be doing free Hepatitis C testing and they are going to be distributing colon kits that you can take home and test yourself for colon cancer. It's going to be a really great event and I know most people know veterans; either they are related to a veteran or they go to church with a veteran and I just really want everybody to spread the word.

The benefits that are available to veterans through the VA can make an enormous difference in their life. For example, if a veteran is 100% service connected, they could bring home upwards of \$3,000.00 a month. That could be a life changer. Even if a veteran thinks that they are aware of all the veterans benefits that are available to me, I'm already enrolled in VA health care; we're just going to have all the local organizations. We're having a Chautauqua County Veterans - The Veterans Return the Favor program which offer all the local discounts. We're going to have the Fenton, the Chautauqua Health Department and the local VA clinics. We are going to be having VA readjustment counseling services, Hospice, The Defenders of Freedom, Blue Star Mothers, American Legion, VFW, all of the local organizations so please spread the word. If it's okay with President Rabb, may I leave some flyers? Thank you.

Council President Rabb: Thank you Kristy. I'm very happy to say that Kristy is a proud JCC graduate and we are very fortunate to have someone like her; young, after her education to make a commitment to stay in Jamestown. Working on the coalition with Kristy I can just say she's been doing an outstanding job to get the word out to veterans about the benefits they've earned. I appreciate all you've done Kristy. Thank you.

March 27, 2017

201703A00.07

Ms. Galster: Good evening. Lori Galster, 1655 Martin Road, Jamestown, New York. I'm here to represent the project up for consideration for loan; the Jamestown Brewing Company. I represent, working with the developer, George Patti, as well as the future tenant; John McClellan Sr. and John McClellan Jr. on the program tonight is a consideration of their loan that they have applied for and I'm here to answer any of the questions the councilmembers may have concerning the project. It would be, in total, between developer and tenant, it will be a \$3 million renovation of the Lillian Ney Renaissance Center and not only will this accommodate and bring activity to the downtown area in the evening and during the day; we hope to work along with the Comedy Center as well in providing programming and bringing other people, bringing locals down into Jamestown. Not just the visitors. We feel it's a great project for Jamestown and again if anybody has any specific questions, I'm available to answer those.

Council President Rabb: Thank you. Is there anyone else who would like to address the council this evening? Again, state your name and residential address please.

201703A00.08

Mr. Tota: My name is Anthony Tota and I live at 144 Clifton Avenue in Jamestown. First, I'd like the request the permission of the president to circulate about four snapshots that I took, concerning the issue that I want to speak of tonight. I might as well address this chronologically. After the last meeting, I made some complaints concerning traffic issues. Mr. Snellings responded to that. Councilman Spitale also responded to that. After the meeting, on the way to where my girlfriend lives – the only way I can put it – I stopped, I made a left-hand turn – I needed to make a left-hand turn - from the Arterial to Maple Street and the center lane was covered with about a 40' stretch of broken glass. It was plate glass from, obviously, automobiles. I immediately called the Jamestown Police to find out what the origin of the glass was and the Jamestown Police at that time, were not aware of what caused this incidence and there was no traffic problem that they were aware of; no accidents. Just a 40' stretch of cut glass laying in the – near the - left hand turn and I happened to look right to it. Mr. Spitale was leaving the council meeting, I presume, at the same time. Maybe he also witnessed that. The second thing I'd like to say was on the 28<sup>th</sup> of February, the day after the meeting, I had been complaining to the Chief and to the dispatchers about a vehicle that was on Maple Street that was being loud. The police responded to it. My question to the Chief was, since he will not respond to my phone calls, is to do some research on this and see what that person was charged with. I complained about a bad exhaust and that person lives in the immediate area and has a bad exhaust and like I say, one of the first pictures of is a picture of the JPD around 9:00 responding to my complaint. The second thing I called the Chief on, and without a response, was a vehicle at 132 Maple Street which is also in the proximity of my girlfriend's house, also with a loud exhaust, and I stated to the dispatcher, I would like to have a response from the Jamestown Police. I also called the Chief asking for a response prior to this meeting and the Chief did not respond on that issue. The third is an illegally loud vehicle that I have taken pictures of is a dark truck that is on Everett Avenue that was also there, also has a bad exhaust. I've also taken a license plate number for that.

