

March 23, 2015

City Council

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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, March 23, 2015 at 7:30 p.m.

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

Members Absent:

Others Present:       Mayor Sam Teresi, Director of Financial Services/City Clerk James N. Olson, Corporation Counsel Marilyn Fiore-Lehman, Director of Public Works Jeff Lehman, Deputy Fire Chief Chet Harvey, Director of Development Vince DeJoy, Police Captain Todd Isaacson

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 The Rev. Leecroft Clarke of the Healing Word Ministries.

Councilwoman Carrubba moved to approve the minutes from the February 23, 2015 meeting.

**OPPORTUNITIES FOR PERSONS TO ADDRESS THE COUNCIL**

**STANDING COMMITTEES**

**FINANCE COMMITTEE**

201503A01

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 \$4,320,725.22

in accordance with the period ending March 20, 2015, 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 \$3,142,918.34 and payrolls in the total amount of \$1,177,806.88 as paid by the Comptroller and Director of Financial Services,

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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 ayes, 0 nays

201503A02

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 Eight Hundred Dollars (\$800.00) for the purpose of funding a portion of the cost of the 2015 Parks, Recreation and Conservation Department Summer Bandshell Concert Series subject to the approval of the Corporation Counsel as to form.

Carried: 9 ayes, 0 nays

201503A03

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) for the purpose of funding the 2015 City Tree Planting Program for the Parks, Recreation and Conservation Department subject to the approval of the Corporation Counsel as to form.

Councilwoman Ecklund: I just want to thank the Chautauqua Region Community Foundation for coming through and helping some of our vital programs in the City.

Carried: 9 ayes, 0 nays

201503A04

BY COUNCILMAN DOLCE:

RESOLVED, That Mark Schlemmer, P.E., Senior Civil Engineer be and he hereby is authorized to attend the 2015 World of Asphalt Show and Conference, March 17-19, 2015 in Baltimore, Maryland with expenses paid pursuant to Section 77-b of the General Municipal Law.

Carried: 9 ayes, 0 nays

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201503A05

BY COUNCILMAN DOLCE:

RESOLVED, That Police Officers Jay Wadsworth and Rob Ward be and they hereby are authorized to attend the New York Tactical Training Conference and Expo in Verona, New York, April 28-30, 2015 with expenses paid pursuant to Section 77-b of the General Municipal Laws of the State of New York.

Carried: 9 ayes, 0 nays

201503A06

BY COUNCILMAN DOLCE:

WHEREAS, the City of Jamestown desires to establish an administrative tribunal for the adjudication of parking infractions, (e.g., non-moving violations), and

WHEREAS, the establishment of this administrative tribunal will be subject to the provisions of Article 2-B of the New York State Vehicle and Traffic Law, and

WHEREAS, once established, the Jamestown City Council will by Local Law provide for the appointment of hearing examiners by the New York State Commissioner of Motor Vehicles from a list of eligible candidates to adjudicate said parking infractions in accordance with Article 2-B of the New York State Vehicle and Traffic Law, and

WHEREAS, in accordance with Resolution 201402A11 and at the prior request of the Jamestown City Council, the appropriate home rule legislation has been drafted and is entitled "AN ACT TO ALLOW THE CITY OF JAMESTOWN, NEW YORK TO ESTABLISH AN ADMINISTRATIVE TRIBUNAL FOR THE ADJUDICATION OF PARKING INFRACTIONS" and is denoted as Assembly Bill No. A.5123 and Senate Bill No. S.3420, and

WHEREAS, the City of Jamestown desires the enactment of the aforesaid home rule legislation, now therefore be it

RESOLVED, that the Mayor be, and he hereby is, authorized and directed to execute a home rule request for A.5123 and S.3420 referred to above, and be it further

RESOLVED, that the Corporation Counsel is hereby authorized and directed to transmit the appropriate home rule request forms to Senator Catherine M. Young.

Carried 9 ayes, 0 nays

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**PUBLIC WORKS COMMITTEE**

201503A07

BY COUNCILMAN SPITALE:

RESOLVED that Jeffrey Lehman, P.E., Director of Public Works and Acting Director of Parks Recreation & Conservation, is hereby authorized and directed to purchase off New York State Contract bid prices, Contract Number PC66663, one (1) new John Deere 4052 R tractor from John Deere Co., 2000 John Deere Run, Cary, NC 27513, as follows:

One (1) new John Deere 4052 R tractor	\$36,543.20
Loader attachment	5,650.64
Snow plow	<u>9,095.00</u>
Subtotal	\$51,288.84
Less:	
Trade-in value of 2002 John Deere 4310	<u>- 7,194.84</u>
Amount due	\$44,094.00

for an amount not to exceed Forty-four Thousand Ninety-four Dollars (\$44,094.00) for use in the Parks, Recreation & Conservation Department, to replace Parks 227.

