

May 22, 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, May 22, 2017 at 7:30 p.m.

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

Members Absent: Council President Greg Rabb

Others Present: Mayor Samuel Teresi, James N. Olson, Director of Financial Services/City Clerk, 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

Director of Financial Services/ City Clerk, James N. Olson called the meeting to order and led the assembly in the Pledge of Allegiance to the Flag.

The Invocation was given by Rev. Jim Read of the Bethel Baptist Church.

Councilwoman Ecklund nominated Councilman Dolce to act as President Pro-Tem in the absence of City Council President Greg Rabb.

Councilman Spitale seconded the motion.

Councilwoman Carrubba moved to close the nominations.

Carried: 8 ayes, 0 nays

Councilwoman Carrubba moved to approve the minutes from the April 24, 2017 meeting.

OPPORTUNITIES FOR PERSONS TO ADDRESS THE COUNCIL

201705A00.01

Mr. McLaughlin: Hi. Pat McLaughlin, 67 Dunham Avenue, Celoron, New York. Town Supervisor for the Town of Ellicott. I'd like to thank the council for letting me speak tonight and obviously, I'm here for the purpose of still discussing the annexation issue. The Town of Ellicott, you know, we are obviously much smaller than the City of Jamestown, you're about three times our size. Even though we are the older neighbor; we were incorporated in 1813 when Jamestown was still a village. You incorporated in 1886, so we're actually 73 years older

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than you are. I think, as near as I can – I study and looked up the Town of Ellicott, including Falconer and the Village of Celoron, have never looked to the City of Jamestown for fiscal support in our budget. I can empathize with the fiscal problems that you have. It's tough making a budget; I know that. But, nonetheless, we've been, I think, a pretty fair neighbor. If it weren't for many of the people outside of the city boundary who utilize and purchase utilities from the BPU, let's get real, the BPU would not be in as good of shape as it is right now without those customers. I think probably the largest single user of water for the BPU is actually outside the City of Jamestown. I believe that might be, if not the largest, one of the largest and that's Southern Tier Brewing Company. So, they are not in the City of Jamestown. I keep using the term neighbor and I will just, if you could please kind of separate yourselves as councilmembers and think of yourselves as a resident, if you had water coming off your roof and down your downspout that was filling your yard, you would not extend that downspout to your neighbor, put the water in his yard and say, there, my problem is solved. And yet, that's really what you're doing to the Town of Ellicott and the Village of Falconer in saying, we have a burden with our budget that we are going to put on somebody else's shoulders. Thank you very much.

201705A00.02

Mr. Vanstrom: My name is Steve Vanstrom. I am the chairperson of the Falconer Fire Advisory Board. We coordinate the efforts between the East Ellicott Fire Protective District in the Village of Falconer.

Councilman Dolce: Excuse me. Could you give your address for the record as well?

Mr. Vanstrom: I'm sorry. 2133 Buffalo Street Extension, Jamestown. I come here tonight to relate a story to you. I've been in this position since 1978. We've dealt back and forth with the city, going back to the times of Frank Stefanelli and forward from that point. We have, as you are well aware, been good neighbors in terms of supplying mutual aid service. Even to this day, supplying rescue services to the City of Jamestown at no charge. However, I looked at the losses that are going to occur both for the village and the town and what that will mean for the fire department.

I just want to relay a story to you because I don't think most of you board members were here back in 2004, 2005. But at that time, the city had a study done by Harrington Sandberg on renovating and updating, excuse me, my voice is a little bit of a cold, on renovating the city fire department, including moving Station 1 to Baker Park, over by then which was the Ironstone restaurant, providing significant improvements to Station 5 and Station 4 and a major – at that time what would have been a major impact economically to the city. In cooperation, Falconer stepped in and we had several meetings here, just one room away, which extended almost for a year; between the village and Jamestown. The concept at that time was that Falconer would offer our station for Engine 4 free. In terms of the housing, we had talked about, for whatever reason, they could not build the station in Baker Park. We had a plan for that and Engine 5, we had talked about brokering a deal with Celoron for the city to be able to use Celoron Station 2 on Hunt Road. At that time, the people involved from the city were Dr. Ney, the union – the city Fire Department union, Lance Hedlund and Rex Rader as the public safety officer. We met several times; everyone liked the deal. It would have presented a huge savings to the City of Jamestown. Falconer not so much. It would have actually cost us money, but we were looking

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for some of the benefits that would have come from that. The deal, we met probably seven or eight different times on this same thing. At the end, we came down to everyone's in agreement; including the union. And you can go back and ask any of these people if that were the case. At the end, the deal fell flat. When I asked the mayor, Dave Krieg, what happened, he said the City of Jamestown said the deal's not good enough, you have to pay us money to do this. Now, the people who were in place then are in place now. I just want to make sure that everyone understands in that deal, what you would gain back in taxes now, you would've gained six times over in the first year in that deal.