The point I'm trying to make here is that I've been in several places in this city and in the immediate area of where I happen to be, there are situated, several loud vehicles. On top of the

March 27, 2017

vehicles that are in transit in the areas where I have to be. Now when I make a bonafied complaint, I expect that complaint to be addressed with a credible fashion and not someone telling anybody on this council publicly that my complaints are not credible. I will not make a single statement unless I can back it up 110% with evidence. My problem is, I can't get anybody in the city and in the court system in this county to accept and listen to substantial evidence that I've created over the years. Now, I'm expecting the Chief to take note of these. I will call the Chief with plate numbers and locations of these vehicles and I am expecting the Jamestown Police to enforce the law and I will be back here at the next meeting to find out the response of the Jamestown Police to these complaints. Thank you for your time.

Council President Rabb: Thank you. Is there anyone else who would like to address the council this evening?

### **STANDING COMMITTEES**

#### **FINANCE COMMITTEE**

201703A01

BY COUNCILWOMAN ECKLUND:

RESOLVED, That bills be audited and warrants drawn on the proper funds in payment of the respective amounts, totals as follows: General Fund, Capital Fund, Special Revenue Fund and Trust & Agency Fund \$4,266,835.43

in accordance with the period ending March 24, 2017, copy of which is annexed hereto and a copy to be filed in the office of the City Clerk, and be it further

RESOLVED, That disbursements in the total amount of \$2,835,266.75 and payrolls in the total amount of \$1,431,568.68 as paid by the Comptroller and Director of Financial Services, a copy of which is annexed hereto and a copy to be placed on file in the office of the City Clerk be and hereby are approved.

Carried: 9 – 0

March 27, 2017

201703A02

BY COUNCILWOMAN ECKLUND:

RESOLVED, That Battalion Chief Andrew Finson and Firefighter Ryan DiDominico be and they hereby are authorized to attend the Fire Investigation Photography class to be held at the State Fire Academy in Montour Falls, New York on May 22-24, 2017, with expenses paid pursuant to Section 77-b of the General Municipal Law.

Carried: 9 – 0

201703A03

BY COUNCILWOMAN ECKLUND:

RESOLVED, That Battalion Chief Andrew Finson and Firefighter Ryan DiDominico be and they hereby are authorized to attend the Fire Scene Evidence Collection class to be held at the State Fire Academy in Montour Falls, New York on May 24-26, 2017, with expenses paid pursuant to Section 77-b of the General Municipal Law.

Carried: 9 – 0

201703A04

BY COUNCILWOMAN ECKLUND:

RESOLVED, That Firefighter Robert Smith be and he hereby is authorized to attend the NAEMSE Level Two Course in New Martinsville, West Virginia, June 9-10, 2017, with expenses paid pursuant to Section 77-b of the General Municipal Law.

Note: the course was rescheduled from March 24-25, 2017. It was approved by the City Council at the February 27, 2017 meeting.

Carried: 9 – 0

201703A05

BY COUNCILWOMAN ECKLUND:

RESOLVED, That the Mayor of the City of Jamestown be and he hereby is authorized to enter into a grant agreement with the Chautauqua Region Community Foundation in an amount not to exceed Five Thousand Dollars (\$5,000.00) for the purpose of funding the 2017 City Tree Planting Program for the Parks, Recreation and Conservation Department subject to the approval of the Corporation Counsel as to form.

March 27, 2017

Councilwoman Ecklund: I would like to personally again thank the Community Foundation for this generous donation to help the trees and this community and maintain our status as a Tree City USA.

Carried: 9 – 0

201703A06

BY COUNCILWOMAN ECKLUND:

RESOLVED, That the Mayor of the City of Jamestown be and he hereby is authorized to enter into a grant agreement with the Chautauqua Region Community Foundation in an amount not to exceed Thirty Five Thousand Dollars (\$35,000.00) for the purpose of funding the Physician Recruitment Project through the Strategic Planning and Partnership Commission Health Care Action Team subject to the approval of the Corporation Counsel as to form.

Carried: 9 – 0

201703A07

BY COUNCILMAN DOLCE:

RESOLVED, that the Mayor and Police Chief/Director of Public Safety be and they hereby are, authorized to enter into a purchase agreement with Ed Shults Ford, 2257 Washington Street, Jamestown, NY 14701 for two (2) 2017 Ford Police Interceptors, in an amount not to exceed Thirty-Eight Thousand, Five Hundred Twenty-Two Dollars (\$38,522.00), paid for with Asset Forfeiture Funds subject to the approval of the Corporation Counsel as to form.