Carried: 9 ayes, 0 nays

201503A08

BY COUNCILMAN SPITALE:

RESOLVED that Jeffrey Lehman, P.E., Director of Public Works, is hereby authorized and directed to purchase off New York State OGS Contract bid prices, Contract Number PC 65307, one (1) new John Deere front loader from Five Star Equipment, 284 Ellicott Road, PO Box 985, Orchard Park, NY 14127 for an amount not to exceed One Hundred Forty-Three Thousand Nine Hundred Eighty-Seven Dollars and Thirty-Nine Cents (\$143,987.39) for use in the Department of Public Works, to replace DPW 47.

Carried: 9 ayes, 0 nays

201503A09

BY COUNCILMAN PAGAN:

RESOLVED that Jeffrey Lehman, P.E., Director of Public Works, is hereby authorized and directed to purchase via piggy back off Erie County bid #A213051-004 one cab and chassis from Fleet Maintenance, Inc., 67 Ransier Drive, West Seneca, NY 14224 for an amount not to exceed One Hundred Twelve Thousand One Hundred One Dollars (\$112,101.00), and one truck

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body from Henderson Truck Equipment, 22686 Fisher Road, Watertown, NY 13601 off National Joint Powers Alliance (NJPA) contract # 080114-HPI ,for an amount not to exceed Seventy-Seven Thousand Eight Hundred Sixty-Eight Dollars (\$77,868.00), making up one new 2015 salt spreader in an amount not to exceed One Hundred Eighty-Nine Thousand, Nine Hundred Sixty-Nine Dollars for use in the Department of Public Works, to replace DPW 19.

Carried: 9 ayes, 0 nays

201503A10

COUNCILMAN PAGAN:

RESOLVED that Jeffrey Lehman, P.E., Director of Public Works, is hereby authorized and directed to purchase one (1) new Whacker compact wheeled excavator from Admar Supply, 1394 Military Road, Tonawanda, NY 14217 per its bid opened February 23, 2015, for the amount of Forty-Six Thousand Eight Hundred Dollars and Ninety Cents (\$46,800.90) as follows:

One (1) new Whacker compact wheeled excavator	\$81,800.90
Less:	
Trade-in value of 2000 Caterpillar 07-318 excavator	- <u>35,000.00</u>
Amount due	\$46,800.90

this being the lower of two bids received, for use in the Department of Public Works to replace DPW 59.

Carried: 9 ayes, 0 nays

201503A11

BY COUNCILMAN NELSON:

RESOLVED that Jeffrey Lehman, P.E., Director of Public Works, is hereby authorized and directed to purchase off New York State OGS Contract bid prices, Contract Number PC 65307, one (1) new John Deere front loader from Five Star Equipment, 284 Ellicott Road, PO Box 985, Orchard Park, NY 14127, for One Hundred Fifty-One Thousand, One Hundred Fourteen Dollars and Seventy-Nine Cents (\$151,114.79) for use in the Department of Public Works, to replace DPW 45.

Carried: 9 ayes, 0 nays

201503A12

BY COUNCILMAN NELSON:

RESOLVED that Jeffrey Lehman, P.E., Director of Public Works, is hereby authorized and directed to purchase off New York State OGS Contract bid prices, Contract Number PC 65307, one (1) new John Deere front loader from Five Star Equipment, 284 Ellicott Road, PO

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Box 985, Orchard Park, NY 14127 for an amount not to exceed One Hundred Forty-Two Thousand, Nine Hundred Sixty-Seven Dollars and Thirty-Nine Cents (\$142,967.39) for use in the Department of Public Works, to replace current DPW 46.

Councilman Dolce: Jeff is smiling, it's like Christmas morning for him. This is part of our recent bond.

Carried: 9 ayes, 0 nays

201503A13

**PUBLIC SAFETY COMMITTEE**

BY COUNCILWOMAN JONES:

RESOLVED, That the Board of Public Utilities be, and it hereby is, directed to install a new street light at the following locations:

City Pole 23723	Hazzard Street
City Pole 37815	Tower Street
City Pole 16935	West Cowden Place
City Pole 15410	West Cowden Place
City Pole 32890	Peterson Street
City Pole 20220 (2 Security Flood Lights)	Fluvanna Yard Site

**NEW BUSINESS**

201503A14

BY COUNCILWOMAN ECKLUND:

WHEREAS, Counsel for the City and BPU have reached a tentative settlement agreement in the Widrig Avenue lawsuit, which agreement has been reviewed by the Council, and

WHEREAS, the settlement agreement has been approved by the New York Municipal Insurance Reciprocal (NYMIR) and is contingent upon approval by the BPU, which has been so approved, now, therefore, be it

RESOLVED, that the Council does hereby authorize the Mayor to execute a settlement agreement with the Widrig Avenue plaintiffs to be approved as to form by the Corporation Counsel.

Carried: 9 ayes, 0 nays

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Councilman Pagan: We had a meeting scheduled for Thursday at 6:00pm for the Chadakoin Community Forum. That meeting has been cancelled since Mr. Dave Warren has withdrawn his interest in purchasing the Lafayette Street section.

There being no further business, the meeting was adjourned.

James N. Olson  
Director of Financial Services/City Clerk