So, the question is here, are we neighbors or are we looking to prey on everyone else? There are two ways to run government responsibly to make your budgets work. You can reduce your costs or you can increase your income. My question to you is, even if this works, how many more rabbits have you got in your hat? At some point, you're going to have to sit down and negotiate with us. We're going to have to be good neighbors, or we're going to have to start looking to our neighbors further out in the city. I invite any of you to go back. You can look at the study that was done by the architect, take a look at the numbers, but keep that in mind as you're making these decisions. We have tried and if we are cut to the degree that we're no longer able to provide the services that we provide, please think about what additional costs that's going to mean for you. Thank you.

201705A00.03

Mr. Champ: Doug Champ, 225 Bowen Street, Jamestown, New York; where I've lived for forty years. I was at the other session the other night, so what I'm about to say is a little bit redundant, but it needs to be said because I have really thought about what's going on here and really wonder why we've come to this level of unnecessary, but I guess needed, obtaining of funds from outside sources in the City of Jamestown through an arrangement that's been in play for a long, long time and as I said, I transcend everybody on this board and the mayor too for that matter because when I worked for the city, he was in high school. Just to point out, how they've come this far in terms of necessities that I think, yes, the city's in tough financial shape. I've lived there for forty years, I've worked twenty-five years with the Board of Public Utilities and with the city and I've seen many things come and go. But I've always felt that the relationships with our neighbors was a good and strong one; something that was very, very important for us all to survive and be connected. A job in Jamestown is just as worth a job in Falconer because people live in municipalities and they work in others.

Years ago, to gratify I think that position, I was sent by former mayor Steve Carlson to Falconer and the Town of Ellicott to kind of work out a solution for problems where we were connected and I did that and I was successful and submitted a small cities grant application; a joint application, which by the way, nobody's made an attempt to do this again and we were awarded \$750,000.00. To work together. That money was shared. Now, also, you must understand the logistics of the substation and the history of that. I believe by now we all understand why it's there. The necessity of it, the transfer of it, the substation works for reliability and it works for all municipalities that accept our public power. It was a cost-plus arrangement with what they did for their money and that's fine because the capital cost that the city has to make in order to deliver power is based on that type of connection; that type of ownership.

However, in the past few years, the city has used the Board of Public Utilities as a funding source. That's a known commodity. It has been doing this and now they can't do it

anymore because the cost associated with that reaches a tipping point, whereby the infrastructure, the energy infrastructure has to be renewed. So, yes, you can take the profit and you can spend it down, or another option, which is quite well-known, you could have had a rate reduction to the rate payers. But, the city chose to use a profit margin and reinvest in the general fund because we all know, the assessed valuation in the City of Jamestown has not grown. That's a fact.

So, this process of funding the city through annexation can be done. There is a law process for that, but there's also a cost for that. Not only in legal costs, but also a cost to our friends and others that surround us. So, you're going to have to weigh this; is that money that important at this time to separate the municipalities that are going to be impacted by these reduced revenue streams that they've had for, you know how many years they've had it for, now if the situation was reversed and all of a sudden the town needed money and others needed money, I'm sure that the City of Jamestown would not like that. So, we're all connected and I fail to understand why now at this point in time, when economics are difficult, why the relationships with our friends and our neighbors all of a sudden mean nothing? We're looking at dollars. Dollar values. And whether or not it's successful or not successful, the law process will play out because you all have already voted on this. This is nothing but a rant session right now. This is all this is. I know how it works. We can't talk back and forth. There's no reason that we can give you at this time to change your minds, so you'll all sit up there and you wait for the June 12th hearing that will be in Falconer. There will be a lot of these folks and a lot more of them talking about why are you doing this to them. Now, some will say why would a Jamestown resident be concerned about the town and the village?

Councilman Dolce: Mr. Champ, you can wind it up, please.

Mr. Champ: I am. Just to point out a fact. My wife has a property in Falconer and my granddaughter goes to Falconer so there is a connection, but that means only a family issue. What I'm more concerned about is a long-term impact of what you're doing. I want you to really think about this because there are other ways for us to work together that would be lost with this legal transformation of obtaining revenue from another source. Thank you.