Carried: 9 – 0

BY COUNCILMAN DOLCE:

WHEREAS, the City of Jamestown prepared a Local Waterfront Revitalization Program (LWRP) in cooperation with the New York State Department of State in accordance with the provisions of Executive Law, Article 42; and

WHEREAS, the Draft LWRP was circulated by the Department of State to potentially affected State, federal and local agencies in accordance with the requirements of Executive Law, Article 42; and

WHEREAS, the Jamestown City Council, as lead agency, filed a Negative Declaration-Notice of Determination on Non-Significance on February 27<sup>th</sup>, 2017 for the adoption of the LWRP, pursuant to Article 8 of the New York State Environmental Conservation Law State Environmental Quality Review Act.

NOW, THEREFORE, BE IT RESOLVED, that the City of Jamestown Local Waterfront Revitalization Program is hereby adopted, and that the Mayor is authorized to submit the LWRP to the New York State Secretary of State for approval, pursuant to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act.

Carried: 9 – 0

BY COUNCILMAN DOLCE:

WHEREAS, The Jamestown City Council at a regular meeting held on September 21, 1981, authorized the Mayor of the City of Jamestown to enter into an agreement with the Jamestown Local Development Corporation delegating to the Jamestown Local Development Corporation responsibility for the processing and approval of loan applications for "first instance" Urban Development Action Grant re-use money; and

WHEREAS, Article V, Section 3 of said bylaws of the Jamestown Local Development Corporation requires that no loan of Urban Development Action Grant originated moneys in excess of One Hundred Thousand Dollars (\$100,000.00) be placed without prior approval of the City Council of Jamestown, New York; and

WHEREAS, Jamestown Brewing Company, LLC made application to the Jamestown Local Development Corporation for a loan of One Hundred Eighty Thousand Dollars (\$180,000) through the Jobs and Private Investment Loan Program (Tier I) as part of a \$1,000,000 project involving the purchasing of brewing equipment, kitchen equipment, restaurant furniture, and inventory, working capital, and soft costs; and

WHEREAS, the Board of Directors of the Jamestown Local Development Corporation, at its meeting held on March 14, 2017, gave preliminary approval for the loan to Jamestown Brewing Company, LLC of One Hundred Eighty Thousand Dollars (\$180,000) at a 4.0% rate of interest for a seven (7) year term subject to the ratification by a majority vote of the City Council of Jamestown, New York; now therefore be it

March 27, 2017

RESOLVED, that the Jamestown City Council hereby approves the Jamestown Local Development Corporation loan to Jamestown Brewing Company, LLC of One Hundred Eighty Thousand Dollars (\$180,000) at a 4.0% rate of interest for a seven (7) year term with collateral being a shared co-equal pro-rata second security position with Greater Jamestown Zone Capital Corporation and Chautauqua County Industrial Development Agency behind the first position of Five Star Bank on all new machinery, equipment, furniture and fixtures, business assets purchased using JLDC funds, a second security position behind the first position of Five Star Bank on the property located at 3173 Tarbox Road, Arkwright, New York, an assignment of \$180,000 Life Insurance Policy on Jon G. McLellan, Sr., and a personal guarantee from Jon G. McLellan, Sr.

Councilman Dolce: Just a quick comment that again, this went through the Jamestown Local Development Corporation. It was passed there and because it exceeds a certain amount it has to approved by the Jamestown City Council and I gladly will support this.

Carried: 9 – 0

201703A10

BY COUNCILMAN DOLCE:

RESOLVED, That warrants be drawn and paid to the respective owners and paying agents the sum of Two Thousand Nine Hundred Dollars (\$2,900.00) in accordance with the bond and note requirements as follows:

Public Improvement Bonds, Series A, issue of March 9, 2006, Two Thousand Nine Hundred Dollars (\$2,900.00) for six months interest at 4.00% per annum on One Hundred Forty-Five Thousand Dollars (\$145,000).

Note: Refunding of 1999B (partial) issue. Interest savings \$1,225.00 for this payment.

Carried: 9 – 0

201703A11

BY COUNCILMAN DOLCE:

RESOLVED, that the following fee schedule be adopted and become effective March 28, 2017:

**DEPARTMENT OF PARKS, RECREATION AND CONSERVATION**

FEE

Babe Ruth Tournaments

\$30 per team

Carried: 9 – 0

March 27, 2017

**PUBLIC WORKS COMMITTEE**

201703A12

BY COUNCILMAN SHELSON:

WHEREAS, the New York State Department of Transportation (NYSDOT) has implemented a web based reporting system called Equitable Business Opportunities (EBO) to streamline and satisfy the Title VI Civil Rights Reporting requirements for Federal-Aid locally sponsored contracts, and

WHEREAS, NYSDOT requires each local municipality as a sub-recipient to NYSDOT of Federal funds and sponsor of Federal-Aid Contracts to identify a single primary user in order to access and use the system for Title VI compliance reporting requirements,

NOW, THEREFORE, BE IT RESOLVED, that the Jamestown City Council identifies Mark Roetzer, Assistant Civil Engineer for the City of Jamestown Department of Public Works, as the City's Responsible Local Official authorized to access the EBO system, and be it further

RESOLVED, that this Resolution shall be effective immediately.

