

May 18, 2015

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 18, 2015 at 7:30 p.m.

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

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, Police Chief/Director of Public Safety Harry Snellings, Director of Development Vince DeJoy

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 Rev. Dr. William Blair of the New Creation Assembly of God.

Councilman Spitale moved to approve the minutes from the April 27, 2015 meeting.

OPPORTUNITIES FOR PERSONS TO ADDRESS THE COUNCIL

201505A00.01

Jason Perdue: Good evening, my name is Jason Perdue, my residential address is 34 Burtch Street, Jamestown, New York. My name is Jason as I just stated. I am the president of the Jamestown Pride Society here in the City. It is an organization that promotes social inclusion and activism for all individuals here within the City. I wanted to announce this evening that we have an event on May 30th, Saturday, May 30th which will be held at Jamestown Community College in the Student Union. The goal of that event is to address bullying within the County, within the schools and to show solutions and programs that are available that can start to address bullying and look into what we can do more within our school districts. We have four films that we will be showing, it is a film festival, that look into specific issues within individuals lives, locally actually. We worked with Jamestown Public Schools who will be showing some short documentaries as well as some other feature-length films. We have vendors from the local

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community who will be on hand selling different gifts and bake goods and whatnot. We also have guest speakers such as, Greg Rabb who will be there, myself, Lori who is in attendance tonight, the Western New York Anti-Violence Project will be speaking. We have GLISS of Buffalo who will be speaking. I think it's a great event for the community in order to address the issues of bullying and to take a look at some of the programs and solutions that we have available. Thank you very much for your time, that's all I have.

President Rabb: Thank you.

Councilwoman Carrubba: What time is the event?

President Rabb: Jason I believe it starts at noon?

Mr. Purdue: It is noon to nine, yes.

President Rabb: And you can come at any time and leave at any time.

Mr. Purdue: Yes it's an all-day event. There will be some activities all day. We have a full schedule of events on our website at jamestownpride.com. It is a free event.

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

STANDING COMMITTEES

FINANCE COMMITTEE

201505A01

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 \$4,979,235.60

in accordance with the period ending May 15, 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 \$3,893,872.77 and payrolls in the total amount of \$1,085,362.83 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

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201505A02

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, 2015 through May 31, 2016 in the amount of one hundred seventy-five thousand dollars (\$175,000) for specific deductible, annual unlimited maximum reimbursement, at a cost of Forty-Seven Dollars and fifty cents (\$47.50) per covered participant, per month, subject to the approval of the Corporation Counsel as to form.

Carried: 9 - 0

201505A03

BY COUNCILWOMAN ECKLUND:

RESOLVED, That warrants be drawn and paid to the respective owners and paying agents the sum of one hundred four thousand two hundred forty-three dollars and seventy-five cents (\$104,243.75) in accordance with the bond requirements as follows:

Various Purpose Bonds, issue of February 15, 2006, one hundred thousand (\$100,000) of principal and four thousand two hundred forty-three dollars and seventy-five cents (\$4,243.75) for six months interest at 3.75% per annum on two hundred twenty thousand dollars (\$220,000.00).

Carried: 9 - 0

201505A04

BY COUNCILMAN DOLCE:

RESOLVED, That warrants be drawn and paid to the respective owners and paying agents the sum of three hundred fifty-five thousand six dollars and twenty-five cents (\$355,006.25) in accordance with the bond and note requirements as follows:

Public Improvement Bonds, Series A, issue of June 15, 2010, two hundred seventy-five thousand dollars (\$275,000.00) principal and eighty thousand six dollars and twenty-five cents (\$80,006.25) for six months interest at 4.25% per annum on three million seven hundred sixty-five thousand dollars (\$3,765,000.00).

Carried: 9 - 0

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201505A05

BY COUNCILMAN DOLCE:

RESOLVED, That warrants be drawn and paid to the respective owners and paying agents the sum of two hundred ninety-seven thousand one hundred twelve dollars and fifty cents (\$297,112.50) in accordance with the bond and note requirements as follows:

Public Improvement Bonds Series A, issue of June 1, 2011, two hundred thirty thousand dollars (\$230,000.00) principal and sixty-seven thousand one hundred twelve dollars and fifty cents (\$67,112.50) for six months interest at 3.50% per annum on three million four hundred forty thousand dollars (\$3,445,000.00).

Carried: 9 - 0

201505A06

BY COUNCILMAN DOLCE:

RESOLVED, That warrants be drawn and paid to the respective owners and paying agents the sum of four hundred six thousand one hundred thirty-seven dollars and fifty cents (\$406,137.50) in accordance with the bond and note requirements as follows:

Public Improvement Bonds, issue of November 19, 2013, defeasance of 2004 Chautauqua County IDA bonds, three hundred twenty thousand dollars (\$320,000.00) principal and eighty-six thousand one hundred thirty-seven dollars and fifty cents (\$86,137.50) for six months interest at 2.00% per annum on five million eight hundred sixty-five thousand dollars (\$5,865,000.00).