201705A00.04

Mr. Gardner: My name is Chris Gardner. I live at 24 Woodlawn Avenue in the City of Jamestown. I think what we're seeing here tonight is an example of what I've been asking about the past few meetings that I've come to. You know, years ago I worked at WJTN in the seventies and at night, there used to be a played recording, in full, of the city council meeting. It seems like back then, there was more debates, more questions, more discussion about these issues. I've noticed the last few meetings I've come into, that the meeting upstairs in the Mayor's Office is where the real discussion is and then when you come down here, the issues are presented and I have not heard one person give a nay vote in the past four or five meetings that I've come to. It's just yay, yay, yay, yay, yay. So, you have to wonder where the decisions are being made. My councilman Brent here came over to my house. He saw a situation with a supposed public alleyway that doubles for a driveway for three of the residents there along it, that basically I put gravel down, of my own expense. But because a tree had been taken down by a city crew and put in the back for me to use as firewood. Apparently, some housing inspector came by and said that

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the right of way, which would have been the right of way that was voted on last week, which was really a very nice, forested area until Mr. Brown cut it all down, but this housing inspector said that wood had to be moved. So, one day after returning from work in Fredonia, I came back and there was a front loader and two nine-ton dump trucks, sent by Mr. Jeff Lehman to pick up this wood that this housing inspector said was supposedly blocking the right of way. It didn't look anything like a right of way or a road, it was a woods. And they were hauling all this wood, that the city had put back there for me to use as firewood, nine months before. Much of which, I had cut up. In the process, they scrape all the gravel up that I put down, the mayor gave me a letter, telling Jeff Lehman to return the gravel, to return the wood. About one-fifth of the actual roadway was repaired, but still, now almost twenty years later, the rest has not been repaired. It just fills up with water, it becomes a big mudhole and I'm still waiting for Mr. Lehman to fix the road that he destroyed. Mr. Olson said he was going to come out and look at it, five times and he never came out. This is the name of the game with the City of Jamestown. I would hope all you councilmembers – how many councilmembers are there?

Councilman Dolce: Nine.

Mr. Gardner: Nine councilmembers. The City of Atlanta has eighteen, okay. I don't think that Jamestown is half the size of Atlanta. It seems to me like you could get together and you could do something about these metropolitan problems that are continually arising in the city and you know, maybe we should start talking and discussing and having longer city council meetings down here, not up in the mayor's chamber. Thank you.

201705A00.05

Mr. Koss: Good Evening. Tom Koss. I live up on North Main in the Town of Ellicott. I came down, I believe it was last Tuesday night, and spoke to you about the annexation of the property from Falconer into Jamestown. I have no idea what the history of that is. I believe that may be something that Niagara Mohawk and the city worked out. If this was such a big issue, why wasn't it put on city property in the City of Jamestown when it was first thought of? Oh, we didn't think about how much someday we may need those few extra dollars to help us out for a short-term budget shortfall. Why don't we just move the items across the street into the city of Jamestown? Oh, it's probably going to cost us more money to move it, than to go through the litigation, the problems, the aggravation, the discontent of your neighbors, than it is to move all that parcel. Move that equipment across the street. It's very easy to just call a lawyer and say we're going to do a land grab. How's that for a word? A land grab. Annexation. We're going to annex it into the town.

I spoke last week, I believe it was last week, last Tuesday night at your work session about the volunteerism that you people in the city of Jamestown apparently, either do not acknowledge, do not appreciate, or do not want. I was talking to a police dispatcher that works for the city and she said that it is a regular thing. A regular thing not to have Allstar available, but to call upon the volunteers to handle your emergency medical issues, by Celoron, Lakewood, Busti, Falconer. Falconer. Maybe we ought to be working on a better agreement with Falconer because they're going to be a little short on their fire budget, their EMS budget if this annexation goes down through. Fluvanna, Gerry occasionally; you're getting a lot of help. I also note that the State Police, the CNET, that which is involved with investigations of drug use, drug abuse,

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the whole drug issue. They have partnered with the city of Jamestown. I am 100% sure that you do not pay the State Police for time they spend in the city doing drug enforcement work. There is no payment by the city for them to come in. There is no payment when the Town of Ellicott officers to come in here on a Saturday night, come in here on a Thursday night because you are overwhelmed with a problem in your city. These are volunteer services that you receive. State Police, Town of Ellicott, Sheriff's Department. These are all services that come to you to assist you in a time of need. I would think you're really spinning a bad web when you're doing this land grab because it's going to be a big issue on the 22nd of June, I believe is the date, and that reminds me, I really appreciate – I don't come to city hall a lot. There's a sign on the Mayor's door that this meeting is being held in the Police Training Room. Is, in fact, this the Police Training Room? Thank you very much for your cooperation because I've been all over this building looking for you people tonight.