Carried: 9 – 0

201703A13

BY COUNCILMAN SPITALE:

RESOLVED, That the Mayor be and he hereby is authorized to execute an agreement with Union Concrete & Construction Corp., 105 Center Road, West Seneca, NY 14224 for the Jamestown Intermodal Transportation Project, TAP – Pedestrian Bridges Over Chadakoin River, in an amount of One Million, Five Hundred Forty-One Thousand, Five Hundred Eighty-Nine Dollars (\$1,541,589.00), subject to Corporation Counsel as to form.

Carried: 9 – 0

201703A14

BY COUNCILMAN SPITALE:

RESOLVED, that the Mayor be and he hereby is authorized to enter into an agreement with Metzger Removal, Inc., 235 River Road, N. Tonawanda, NY 14120 for Bulk Concrete Processing at 220-256 Crescent Street, Jamestown, NY in an amount not to exceed Twenty-Eight Thousand Dollars (\$28,000.00), subject to approval by the Corporation Counsel as to form.

March 27, 2017

Councilman Spitale: They're grinding up of the cement slabs and sidewalk blocks and they reuse it on the streets, mixing with gravel, saves the city and the taxpayers some money; not buying more gravel.

Carried: 9 – 0

**PUBLIC SAFETY COMMITTEE**

201703A15

BY COUNCILWOMAN JONES:

WHEREAS, a Neighborhood Watch Committee has been organized in the Hunt Road Apartments area for the purpose of deterring crime in this area, and

WHEREAS, the Hunt Road Apartment Neighborhood Watch Program has the support and approval of the Jamestown Police Department, and

WHEREAS, the Jamestown Police Department has received funding for the purchase of Neighborhood Watch signs with the understanding that the City of Jamestown will erect the signs and assume the responsibility for the maintenance of said signs, now therefore be it

RESOLVED, that the Director of Public Works be, and he hereby is, authorized to erect and maintain said signs in appropriate places on the aforesaid street.

Carried: 9 – 0

**NEW BUSINESS**

201703A16

BY COUNCILWOMAN CARRUBBA:

WHEREAS, over 1,200 cities rely on the Community Development Block Grant (CDBG) and HOME programs as direct sources of annual funding, along with over 7,200 rural and suburban jurisdictions that also have access to CDBG and HOME funds; and

WHEREAS, for every \$1.00 in CDBG funding invested in housing, infrastructure and economic development projects, another \$3.65 is leveraged from other sources; and

WHEREAS, between FY 2005 – FY 2016, CDBG has stimulated the creation and retention of nearly 388,000 jobs; and

March 27, 2017

WHEREAS, between FY 2005 – FY 2016 CDBG has assisted 1.33 million low-and-moderate income residents rehabilitate their homes, obtain down payments and closing cost assistance and remediate dangerous lead paint and other environmental conditions; and

WHEREAS, since 2001, funding for CDBG has been cut nationally by over \$1.4 billion while the need for these important resources at the local level has continued to grow; and

WHEREAS, the City of Jamestown, New York is an economically distressed, Western New York community of approximately 35,000 residents with a declining population and tax base, an overabundance of older underutilized housing, aging infrastructure, vacant/obsolete industrial buildings, and brownfield sites; and

WHEREAS, between FY 1990 – FY 2016 the City of Jamestown was allocated and has effectively utilized fifty million, six hundred-ninety-six thousand, three hundred seventy-six dollars (\$50,696,376) in CDBG and HOME Program funding for a variety of projects that have directly benefited residents, businesses and property owners throughout the community; and

WHEREAS, over the years CDBG and HOME Program funded activities have directly or indirectly benefited every resident, business and property owner in the City of Jamestown; and

WHEREAS, no other source of funding exists or is available to the City of Jamestown to continue these vital commercial, industrial, residential code enforcement and public infrastructure improvement activities; now therefore be it

