

August 24, 2009

City Council

Proceedings by Authority

State of New York
City of Jamestown
City Council Chambers

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A regular meeting of the City Council of the City of Jamestown, New York was held on Monday, August 24, 2009 at 7:30 p.m.

Members Present: Council President Greg Rabb, Council Members, Steve Szwejbka, Tony Dolce, Michael Taylor, Vince DeJoy, Maria Jones, Paul Whitford, Kim Ecklund, and George Spitale

Others Present: Mayor Sam Teresi, Director of Financial Services/City Clerk James N. Olson, Corporation Counsel Marilyn Fiore-Nieves, Director of Public Works Jeff Lehman, Director of Public Safety, Police Chief Rex Rater and Executive Assistant to the Mayor Matt Hanley

Council President Rabb called the meeting to order.

Rev. Jim Reed of the Bethel Baptist Church gave the invocation.

The minutes from the previous meeting of July 20, 2009 were approved.

OPPORTUNITIES FOR PERSONS TO ADDRESS THE COUNCIL

200908A00.01

James Slagle, Hotel Jamestown, 110 W. Third Street: I want to know one thing – if Fifth Street’s going to be done this year? I don’t think that street’s going to take another hard winter. I don’t believe so and it’s getting rougher and rougher. Some of the patching needs to be done on Cherry Street what they missed down by the Hotel. Same on North Main Street up there by Stanton’s Garage. There’s a lot of things that need to be improved downtown yet. I will say this: I almost lost my wife last Sunday. She had a heart attack and seizure but I just thank God that she’s here today. I want to compliment the Chief and all he does – you’ve got a terrific police force and Mayor you ought to be proud of him but he does a very good job. Is the bridge going to be done this year?

Mr. Rabb: The Washington Street bridge?

Mr. Slagle: Yes.

Mr. Rabb: Well, it’s going to be start being done – that’s the way to put it.

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Mr. Slagle: I mean are they going to have to block off in different ways? I feel sorry for the truckers. I want to ask something of Jeff for a minute? Jeff – is Fifth Street going to be done or not?

Mr. Lehman: It will be done by New York State. That is the plan.

Mr. Slagle: They told me one time when I called them about it – they said they were going to...it's the City's – not their's. Who are you going to believe? Well, anyway, that's all I got to say tonight. I'm glad to see all the Council members are back and my wife's here and I'm here and thank God for everything. Thank you.

STANDING COMMITTEES

FINANCE COMMITTEE:

200908A01

BY COUNCILMAN DOLCE:

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 \$6,053,909.92 in accordance with the period ending August 24, 2009, 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 \$3,470,528.92, investments in the total amount of \$1,400,000.00 and payrolls in the total amount of \$1,183,381.00, 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 ayes, 0 nays

200908A02

BY COUNCILMAN DOLCE:

RESOLVED, That the Mayor be, and hereby is, authorized to enter into an agreement with the Pick of the Litter, 1805 East Elmwood Ave., Falconer, NY 14733 for the time period August 1, 2009 to December 31, 2010 for services provided to the City of Jamestown with regard to stray animals, subject to the approval as to form by the Corporation Counsel.

Councilman Szwejbka: I'm going to be voting no on this resolution and it doesn't reflect my feelings on Pick of the Litter, but rather it reflects my feelings on the process that got us to this point: the inability of the City and the SPCA to come to an agreement. Thank you.

Carried: 8 ayes, 1 nay (Szwejbka)

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200908A03

BY COUNCILMAN DOLCE:

WHEREAS, the County of Chautauqua heretofore applied for State funding under the New York State Division of Criminal Justices Services Operation IMPACT Grant Program for 2009 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 be, and they hereby are, authorized and directed to participate in Operation IMPACT for the period of July 1, 2009 through June 30, 2010 with funding in the amount of one hundred thousand seven hundred and forty-one dollars (\$100,741) provided by the State of New York.

Carried: 9 ayes, 0 nays

PUBLIC WORKS:

200908A04

BY COUNCILMAN SPITALE:

RESOLVED, that the Mayor be, and he hereby is, authorized to execute an agreement with Watts Architecture & Engineering, PC, 3826 Main Street, Buffalo, NY 14226, for monitoring/air sampling at Municipal Building, Jamestown, NY during the elevator asbestos abatement project for the sum of Forty-five Thousand One Hundred Seventy-five Dollars (\$45,175.00), per their proposal dated July 22, 2009.

Councilman Dolce: Just a reminder that this is the money that's already been bonded for. It's not additional money.

Carried: 9 ayes, 0 nays

NEW BUSINESS:

200908A05

BY COUNCILMAN DeJOY:

WHEREAS, the City of Jamestown Board of Public Utilities, in conjunction with the New York Oxycoal Alliance, is making application to the United States Department of Energy for a grant under the Clean Coal Power Initiative Round 3 Funding Opportunity Announcement (DE-FOA-0000042), for grant funding for a 50 MW demonstration oxy-coal power plant project, and

WHEREAS, the Clean Coal Power Initiative application commits that the City of Jamestown Board of Public Utilities will supply partial funding for the project in the amount of \$145 M through the provision of municipal general obligation bonds issued by

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the City of Jamestown, or revenue bonds issued by a special purpose entity to be formed by the City of Jamestown, and

WHEREAS, the City of Jamestown desires to show its support for the City of Jamestown Board of Public Utilities project and the issuance of bonds as herein stated, now therefore be it

RESOLVED, that the City of Jamestown does hereby express its support for the City of Jamestown Board of Public Utilities/New York Oxycoal Alliance demonstration project, and be it further

RESOLVED, that the Jamestown City Council supports said application for funding assistance through the United States Department of Energy's Clean Coal Power Initiative, and be it further

RESOLVED, that if the City of Jamestown Board of Public Utilities receives commitments from the United States Department of Energy for grant funding in the amount requested in the application, and such other funding as is anticipated in the United States Department of Energy application, the City of Jamestown will authorize the issuance of municipal bonds, or will guarantee repayment of revenue bonds of a special purpose entity to be formed, in the amount of \$145 M.

Councilman DeJoy: I would just like to say that I couldn't be more proud of the City of Jamestown, the Board of Public Utilities and our elected officials both in the Federal government, our two senators, Senator Schumer and Senator Gillibrand, our Congressman Brian Higgins, our two representatives that represent us in Albany, Assemblyman Parment and Senator Young for standing behind Jamestown. We had a very short time to get this application in as you know, and we were dealt, for many entities may have been a serious blow; but the people of Jamestown had the tenacity and the will to keep forging on and we're not going to let outside forces control our destiny. I feel that this project is probably one of the most important projects the City has ever undertaken since Mayor Sam Carlson initiated our current power plant. So I am firmly behind this and I would request that my colleagues vote in favor of this resolution. Thank you Mr. President.

Carried: 9 ayes, 0 nays

There being no further business, the meeting was adjourned.

James N. Olson
Director of Financial Services/
City Clerk