Carried: 9 - 0

201505A07

BY COUNCILMAN DOLCE:

RESOLVED, That Mark Schlemmer, P.E., Senior Civil Engineer be and he hereby is authorized to attend the Cornell Local Roads Program, 2015 Annual State Highway School, June 1-3, 2015 in Ithaca, New York with expenses paid pursuant to Section 77-b of the General Municipal Law.

Carried: 9 - 0

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PUBLIC WORKS COMMITTEE

201505A08

BY COUNCILMAN NELSON:

RESOLVED that the Mayor be and he hereby is authorized to execute an agreement with G. L. Olson, Inc., 5529 Thum Road, Dewittville, New York 14728, for Fabrication and Installation of Bridge Railing at Panzarella Park, Greater Jamestown Riverwalk Phase VI, New York State EPF#136761, in the amount of Twenty-five Thousand Six Hundred Eighty Dollars (\$25,680.00) subject to approval of the Corporation Counsel as to form.

Carried: 9 - 0

201505A09

BY COUNCILMAN PAGAN:

RESOLVED that the Mayor be and he hereby is authorized to execute an agreement with Pavilion Drainage Supply Co Inc., PO Box 214, Pavilion, NY 14525, for Guiderail Installation at the Parks Department Building between W. Third Street and Fairmount Avenue, Greater Jamestown Riverwalk Phase VI, New York State EPF #136761, in the amount of Ten Thousand, Seven Hundred Dollars (\$10,700.00), subject to the approval of the Corporation Counsel as to form.

Carried: 9 - 0

201505A10

BY COUNCILMAN SPITALE:

RESOLVED that the Mayor be and he hereby is authorized to execute an agreement with Lake Shore Paving, 7 Osmer Street, Jamestown, NY 14701 to furnish a 4' milling machine with operator and mobilization for the 2015 construction season, in the following amounts, be and the same hereby is accepted subject to the approval of the Corporation Counsel as to form.

½ day rate - \$1,500.00

Full day rate - \$3,000.00

Carried: 9 - 0

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PUBLIC SAFETY COMMITTEE

201505A11

BY COUNCILWOMAN JONES:

RESOLVED, That the following persons be and they hereby are 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, 2015 to May 23, 2017
Marvin L. Hartley	May 19, 2015 to May 18, 2017

Carried: 9 - 0

HOUSING COMMITTEE

201505A12

BY COUNCILWOMAN CARRUBBA:

WHEREAS, under the Community Development Block Grant (CDBG) and HOME programs, entitlement communities are allotted funds to implement housing, neighborhood, community, and economic development activities; and

WHEREAS, the City of Jamestown has been designated an entitlement community and is eligible to prepare and submit a 5-year Consolidated Plan which includes proposed housing, neighborhood, community, and economic development activities to be funded through the City's CDBG and HOME Program funding allotments; and

WHEREAS, in conjunction with an extensive public input process conducted by the City of Jamestown's Department of Development, the staff has developed a draft FY 2015-2019 Consolidated Plan which includes proposed housing, neighborhood, community, and economic development activities to be funded with \$1,052,851 through the 2015 CDBG allocation and \$246,960 through the 2015 HOME allocation, for a total of \$1,299,811; and

WHEREAS, said development activities will occur in designated target areas in the community and include a variety of housing rehabilitation, infrastructure, planning, public services, and economic development initiatives; and

WHEREAS, targeted areas must be selected in accordance with HUD requirements 24 CFR 570.208(b)(1)(ii)(A) and 24 CFR 570.208(b)(1)(ii)(B), which indicate CDBG and HOME funds must be used in areas designated as slums and blight, where a substantial number of deteriorated building exist; and

WHEREAS, in addition to the extensive, informal, public input process conducted by the Department of Development, two (2) required public hearings were held on March 25th, 2015, and March 31st, 2015, for the purpose of obtaining citizen input regarding the FY 2015 Annual Action Plan, the 5-year Consolidate Plan, and the specific CDBG and HOME activities to be contained therein; and

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WHEREAS, the draft FY 2015-2019 Consolidated Plan and FY 2015 Annual Action Plan is currently available for public review for a minimum of 30 days as required by U.S. Department of Housing and Urban Development (HUD) regulations; and

WHEREAS, additional comments of support and public input were received during the aforesaid public input period and carefully considered by Administration officials and City Council members; now therefore be it

RESOLVED, that the City of Jamestown does hereby declare the following three (3) target areas as slum and blighted areas as per the requirements set forth by the aforementioned HUD requirements: North Main Street between 6th and 23rd Street and encompassing Washington Street and Prendergast Avenue to the west and east of North Main Street respectively; W. 2nd Street from Washington Street to N Main Street; E. 2nd Street from N Main Street to the City Line including Falconer Street to the north and Liberty Street to the west and also including all streets that transect this area; and East & West First Streets from Cherry Street to Institute Street; and also be it therefore

RESOLVED, that these areas will be designated slum and blight target areas for the life of the drafted 2015-2019 Consolidated Plan and FY 2015 Annual Action Plan, and will be the primary focus of the proposed CDBG target area activities listed within.

