

July 27, 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, July 27, 2015 at 7:30 p.m.

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

Members Absent:     Council President Greg Rabb, Alfonso Pagan

Others Present:     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, Executive Assistant to the Mayor Matt Hanley

Director of Financial Services/City Clerk James N. Olson called the meeting to order in Council President Rabb’s absence and led the assembly in the Pledge of Allegiance to the Flag.

The Invocation was given by Rev. Adam Rohler of the First Covenant Church.

Councilman Spitale moved to approve the minutes from the June 29, 2015.

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

Councilwoman Jones seconded the motion.

Councilman Spitale moved to close the nominations.

Carried: 7 ayes, 0 nays

**MESSAGES FROM THE MAYOR**

201507A00.01

CITY OF JAMESTOWN     )

Mayor’s Office           )

To the City Council of the City of Jamestown New York

Council Members:

July 27, 2015

In pursuance of the authority vested in me by the Charter of said City, I do hereby nominate:

Martha Zenns  
476 Willard Street  
Jamestown, New York 14701

to be appointed a member of the Jamestown Urban Renewal Agency in and for the City of Jamestown, New York to fill the unexpired term of Michael A. Munella, deceased.

The term for which said appointment is to be made will expire  
December 31, 2015.

Dated: July 27, 2015

Samuel Teresi  
Mayor of the City of Jamestown, New York

201507A00.02

CITY OF JAMESTOWN     )  
Mayor's Office             )

To the City Council of the City of Jamestown New York  
Council Members:

In pursuance of the authority vested in me by the Charter of said City, I do hereby nominate:

Jeffrey L. Nelson  
90 Howard Street  
Jamestown, New York 14701

to be re-appointed a member of the Board of Assessment Review in and for the City of Jamestown, New York.

The term for which said appointment is to be made will expire  
September 30, 2020.

Dated: July 27, 2015

Samuel Teresi  
Mayor of the City of Jamestown, New York

July 27, 2015

201507A00.03

CITY OF JAMESTOWN )

Mayor's Office )

To the City Council of the City of Jamestown New York

Council Members:

In pursuance of the authority vested in me by the Charter of said City, I do hereby nominate:

Judy Brentley  
30 Price Street  
Jamestown, New York 14701

to be re-appointed a member of the Jamestown Housing Authority in and for the City of Jamestown, New York.

The term for which said appointment is to be made will expire September 30, 2020.

Dated: July 27, 2015

Samuel Teresi  
Mayor of the City of Jamestown, New York

Councilwoman Ecklund moved, seconded by Councilwoman Jones to suspend the rules and vote on the appointments.

Carried: 7 ayes, 0 nays

Councilwoman Ecklund moved, seconded by Councilwoman Carrubba to vote on the appointments.

Carried: 7 ayes, 0 nays

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**STANDING COMMITTEES**

**FINANCE COMMITTEE**

201507A01

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 \$4,116,580.59

in accordance with the period ending July 24, 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 \$2,791,220.81 and payrolls in the total amount of \$1,325,359.78 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: 7 – 0

201507A02

BY COUNCILWOMAN ECKLUND:

RESOLVED, That Police Chief/Director of Public Safety Harry Snellings and Lieutenant Greg Wozneak be and they hereby are authorized to attend the New York Association of Chiefs of Police Conference in Saratoga Springs, New York, July 12-15, 2015 with expenses paid pursuant to Section 77-b of the General Municipal Laws of the State of New York.

Carried: 7 – 0

201507A03

BY COUNCILWOMAN ECKLUND:

RESOLVED, That Captain Robert Samuelson be and he hereby is authorized to attend the FIO Regional Coordinator Conference in Syracuse, New York, July 13-15, 2015 with expenses paid pursuant to Section 77-b of the General Municipal Laws of the State of New York.

Carried: 7 – 0

July 27, 2015

201507A04

RESOLVED, That Deputy Fire Chief Chester Harvey be and he hereby is authorized to attend the New York State Career Fire Chief's Meeting in Auburn, New York, July 15, 2015, with expenses paid pursuant to Section 77-b of the General Municipal Law.