I'm going to close tonight by saying I think you are making a very, very serious mistake. That few dollars that BPU is going to not be paying in relationship to all the help, assistance, services you receive from the volunteers. The other part of this is a month ago, and I noted the other day in the paper, you reported the sales tax revenue that Mayville sent down. It wasn't too many years ago that my failing mind remembers that it was a lot a cheaper to buy in Erie, Pennsylvania and it was an Andrew Goodell. I think he is a legislator now, am I putting that right? He sent the tax people to Erie, Pennsylvania to put notices on cars so that we could get more of our tax revenue back in the city. If we think hard, a lot of us can remember that little episode that kind of temporarily halted Mr. Goodell's political career. You're doing the same here by annexing, talking about annexation. Look at your political careers. There's nothing easy about that. I just bought a new vehicle from Dave Warren. I believe I paid probably \$3500.00 in sales tax. If I had this to do again today, I'd be running across the border and buying it over there. I try to help local business. I'm not going to try to help local business if you're going to come and take stuff away from me. It don't take too long to figure out. Again, if you continue with this annexation, you're making a very serious mistake. Thank you.

201705A00.06

Mr. Ross: My name is David Ross. I reside at 23 West Third Street. It's known as Covenant Manor. We're a residential facility of disabled and senior citizens. The premise of my conversation this evening concerns the Cherry Street parking ramp. Thank you for hearing such a miniscule problem. I don't speak on behalf of Millenia Property Group or any of its holdings. I speak on behalf of myself, but more importantly, the residents; the senior and disabled of Covenant Manor. Prior to May of 2017, Covenant Manor enjoyed the benefits of a reduced fee structure at the Cherry Street parking ramp. The normal fee is \$43.00 per month. We are able to pay \$20.00 a month. It's only \$23.00, but it's substantial. As of May, this year, with one single fee increase, our cost of parking has increased over 100%. Notification to our facility in advance of this would have been noteworthy. But, we are all on fixed incomes at Covenant Manor. Senior or disabled, we are on fixed incomes. As a point of note, Jamestown's Housing Authority, directly across the road from us, the Hotel Jamestown, evidently receives free parking. Why should we be any different? Grandfathering in one segment of the senior or disabled population and even another group unrepresented doesn't seem quite appropriate. It sends a mixed message. But, I digress. We live on fixed incomes, many of us under \$600.00 per month, \$7,200.00 per annum. \$43.00 is a lot of money for us. Between vehicle costs, insurance, maintenance, gas and

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oil, yada, yada, yada, it's not a privilege, it's a huge financial burden for us. \$43.00 is actually close to 10% of our monthly income for some of us. Occupancy doesn't seem to be very high at the parking ramp. I don't see a need to start slicing your local revenue – and you're not losing a lot of revenue by raising our costs because you're losing customers. You're really not gaining a lot of revenue in the initial spot. There's probably only maybe twenty of us that drive at that facility, so if you gain another ten residents, at \$23.00 it's \$230.00 a month. The few of us that do own vehicles, we tend to advocate for the other residents. We bring them to physicians, shopping...

Councilman Dolce: Mr. Ross, can I interrupt you for one minute?

Mr. Ross: Yes please.

Councilman Dolce: There seems to be a little bit of confusion of the fee structure. There seems to be some confusion.

Mr. Ross: I stand to be corrected, please.

Councilman Dolce: I'd like to call on the Clerk to explain the fee structure because there seems to be some misunderstanding.

Mr. Olson: The fee structure for the ramp, if you're parking there during the day or all the time, is \$43.00 a month. There is a nighttime ramp fee of \$18.00 per month and the council, to my knowledge, has not changed any of those fees. So, I'm not sure what type of parking structure you had with Allpro prior to that.

Mr. Ross: I just recently went there a week ago. And of course, this is what instigated this meeting, or me coming here, but I'm coming here on behalf of the residents.

Mr. Olson: Sir, are you only parking there during the evening hours?

Mr. Ross: I'd like to park there all the time.

Mr. Olson: I understand that. That would be \$43.00. During the nighttime, it's an \$18.00 fee if it's an overnight parking.

