

July 26, 2010

City Council

Proceedings by Authority

State of New York
City of Jamestown ss:
City Council Chambers

A regular meeting of the City Council of the City of Jamestown, New York was held on Monday, July 26, 2010 at 7:30 p.m.

Members Present: Council President Greg Rabb, Council Members, Steve Szwejbka, Tony Dolce, Michael Taylor, Vincent 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-Lehman, Director of Public Works Jeff Lehman, Lt. Harry L. Snellings, Capt. Robert Samuelson, and Executive Assistant to the Mayor Matt Hanley

Council President Rabb called the meeting to order.

Rev. Darrell Duffy of St. James Parish gave the invocation.

The minutes of the June 28, 2010 meeting were approved.

MESSAGES FROM THE MAYOR

201007A00.01

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:

Harry L. Snellings
2 City View Ave.
Jamestown, New York 14701

to be appointed Chief of Police/Director of Public Safety in and for the City of Jamestown, New York (to fill the unexpired term of Rexford Rater, retired).

The term for which said appointment is to be made will expire December 31, 2013.

Dated: July 23, 2010

July 26, 2010

Samuel Teresi
Mayor of the City of Jamestown, New York

Councilman Szwejbka moved to suspend the rules and vote on the appointment.

Carried: 8 ayes, 1 nay (Ecklund, nay)

Councilman Taylor moved to sponsor the appointment of Harry L. Snellings.

Carried: 9 ayes, 0 nays

Director of Finance/City Clerk James N. Olson provided the Oath of Office to Police Chief/Director of Public Safety Harry L. Snellings.

OPPORTUNITIES FOR PERSONS TO ADDRESS THE COUNCIL

201007A00.02

James Slagle, Hotel Jamestown, 110 W. 3rd St. I will say something to the new Chief: I hope you make a good Chief – as good as Rex Rater was – he ran a tight ship; he ran a good Police Department and I know most of the officers under him and I hope you are as successful as he was through the years being Police Chief. Congratulations.

We still have problems with the red light on 4th and Cherry. That's not operating yet. I don't know what's going on. Sometimes it works and sometimes it doesn't. Somebody's going to get killed on that corner if that red light isn't functioning right. When it turns a caution light up on Main Street, that light on 4th and Cherry should turn red, but it doesn't. I don't know how many times he's been down there to fix it and if somebody don't fix it, somebody's going to get killed – I'm telling you right now.

Talking about the Cherry Street Ramp – there's been several accidents in that ramp in the past this year here. You know – you've got one entrance going in, you've got one coming out. The lanes are very narrow and if you get a big truck in there or you get a bigger car or small car and when you're trying to go out the exit up on 5th Street – somebody's going to get hit which happened to me today. I came up around the corner – this car's coming...there's a blind corner coming up off of the 2nd level going onto the 3rd level. When I come around that curve you can't see the other cars coming down because it's a blind curve there and I hit this guy right in the left front bumper. I couldn't see him coming because by the time I get...there's a car on the corner like this here and you're coming up past here, you cannot see that car coming this way. I was only doing about 5 m.p.h. – that's what I was supposed to doing in that ramp, but there should be big mirrors up on the corner of that ramp when you're going out the exit where you can see these cars coming down the other way. Not only my car – it's other cars that have been hit up there too and whoever takes care of that ramp needs to go up and take care of this issue before somebody gets really killed. I mean it's getting real dangerous.

July 26, 2010

I heard that Washington Street and Second Street ain't going to be paved this year. That's a shame because both streets really need it bad. I know that Jeff over there – he just told me that they're going to put it off until next year – by the time next year 2nd Street ain't going to be nothing, but all gravel – am I right Mayor? We're just lucky we're getting 86 done – a part of it – you ought to go down through the casino, drive down through there and see how you like it. And they're not going to do that part until 2013 – that's what I heard. But our City here is very important to us residents.