Carried: 7 – 0

201507A05

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 Department of Public Works 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 to fill a vacancy that was recently created due to a retirement.

- One (1) Laborer in the Department of Public Works (funded in the 2015 General Fund Budget).

Carried: 7 – 0

201507A06

BY COUNCILWOMAN ECKLUND:

RESOLVED, that Mayor Samuel Teresi, and Police Chief/Director of Public Safety Harry Snellings be, and they hereby are, authorized to enter into an agreement with the City of Jamestown School District for providing one (1) School Resource Officer in the Jamestown Public Schools for a term of one (1) year beginning September 1, 2015 and ending August 31, 2016 subject to the approval of the Corporation Counsel as to form.

Councilwoman Ecklund stated: I just want to reiterate that this is an additional officer that will be in the school system and will be located at the Tech Academy.

Carried: 7 – 0

201507A07

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.

- One (1) Police Officer in the Jamestown Police Department (funded through an agreement with the Jamestown Public Schools for a School Resource Officer).

Carried: 7 – 0

201507A08

BY COUNCILWOMAN ECKLUND:

RESOLVED, that the Mayor of the City of Jamestown be and he hereby is authorized to enter into an agreement with the County of Chautauqua, in an amount not to exceed Four Thousand dollars (\$4,000), for the purpose of funding a portion of the 2015 Parks, Recreation and Conservation Department Summer Playground Program subject to the approval of the Corporation Counsel as to form.

Carried: 7 – 0

201507A09

BY COUNCILWOMAN ECKLUND:

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 prepared for submission to the U.S. Department of Housing and Urban Development (HUD) a Five-Year Consolidated Plan (2015-2019) that is designed to help local jurisdictions to assess their affordable housing and community development needs and market conditions, and to make data-driven, place-based investment decisions, and serves as the framework for a community-wide dialogue to identify housing and

community development priorities that align and focus funding from the CPD formula block grant programs; and

WHEREAS, the City of Jamestown has been designated an entitlement community and is eligible to prepare and submit an Annual Action 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 Annual Action Plan which includes proposed housing, neighborhood, community, and economic development activities to be funded with \$1,052,581 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 target areas in the community and have been designated slums blighted areas through from extensive property surveys and City Council resolution, and will include a variety of housing rehabilitation, infrastructure, planning, public services, and economic development initiatives; 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 31, 2015, and April 27, 2015, for the purpose of obtaining citizen input regarding the FY 2015 Annual Action Plan and the specific CDBG and HOME activities to be contained therein; and

WHEREAS, the draft FY 2015 Annual Action Plan has been 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 Mayor be and is hereby authorized and directed to submit the 2015-2019 Consolidated Plan and the draft FY 2015 Annual Action Plan, including the specific CDBG and HOME activities contained therein, to the U.S. Department of Housing and Urban Development; and be it further

RESOLVED; that the specific CDBG and HOME activities contained within the FY 2015 Annual Action Plan will be comprised of the list hereto attached.

## FY 2015 Community Development Block Grant and HOME Programs

### Summary of FY 2015 CDBG Activities:

#### Proposed Low-Moderate Benefit Activities = 87.6 % of Active Funds

<u>Activity</u>	<u>Amount</u>
A.D.A. Improvements –Public Facilities	\$ 125,000
Neighborhood Target Area Infrastructure Improvement Program	\$ 257,281
Neighborhood Target Area Demolition Program	\$ 100,000

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Owner Occupied Emergency Repair Program	\$ 30,000
Target Area Code Enforcement Officer	\$ 55,000
Downtown Handicapped Accessibility Improvement Program	\$ 90,000
Target Area Owner Occupied Rehabilitation	<u>\$ 85,000</u>
<b>SUB-TOTAL (Low - Moderate Benefit Activities)</b>	<b><u>\$ 742,281</u></b>

**Proposed Slums and Blight Activities = 12.4 % of Active Funds**

<u>Activity</u>	<u>Amount</u>
Target Areas Greenlining Façade Improvement Program	\$ 100,000
Planning & Technical Assistance	\$ 5,000
<b>SUB-TOTAL (Slums and Blight Activities)</b>	<b><u>\$ 105,000</u></b>
Administration/Program Delivery	<u>\$ 205,570</u>
<b>TOTAL (CDBG Program)</b>	<b><u>\$1,052,851</u></b>