Mr. Ross: I was advised by the manager of Allpro. I said evidently \$20.00 a month and he said no. He said it used to be \$20.00 a month for Covenant Manor residents, now the property manager there tells us that it's been reduced to \$20.00 a month for us. When I went and asked him about it, he said no, that changed this month. That it's now \$43.00. We used to have a \$20.00 program, it's now \$43.00. So evidently there's some confusion there.

Councilman Dolce: I would suggest that you meet with the clerk to kind of resolve it. Jim Olson is the City Clerk.

Mr. Ross: City Clerk? Okay.

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Mr. Olson: Come down to the Finance Office downstairs.

Councilman Dolce: On the first floor, the Finance Office, by the windows when you first came in.

Mr. Ross: Thank you very much for your time. I appreciate it.

Councilman Dolce: Thank you. I just wanted to clarify that before you continue to go on if there's some misunderstanding there.

201705A00.07

Mr. Tota: Good evening. My name is Anthony Tota and my home address is 144 Clifton Avenue in Jamestown, New York. As you know I've been here for about three or four months since January complaining about traffic noise and lack of enforcement. The Chief, Chief Snellings, has responded to my complaints at this meeting. I said I would also respond, when I got the opportunity, the statements that the Chief has made in the two separate meetings where he did respond. The first thing I'd like to say was that the Chief had made several inaccurate and misleading statements concerning how he describes my expectations in regards to enforcement by the Jamestown Police. One of the first things where I can show that is he believes that I expect the police to be posted in the residence where I am at. Now, the only expectation that I have, and that's the only time I'm going to use the word expectation, is I expect the Jamestown Police to enforce the law. That is the only reason that I had made a complaint. I have no other reasons to do it. I have made, as the Chief has said, hundreds of complaints over a period of years.

Now, I believe he used the word I wanted the police posted in my neighborhood. If you review the tapes, the many tapes that I've had, dispatchers, many of which I've recorded, on my own by the way, I've stated to the police that I'd like to have the police come into the area and surveil the area and see if they can catch violators of vehicle traffic violations in my neighborhood. The second thing that I'd like to say is that I talked several times with the Chief and the second issue was brought up by the Chief and before this body, was a traffic control point and I'm assuming the Chief is meaning road checks by traffic control points. I never discussed a road check be placed in my neighborhood area. The only time that the Chief has ever placed road checks in the City of Jamestown is around, to my knowledge, is around the New Year's time. Now, in regards to road checks, we discussed that in detail in the times the Chief allowed me to talk to him and the point I was trying to make with road checks are, if you have more surveillance, you're going to have a tendency to pick up, in an area longer, rather than shorter, you're going to have a tendency to pick up infractions from vehicle traffic. Traffic violations, and that indeed is, as I understand it the reason for road checks by the police most of the time. I did ask for police to come to the neighborhood, but I never asked for road checks.

The thing that the Chief has also mentioned at the meeting is he said that I expected the police to stop doing what they were doing and come just for me to enforce vehicle traffic violations. This is totally untrue. I realize as I've stated that the Jamestown Police are at the schools. The dispatchers have caused, in part, this problem where the Chief has made these remarks by not telling me that the police were tied up on my original call. So, if you make an

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original call and the dispatcher says okay, we're going to send somebody down and another half an hour of loud, noisy traffic persists, and when you make a subsequent call and the dispatcher then tells you that the police were tied up, then you have an expectation, in the words of the Chief, of enforcement at that particular time based on the first call. Not having to call back on a subsequent call. And these are the issues that I'm trying to clarify with the police. There are also, in regards to the schools, the police are at the schools, there are WCA, high school, all kinds of traffic, factories, people making shift changes, probably the busiest time in the entire city. So, these police are being located, isolated at the schools sois likely to help enforcement all over the city. Although the Chief has told me in our conversations that he can break away from the schools if needed, he could be enforcing a complaint.

Councilman Dolce: Mr. Tota, can you wrap it up?

Mr. Tota: Yes. The last thing I'll say is, he told this body that he did not have the resources or the time to address vehicle and traffic complaints so that's contradictory to what he said concerning our conversation which we had. Thank you.