Carried: 9 - 0

NEW BUSINESS

201505A13

BY COUNCILWOMAN ECKLUND:

WHEREAS, funding was made available through the United States Environmental Protection Agency (USEPA) for the FY 2014 Brownfields Assessment Grant which is designed to provide municipalities up to \$200,000 in funding to inventory and site characterization, planning, community outreach, and environmental assessments to determine existing contamination; and

WHEREAS, the City of Jamestown submitted an application for such funding on August 7, 2014 to USEPA with the project title Community Wide Hazardous Brownfields Assessment requesting \$200,000 to develop and implement a program to access local “brownfields” properties, or properties whose expansion, redevelopment or reuse may be complicated by the presence of hazardous substances; and

WHEREAS, the Community Wide Hazardous Brownfields Assessment Program will target vacant, abandoned and underutilized commercial and industrial sites to encourage redevelopment; and

WHEREAS, USEPA awarded the City of Jamestown \$200,000 on September 16, 2014 to develop and implement Community Wide Hazardous Brownfields Assessment Program through a Cooperative Agreement No. BF96280715-0 with GENERAL TERMS AND CONDITIONS and award grant-specific administrative and programmatic conditions set forth by USEPA; now therefore be it

RESOLVED, that the City of Jamestown does hereby accept the Brownfield Assessment Grant of \$200,000 from USEPA through Cooperative Agreement No. BF-96280715-0, and

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agrees to the terms and conditions set forth to develop and implement Community Wide Hazardous Brownfields Assessment Program through project period September 30, 2017; and be it further

RESOLVED, that the Jamestown Urban Renewal Agency agrees to serve as administrator and coordinator of the Community Wide Hazardous Brownfields Assessment for this grant program.

Carried: 9 - 0

201505A14

BY COUNCILMAN DOLCE:

RESOLVED, that the Mayor be and he hereby is authorized to enter into an Early Entry Agreement with the National Comedy Center (NCC), granting the NCC access to the parcel of property at Washington and West Second Street known as SBL# 387-48-1-2 as well as the portion of Rose Alley the abuts said parcel, for the beginning phases of development and construction of the National Comedy Center subject to the approval of the Corporation Counsel as to form.

Carried: 9 - 0

Councilman Dolce: Just a quick comment this is another step in the process of moving in the direction of what we hope will be an exciting development in Jamestown for our comedy center.

201505A15

BY COUNCILMAN DOLCE:

RESOLVED, that Jeff Lehman, Director of Public Works be and he hereby is authorized to purchase a used 1992 Eager Beaver – T/A 35T detachable Trailer from Roy Teitsworth, Inc. 6502 Barber Hill Road, Geneseo, NY 14454 in the amount of \$26,000.

Carried: 9 - 0

Councilman Pagan: I have an announcement. I wanted to announce that there will be an employment exploration event June 2nd at the train station at 9:30 am. This is a job fair for bilingual individuals for the Hispanic community here in Jamestown. There are two events; one in Jamestown, one in Dunkirk. The one in Jamestown is June 2nd at 9:30. If you're looking to hire bilingual individuals there are going to be 15 companies represented at that place. Either people that want to be hired that are bilingual or people looking for bilingual people to be hired; June 2nd at 9:30 am, sponsored by JBC, Chautauqua County and the Hispanic Coalition of Chautauqua County.

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Councilman Dolce: Just a brief reminder that next Monday is Memorial Day. We should all be marching down Jamestown's grand second ward.

President Rabb: I think we start in the Third Ward though Mr. Dolce, don't we?

Councilman Dolce: We do start in the Third Ward yes.

President Rabb: We start in the grand Third Ward and proceed through the grand Second Ward.

Councilwoman Carrubba: The Resource Center's Street Jam will be the following weekend, May 30th. It's a week earlier than usual and we hope we will have a lot of people downtown to encourage and cheer on the teams. I haven't heard the last count yet, but they had a good turnout last year so hopefully it will be another good event.

Councilman Pagan: I won't be at the parade. I have to go down to Cuba.

There being no further business, the meeting was adjourned.

James N. Olson
Director of Financial Services/City Clerk