**Summary of FY 2012 HOME Program Activities:**

<u>Activity</u>	<u>Amount</u>
Citywide Owner-Occupied Rehabilitation	\$185,220
CHDO Set-Aside (15%)	\$ 37,044
Administration/Program Delivery	<u>\$ 24,696</u>
<b>TOTAL (HOME Program)</b>	<b><u>\$ 246,960</u></b>

Carried: 7 – 0

201507A10

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 2015, and

WHEREAS, the County of Chautauqua'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 and directed to participate in GIVE for the period July 1, 2015 through June 30, 2016 with funding in the amount of Thirty-Three Thousand, Three Hundred Ninety-Five Dollars (\$33,395.00) provided by the State of New York, subject to the approval of the Corporation Counsel as to form.

Carried: 7 – 0



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201507A11

By COUNCILWOMAN ECKLUND:

WHEREAS, as part of the New York State Regional Economic Development Council initiative, the 2015 Consolidated Funding Application (CFA) is an online process for accessing state resources currently available from multiple New York State agencies and authorities through one application with a deadline for submission as July 31, 2015 at 4:00 PM; and

WHEREAS, in conjunction with the 2015 Consolidated Funding Application (CFA) process, up to \$6 million for ESD Strategic Planning and Feasibility Studies will be available statewide in 2015 through Empire State Development Grant Funds as Direct Assistance to Businesses and Other Organizations; and

WHEREAS, the Jamestown Urban Renewal Agency has prepared for submission on or before July 31, 2015, an application for grant funding with a local match, for a study to determine project feasibility for excursion passenger train service between Jamestown, Buffalo, and potentially other Southern Tier established attractions and communities– a data-based research project on potential market including seasonality and pricing sensitivity, the infrastructure upgrades required for passenger-quality track in selected portions, and the various public ownership and liability insurance issues that rail property owners need to address to allow operations over key rail corridors; and

WHEREAS, said application is consistent with and in support of the City of Jamestown's Comprehensive Plan (1998), and other studies regarding riverfront development and its importance to downtown redevelopment including the Downtown Jamestown Community Redevelopment Plan (2001), City of Jamestown Urban Design Plan (2006), and is supportive of the proposed National Comedy Center at the Gateway Train Station and additional regional attractions; now therefore be it

RESOLVED, that the Mayor is hereby authorized to submit to the New York State Regional Economic Development Council an application for grant funding with a local match for the ESD Strategic Planning and Feasibility Study for Excursion Train Passenger Rail Service and other related developments; and be it further

RESOLVED, that the Jamestown City Council hereby approves the use of up to \$30,000 of the "first-instance" Urban Development Action Grant (UDAG) proceeds managed by the Jamestown Local Development Corporation to cover the required fifty percent match for the entire project scope until such time that other approved grant fund resources can be utilized to replace UDAG funds; and be it further

RESOLVED, that the City Council hereby authorizes the Mayor to execute all necessary documents with New York State and Empire State Development should the City of Jamestown be successful in securing funding through said application process.

Carried: 7 – 0

July 27, 2015

**PUBLIC WORKS COMMITTEE**

201507A12

BY COUNCILMAN SPITALE:

RESOLVED, That the bid submitted by R. Patti Concrete Excavating LLC, PO Box 3081, Jamestown, NY 14702 for Concrete Work: Street Reconstruction 2015, Lakeview Ave. – Phase 4, based on the bid opened July 9, 2015, in the following amounts, be and the same hereby is accepted:

9394 SF Flat Work: 4 inch at \$5.45 SF  
4687 SF Flat Work: 6 inch at \$6.25 SF  
2834 LF Standard 18" Curb & Gutter at \$24.00 LF  
190 LF Steps at \$50.00 LF  
7 EA Steps Hand Railing at \$900.00 EA  
30 EA Core Drill: 4 inch diameter with 15' of 4" drain pipe at \$100.00 EA  
30 TON Additional Stone at \$ 40.00 TON  
5 CY Additional Excavation: \$ 0.00 CY  
80 SF Detectable warning surface for ADA Accessible Curb Cuts at \$20.00 SF

for a total bid amount of One Hundred Seventy Thousand One Hundred Seven Dollars and Five Cents (\$170,107.05), this being the lower of two bids received meeting qualifications, and be it further.