STANDING COMMITTEES

FINANCE COMMITTEE

201705A01

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 \$5,144,513.73 in accordance with the period ending May 19, 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 \$4,013,254.19 and payrolls in the total amount of \$1,131,259.54 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: 8 – 0

201705A02

BY COUNCILWOMAN ECKLUND:

RESOLVED, That Police Chief/Director of Public Safety Harry Snellings be and he hereby is authorized to attend the New York Association of Chiefs of Police Conference in Syracuse, New York, July 23-26, 2017 with expenses paid pursuant to Section 77-b of the General Municipal Laws of the State of New York.

Carried: 8 – 0

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201705A03

BY COUNCILWOMAN ECKLUND:

WHEREAS, the County of Chautauqua heretofore applied for State funding under the New York State Division of Criminal Justices Services GIVE Grant Program for 2017 and,

WHEREAS, the County's application has been approved and a portion of the grant funds must be shared with the City of Jamestown Police Department, now therefore be it

RESOLVED, that the Mayor and Police Chief/Director of Public Safety be and they hereby are authorized to participate in GIVE in the amount of Sixty-Nine Thousand, Eighty-Nine Dollars (\$69,089.00) for the period July 1, 2017 through June 30, 2018 provided by the State of New York.

Carried: 8 – 0

201705A04

BY COUNCILWOMAN ECKLUND:

RESOLVED, That the Mayor be and he hereby is authorized to execute an agreement with the County of Chautauqua for STOP-DWI Services for the time period January 1, 2017 to December 31, 2017 subject to the approval of the Corporation Counsel as to form.

Carried: 8 – 0

201705A05

BY COUNCILWOMAN ECKLUND:

RESOLVED, That warrants be drawn and paid to the respective owners and paying agents the sum of Three Hundred Eight Thousand Eight Hundred Eighty-Seven Dollars and Fifty Cents (\$308,887.50) in accordance with the bond and note requirements as follows:

Public Improvement Bonds Series A, issue of June 1, 2011, Two Hundred Fifty Thousand Dollars (\$250,000.00) principal and Fifty-Eight Thousand Eight Hundred Eighty-Seven Dollars and Fifty Cents (\$58,887.50) for six months interest at 3.50% per annum on Two Million Nine Hundred Seventy-Five Thousand Dollars (\$2,975,000).

Carried: 8 – 0

201705A06

BY COUNCILWOMAN ECKLUND:

RESOLVED, That warrants be drawn and paid to the respective owners and paying agents the sum of Three Hundred Sixty-Eight Thousand, One Hundred Six Dollars and Twenty-Five Cents (\$368,106.25) in accordance with the bond and note requirements as follows:

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Public Improvement Bonds, Series A, issue of June 15, 2010, Three Hundred Thousand Dollars (\$300,000.00) principal and Sixty-Eight Thousand, One Hundred Six Dollars and Twenty-Five Cents (\$68,106.25) for six months interest at 4.25% per annum on Three Million Two Hundred Five Thousand Dollars (\$3,205,000.00).

Carried: 8 – 0

201705A07

BY COUNCILWOMAN ECKLUND:

RESOLVED, That warrants be drawn and paid to the respective owners and paying agents the sum of Twenty-Six Thousand, Nine Hundred dollars and Zero cents (\$26,900.00) in accordance with the bond requirements as follows:

Various Purpose Bonds, issue of February 15, 2006, Twenty-Five Thousand Dollars (\$25,000) of principal and One Thousand, Nine hundred Dollars and Zero cents (\$1,900.00) for six months interest at 4.00% per annum on Ninety-Five Thousand dollars (\$95,000.00).

Carried: 8 – 0

201705A08

BY COUNCILWOMAN ECKLUND:

WHEREAS, On January 22, 2002 the Jamestown City Council adopted resolution number 200201C03 that effective immediately and until further notice instituted a hiring freeze for the City of Jamestown, and

WHEREAS, On November 20, 2006 the Jamestown City Council adopted resolution number 200611B17 to extend the freeze to any change in employment from Part-Time to Full-Time status, and

WHEREAS, it has become apparent that within the Jamestown Police Department an effort to effectively manage the city's day-to-day responsibilities in a cost efficient manner, it is in the City of Jamestown's best interest to lift the hiring freeze for a certain position, now therefore be it

RESOLVED, that effective immediately the Jamestown City Council hereby suspends the hiring freeze instituted by resolution number 200201C03 and resolution number 200611B17 and authorized the filling of the following position due to the essential nature of the position.

- One (1) Typist in the Jamestown Police Department (Retirement funded in the 2017 General Fund Budget).