RESOLVED, that the Jamestown City Council hereby calls upon President Donald J. Trump, United States Senate Majority Leader Mitch McConnell, United States Senate Minority Leader Charles Schumer, United States House of Representatives Speaker Paul Ryan, United States House of Representatives Minority Leader Nancy Pelosi, United States Senator Kirsten Gillibrand and United States Representative Thomas Reed to vigorously oppose the proposed elimination and any further reductions in funding for the Community Development Block Grant (CDBG) and HOME Programs; and be it

FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to communicate the concerns of the Jamestown City Council by transmitting certified copies of this resolution to President Donald J. Trump, United States Senate Majority Leader Mitch McConnell, United States Senate Minority Leader Charles Schumer, United States House of Representatives Speaker Paul Ryan, United States House of Representatives Minority Leader Nancy Pelosi, United States Senator Kirsten Gillibrand, United States Representative Thomas Reed, the U.S. Conference of Mayors, the National League of Cities and the New York Conference of Mayors.

Councilwoman Carrubba: I would like to add that this funding is critical for the city to do a lot of things that we are not able to do otherwise. It has been instrumental in helping us comply with the Americans with Disabilities Act in terms of making the community more accessible. Many of the projects, in terms of downtown development, would not be possible without this funding. So, we are certainly not in favor of any reductions and we would like to continue this funding for the city.

Carried: 9 – 0

201703A17

BY COUNCILMAN NELSON:

WHEREAS, In accordance with a contract with the New York State Department of Transportation, The City of Jamestown's Department of Public Works maintains approximately 20 lane miles, or 240,000 square yards of New York State arterial highways within the city limits; and

WHEREAS, Since 1987, the State has reimbursed cities at a rate of \$0.85 per square yard of pavement with no adjustments over the years to reflect the increasing cost of materials, labor rates, benefits, fuel, utilities, and other expenses associated with the upkeep and maintenance of said roadways; and

WHEREAS, New York State reimburses the City of Jamestown \$203,439.26 per year under the existing arterial maintenance agreement, which is approximately only half of the actual cost to maintain said highways; now therefore be it

RESOLVED, The City of Jamestown joins the 37 other cities across the state with highway maintenance agreements in support of Senate Bill 4175 and Assembly Bill 5741, which provide for an increase in the highway maintenance formula to \$1.77 per square yard, which reflects Consumer Price Index (CPI) increases since 1987; and be it further

RESOLVED That the City of Jamestown also requests that the highway maintenance formula be adjusted annually to reflect future changes in the CPI, and be it further

RESOLVED That the City Clerk is hereby authorized and directed to transmit certified copies of this resolution to Governor Andrew M. Cuomo, Senate Majority Leader John Flanagan, Assembly Speaker Carl Heastie, Senator Catherine Young, Assemblyman Andrew Goodell and the New York Conference of Mayors.

Carried: 9 – 0

201703A18

BY COUNCILWOMAN ECKLUND:

RESOLVED, that the Mayor be and he hereby is authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the Project and to fulfill the City of Jamestown's obligations under the GIGP Grant Agreement (No. 1364), Tracy Plaza Green Renovations. The grant is in the amount of One Million, Four Hundred Eighty Thousand Dollars (\$1,480,000), subject to Corporation Counsel as to form.

Carried: 9 – 0

March 27, 2017

201703A19

BY COUNCILWOMAN ECKLUND:

RESOLVED, that the City of Jamestown authorizes and appropriates a minimum of 10% local match as required by the Green Innovation Grant Program (GIGP) for the GIGP project Tracy Plaza Green Renovations (No. 1364). Under the GIGP program, this local match must be at least 10% of the total actual project costs. The source of the local match, and any amount in excess of the match, shall be by serial bonds, and be it further

RESOLVED, that the maximum local share shall not exceed One Hundred Forty-Eight Thousand Dollars (\$148,000.00) based upon a total estimated maximum project cost for Green Infrastructure of One Million, Four Hundred Eighty Thousand Dollars (\$1,480,000.00). The Mayor may increase this local match through the use of in kind services without further approval from the City of Jamestown, subject to Corporation Counsel as to form.