RESOLVED, That the Mayor be and he hereby is authorized to execute an agreement with R. Patti Concrete Excavating LLC, which agreement will reflect the services to be performed by R. Patti Concrete Excavating LLC, at the prices referred to above, said agreement to be subject to approval as to form by the office of the Corporation Counsel.

Carried: 7 - 0

201507A13

BY COUNCILMAN NELSON:

RESOLVED, that the Mayor be and he hereby is authorized to enter into an agreement with Clark Patterson Lee, 1279 North Main Street, Jamestown, NY 14701 for professional engineering and design services including overall design, preparation of design documents, construction support, and construction inspection for the Two Riverwalk Trail Bridges, D034901 PIN 5761.09 for the City of Jamestown, NY, in accordance with its proposal of June 22, 2015, for a not to exceed cost of Two Hundred Thirty-Five Thousand Five Hundred Eighty Dollars (\$235,580.00).

Carried: 7 - 0

July 27, 2015

**PUBLIC SAFETY COMMITTEE**

201507A14

BY COUNCILWOMAN JONES:

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

Helen A. Johnson

July 28, 2015 to July 27, 2017

Carried: 7 - 0

**NEW BUSINESS**

201507A15

BY COUNCILWOMAN ECKLUND:

RESOLVED, That the Mayor be, and he hereby is, authorized to enter into a contract with the Center for Governmental Research Inc., One South Washington Street, Suite 400, Rochester, New York 14614 for the next phase of professional services related to the completion of a Police Consolidation Study between the City of Jamestown Police Department and the Chautauqua County Sheriff's Office in the amount not to exceed Ten Thousand Dollars (\$10,000.00) subject to the approval of the Corporation Counsel as to form.

Carried: 7 - 0

201507A16

BY COUNCILWOMAN ECKLUND:

RESOLVED, That the Mayor of the City of Jamestown is authorized to enter into a School Tax collection agreement with the Board of Education of the Enlarged City School District of the City of Jamestown, New York for the July 1, 2015 to June 30, 2018 time period with the option to renew the agreement for two (2) one-year periods subject to the approval of the Corporation Counsel as to form

Carried: 7 - 0

201507A17

BY COUNCILWOMAN ECKLUND:

WHEREAS, the Jamestown Renaissance Corporation is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under the

July 27, 2015

Environmental Protection Fund for a park project to be located at Winter Garden Plaza (313 N. Main Street), a site located within the territorial jurisdiction of this Council; and

WHEREAS, as a requirement under the rules of these programs, said not-for-profit corporation must obtain the "approval/endorsement of the governing body of the municipality in which the project will be located";

NOW, THEREFORE, be it resolved by this august body that the Jamestown City Council hereby does approve and endorse the application of the Jamestown Renaissance Corporation for a grant under the Environmental Protection Fund for a park project known as Winter Garden Plaza Phase II and located within this community.

Carried: 7 - 0

201507A18

BY COUNCILWOMAN ECKLUND:

WHEREAS, the Jamestown Renaissance Corporation is applying to the New York State Office of Community Renewal (OCR) for a grant under the New York Main Street Program for a project to be located at 119-121 W. Third Street (the Dr. Lillian V. Ney Renaissance Center), a site located within the territorial jurisdiction of this Council; and

WHEREAS, as a requirement under the rules of these programs, said not-for-profit corporation must obtain the "approval/endorsement of the governing body of the municipality in which the project will be located";

NOW, THEREFORE, be it resolved by this august body that the Jamestown City Council hereby does approve and endorse the application of the Jamestown Renaissance Corporation for a grant under the New York Main Street Program to aid in the renovation of 119-121 W. Third Street.

Carried: 7 - 0

There being no further business, the meeting was adjourned.

James N. Olson  
Director of Financial Services/City Clerk