Carried: 8 – 0

201705A09

BY COUNCILWOMAN ECKLUND:

RESOLVED, That the Mayor be, and he hereby is, authorized and directed to enter into a lease agreement with Chautauqua County for rental of approximately nine thousand, two hundred ninety-nine (9,299) square feet of office space on the fifth floor of the Municipal Building for use by the Chautauqua County Division of Mental Hygiene, which lease shall commence January 1, 2017 and terminate December 31, 2021 with an option to renew for an additional five year period and provide for rental payments as follows:

January 1, 2017 through December 31, 2017	\$116,052 per year
January 1, 2018 through December 31, 2018	\$120,694 per year
January 1, 2019 through December 31, 2019	\$125,521 per year
January 1, 2020 through December 31, 2020	\$130,542 per year
January 1, 2021 through December 31, 2021	\$135,764 per year

subject to the approval of the Corporation Counsel as to form.

Carried: 8 – 0

201705A10

BY COUNCILWOMAN ECKLUND:

RESOLVED, that in addition to the adoption of the Local Waterfront Revitalization Plan, the Local Consistency Review Law is also adopted, and that all proposals for land development within the Waterfront Revitalization Area are subject to the City’s land use regulations, and be it further

RESOLVED, the revisions outlined in Appendix D of the Local Waterfront Revitalization Plan to the City’s zoning map are also hereby adopted into the City of Jamestown’s Zoning Code.

Carried: 8 – 0

PUBLIC WORKS COMMITTEE

201705A11

BY COUNCILMAN SPITALE:

RESOLVED, that the Mayor be and he hereby is authorized to enter into an agreement with the New York Conference Association of Seventh-Day Adventists, 4930 Seneca Turnpike, Syracuse, NY 13215 to acquire a permanent utility easement from the Jamestown Seventh-Day Adventist Church, 130 McDaniel Avenue, Jamestown, NY 14701, that is to be used by the Department of Public Works, in return for the construction of a thirty-four space parking lot on parcel #386.16-5-1 per appraisal completed by Emminger, Newton, Pigeon, & Magyar, Inc., 60 Lakefront Boulevard, Suite 120, Buffalo, NY 14202, ENPM File No. 2017-072, dated March 29,

May 22, 2017

2017 to facilitate construction of a city owned underground storm water management facility. Funds to be taken from 2015 bond agreement subject to approval of the Corporation Counsel as to form.

Carried: 8 – 0

201705A12

BY COUNCILMAN SPITALE:

RESOLVED, That the bid submitted by Donegal Construction Corporation, 1235 Marguerite Lake Road, Greensburg, PA 15601 for 2017 Milling Machine, based on the bid opened by Cattaraugus County Department of Public Works on February 9, 2017, in the following amounts, be and the same hereby is accepted:

7 Foot Wide Milling Machine at \$4450.00/day for an estimate of 7 days for a total bid amount not to exceed Four Thousand, Four Hundred Fifty Dollars (\$4,450.00) per day for an estimate of 7 days, by “piggybacking” off 2017 Cattaraugus County Milling Bid and be it further

RESOLVED, That the Mayor be and he hereby is authorized to execute an agreement with Donegal Construction Corporation, which said agreement will reflect services to be performed by Donegal Construction Corporation, at the price reflected above. Said agreement to be subject to approval as to form by the office of the Corporation Counsel.

Carried: 8 – 0

201705A13

BY COUNCILMAN SHELDON:

RESOLVED That the Mayor be and he hereby is authorized to enter into an agreement with Otis Elevator Company, 354 Sonwil Drive, Buffalo, NY 14225, to provide elevator maintenance services for the City of Jamestown, NY at the Municipal Building, Spring Street Parking Ramp and Cherry Street Parking Ramp, per its proposal dated April 6, 2017, in a total amount not-to-exceed Eleven Thousand Three Hundred Twenty-Eight Dollars (\$11,328.00) per year with an annual cost adjustment to reflect increases or decreases in the labor cost based on the New York State wage rate, for a term of three (3) years beginning May 1, 2017, said agreement(s) to be subject to approval as to form by the office of the Corporation Counsel.

Carried: 8 – 0

May 22, 2017

201705A14

BY COUNCILMAN NELSON:

RESOLVED, that Resolution #201704A13 adopted on April 24, 2017 be and hereby is rescinded.