Carried: 9 – 0

201703A20

BY COUNCILMAN DOLCE:

WHEREAS, the City of Jamestown is undertaking the Tracy Plaza Phase II Renovations project as part of an Environmental Facilities Grant (EFC) Green Innovations Grant which requires an environmental review; and

WHEREAS the State Environmental Quality Review Act (SEQRA) and the regulations thereunder require the City to undertake a review of the potential environmental impacts, if any, associated with the project before approving same; and

WHEREAS it has been determined to be an Unlisted Action with the meaning of SEQRA; and

WHEREAS the review will be conducted as a coordinated review and lead agency solicitation letters will be sent to involved agencies, now therefore be it

RESOLVED, that the Jamestown Planning Commission, is authorized to take all actions reasonable and necessary to file a Negative Declaration and discharge the City of Jamestown's responsibility as lead agency for this action.

Carried: 9 – 0

Councilwoman Ecklund: I just would like to take this moment to publicly thank, I know I've spoken with Chief Snellings since the incidents on Friday night, but I would like to publicly thank the Fire Department and the Office of Public Safety and the Police Department and the Department of Development and any other departments that were involved in this mess we had on Friday night. I had some phone calls even and some messages. Unfortunately, one of the kids I mentor lives in very close proximity to the one of the fires on Sixth Street. So, a lot of concerned residents, a lot of concerned families, a lot of concern in the community, but you guys handled it with excellence

March 27, 2017

and with great communication, not only to us who had any questions, but to the general public and we thank you. We also thank the media for their coverage. I encourage the residents of this community to keep their eyes and ears open and please report anything and everything. What may seem miniscule and unimportant could be the straw that breaks their back in solving all these incidents. So, please report anything and everything to the 483-TIPS line just like they've gotten out there. Thank you very much. Please share my thanks with your departments.

Councilman Dolce: I concur 100% with Councilwoman Ecklund in thanking our Public Safety and all the city staff for the amount of time and effort that they've put in. It's been a rough few months. We've had several things that have been out of the ordinary in our community and to have to deal with those on a reoccurring basis and a lot of people out there are nervous about that and I appreciate the work you guys have done. I also want to take this moment to thank the residents of Spring Street for coming here tonight. It says volumes about their concerns for their neighborhood; their passion. In getting things done to improve that area of the city that has long been neglected. We hope that things will work out so that we can have Spring Street and that particular area around Love School improved dramatically. Both with infrastructure as well as with housing. Again, you should be applauded for your tenacity, your love for that area and also the fact that you haven't given up on it. You've been there for many, many years. Many other people have given up on certain parts of the city and it's good to see that there are still neighbors and people in neighborhoods that have a passion and are concerned for their neighborhoods. And I, again, thank you for that.

Councilwoman Carrubba: I would like to say, I have had an office and work for an agency in that neighborhood for about thirty years and I really appreciate your support from the Spring Street neighborhood. There have been several fires, two on Tenth Street, they're getting too close to my office and I know what you're talking about. On Friday night, Saturday morning, I was worried that Spring Street was going to be targeted. We've seen fires on Spring Street. I've seen them from my office window. So, I know what you're talking about. And I really have concerns as well about the condition of some of those properties. So, I really appreciate your efforts to come out. I have been totally behind that project and what CODE has been doing in that neighborhood to try and improve things. I appreciate everything you've done to stay committed to that area, as have I. We've had an office in that area for a long time and we know what the conditions are like. So, we speak from watching it and seeing it and being in that neighborhood and trying to do what we can do to provide services to people with disabilities in that community. And we haven't been intimidated either. We haven't left. We've heard all kinds of things about how dangerous it is and it's not. I think the neighbors that are there really want to see things improve and I think they don't want trouble and they don't want problems and don't appreciate when people come in and do things that disrupt their ability to live quietly in the area. Like Tony and Kim, I appreciate everything that's been done to try and keep things intact and hopefully we'll see things change and continue to improve.

Councilwoman James: Seeing that Councilwoman Marie has said mostly what I would like to say to the Spring Street residents also, being born and raised here in Jamestown and on the north side, knowing the conditions of that, seeing it going from totally owner-occupied to a lot of rentals and conditions kind of going down. We do appreciate your tenacity and fighting for your neighborhood because that's why I'm sitting here today because I was always fighting for the north

March 27, 2017

side and will continue to fight for the north side. And also to the Chief and Chet. Echoing what has already been said here. I truly appreciate what you have done. A lot of neighbors from Tenth and Eleventh Street have talked to me and were very pleased – scared, pleased with the outcome as good as it could be and also to the Department of Development for cleaning up the mess. The neighborhood doesn't look as bad with those demolished houses. One on Tenth street, I believe, is totally cleaned up. We just appreciate all the hard work that you have done and our prayers go out to

There being no further business, the meeting was adjourned.

James N. Olson  
Director of Financial Services/City Clerk