Carried: 8 – 0

201705A15

BY COUNCILMAN NELSON:

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 Million, One Hundred Thirty-One Thousand, Six Hundred Seven Dollars (\$1,131,607.00) based upon a total estimated maximum project cost for Green Infrastructure of Two Million, Six Hundred Eleven Thousand, Six Hundred Seven Dollars (\$2,611,607.00). 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: 8 – 0

PUBLIC SAFETY COMMITTEE

201705A16

BY COUNCILWOMAN JONES:

RESOLVED, That the following person be and she hereby is reappointed to the office of Commissioner of Deeds in and for the City of Jamestown for a term of two years:

Sarah B. Drake

May 24, 2017 to May 23, 2019

Carried: 8 – 0

NEW BUSINESS

201705A17

BY COUNCILWOMAN ECKLUND:

RESOLVED, That Mark Schlemmer, P.E., Senior Civil Engineer be and he hereby is authorized to attend the 2017 Highway School, June 12-14, 2017 in Ithaca, New York with expenses paid pursuant to Section 77-b of the General Municipal Law.

Carried: 8 – 0

201705A18

BY COUNCILWOMAN ECKLUND:

RESOLVED, That the Mayor of the City of Jamestown be and he hereby is authorized to enter into an agreement with HM Life Insurance Company of New York, placed through Premier Consulting Associates, LLC, 1416 Sweet Home Road, Amherst, New York 14228, for a specific excess stop-loss insurance policy for the period June 1, 2017 through May 31, 2018 in the amount of one hundred seventy-five thousand dollars (\$175,000.00) for specific deductible, annual unlimited maximum reimbursement, at a cost of Sixty-Nine Dollars and Twenty-three cents (\$69.23) per covered participant, per month, subject to the approval of the Corporation Counsel as to form.

Carried: 8 – 0

201705A19

BY COUNCILWOMAN ECKLUND:

RESOLVED, That the City Comptroller be and he hereby is authorized to make the following amendment to the 2017 General Fund Budget for the purpose of purchasing a John Deere mower for the Parks, Recreation and Conservation Department (to replace Unit 246) as follows:

INCREASE:	Appropriations	\$14,000.00
	Parks Department Equipment	
	A.7110.0200	
DECREASE:	Appropriations	\$14,000.00
	Contingency	
	A.1990.0400	

May 22, 2017

Councilwoman Ecklund: I just want to make a comment that this is to replace a piece of machinery that is desperately needed during this period especially in the Parks Department for equipment that has broke down and the cost to repair far exceeds the value of the equipment.

Carried: 8 – 0

201705A20

BY COUNCILWOMAN ECKLUND:

RESOLVED that the Mayor and Jeffrey Lehman, P.E., Director of Public Works and Acting Director of Parks, Recreation & Conservation, be and they hereby are authorized and directed to purchase from Landpro Equipment, 1756 Lindquist Drive, Falconer, NY 14733, off of NYS OGS Contract #PC66663, one (1) new 2017 John Deere 1550 Front Mower for a total amount not to exceed Twenty Thousand Eight Hundred Sixty Dollars (\$20,860.00), subject to approval of the Corporation Counsel as to form.

Note: Said new mower is for use in the Department of Parks, Recreation, and Conservation to replace current Front Mower #246.

Carried: 8 – 0

201705A21

BY COUNCILWOMAN ECKLUND:

WHEREAS, the City of Jamestown has long been committed to and has served as a leader on the intermunicipal service collaboration and consolidation front; and

WHEREAS, the City of Jamestown has successfully implemented the sharing and regionalization of dozens of services, with both the County of Chautauqua and municipalities within the Greater Jamestown Region, that had previously been the exclusive domain and responsibility of the city; and

WHEREAS, the city is currently examining and pursuing with the county a number of additional efforts designed to promote efficiencies and savings for local tax payers, including but not limited to further collaboration on the provision of public safety services, and

WHEREAS, the county is preparing to apply for up to \$20 million through the New York State Municipal Consolidation and Efficiency Initiative to further collaborative efforts with the City of Jamestown and other municipalities throughout Chautauqua County; now therefore be it

RESOLVED, that the City of Jamestown hereby supports the county's efforts and pledges its assistance to further government service collaboration and consolidation initiatives, with the goal of improving service levels and reducing costs for local residents, businesses and property owners.

Carried: 8 – 0

May 22, 2017

Councilman Dolce: Just a brief message reminding everyone that a week from today is Memorial Day. For the parade, I believe we are assembling at 9:00am in our usual spot on Fourth Street and kick off is at 10:00. The ceremony will be at Soldiers' Circle in Lake View Cemetery immediately following that. I hope to see everybody out there.

There being no further business, the meeting was adjourned.

James N. Olson
Director of Financial Services/City Clerk

DRAFT