Another thing I want Chief, I want to bring this to your attention. The ballroom sometimes we have...I know that brings money in...but don't seem any money's going out to help our building or help our residents – instead just sitting in our apartments – Jeff is not doing his job like he's supposed to. The building is filthy. The elevators where you walk into are filthy. Darlene that does the cleaning – she's not doing her job – they've got perfume hanging up there they could change the batteries – but they don't do it. I'll tell you – I'm not going to live in filth. I'm not used to living it filth. My wife ain't either or the other residents. It's just outrageous and I've talked to Jim up here and I'm going to talk to the Chief down in the Fire Department and see what he can do about it. Why should we live in filth? We pay a lot of rent in that building. And where's the money going Mayor? Another thing Mayor, they get approval to fix this ramp, this lift, on Cherry Street and they're not doing nothing about it now. It's been approved. I don't know why Jeff is dragging his feet about – we had to take our groceries all the way around the front of the building. We shouldn't have to do that.

Mr. Rabb: Mr. Slagle – your five minutes is up.

Mr. Slagle: I know my five minutes is up, but something's got to be done to our building. That's all there is to it. Thank you.

Mayor Teresi: While Mr. Morgante's on his way up, may I suggest to Mr. Slagle that what he may want to do is to bring up his concerns regarding the Hotel Jamestown Apartments complex with the Jamestown Housing Authority Board of Commissioner's. That organization is the owner of the building and they have direct control over the day-to-day operations, capital projects and I do believe that they have a monthly meeting where they meet in open public session under the Open Meetings Law and that is a functioning board of city residents that have the legal authority and the responsibility and the charge to operate that facility.

Mr. Rabb: Thank you.

201007A00.03

Peter Morgante, 134 Euclid Ave.: Now I thought I was hearing something when I was over there because I could hear this man talking. I can't hear the Mayor. I can't hear you. I can't hear any of you people when you're talking and there is something wrong with this sound system. Now, I was invited to a trip to Pine Valley Wednesday afternoon to check over the great school that they're working on and I was shown the way that they teach children in their classrooms and I was amazed. I could not believe it. The regular size classrooms down there – it's probably the new system – wireless, or whatever you want to call it – they got screens up there, they take whatever they use – their Ipods and everything is projected up on the screen.

July 26, 2010

The teach is miked. There's speakers all over the room, four of them in the small rooms and there's hearings units for the hearing impaired children. Every child's got to learn how to hear, can hear. This goes on even down in the kindergarten. In here, we've got all these microphones and none of them work or you don't know how to use them – one of the two. Now, Mr. Mayor, I also found out from one of the ones that put our Jamestown High School Administration – that the high school is also wired for all the classrooms – they're wired the same way. And it's been going on for years, and your wife is a teacher and doesn't she tell you how great it is that the kids can hear? And Mr. Dolce – you've never talked about this in your classroom? Don't you have them? You know about them, don't you? Mr. Rabb – you've got them down to JCC, or not yet?

Mr. Rabb: That's a long story.

Mr. Morgante: Well, you know what I'm getting at is that the kids have got to hear and they can't hear – nobody can hear. And one of the problems is that we are becoming into a world of cell phones and everybody's got their cell phone and they hold it up to their ear and then they whisper in their ear, because they don't want this guy here to hear them because it's a secret what they're talking about. They don't know how to talk; they don't know how to enunciate and they won't speak up and they're hearing this problem. This is the problem today. We're in a world of cell phones, and if you don't have one – you're in trouble. But something's got to be done with this sound system. It's not only here – it's the whole darn city's bad. You don't have events at the high school because the sound system's so bad. You can't have graduation at the Ice Arena because the sound system's so bad and the same thing is true up at the Jackson Foundation – wherever we go – the sound system is terrible. Events come into the City and they bring their own sound systems in order to project the thing. But please. Get something here so people can hear you. Nobody can hear you. I'm not deaf – and it's no medication that caused me that way. This is the biggest problem today. We are becoming a wireless system of communication and it's not working. Now that's one thing.

Now at the last work session, we got into quite a discussion – you wasn't there Mr. Mayor – about this reinvesting in itself and I was given a booklet – thank you – and I just can't believe it that you people put so much faith in this thing without questioning it. It's the most ridiculous \$98,000 report I've ever seen in my life. The guy doesn't know what he's talking about. He doesn't know what it takes for a person in the City of Jamestown to own a house. They don't understand the income that the average person in the City of Jamestown makes. Now I went through my own figures by home and I come up with a figure that for anybody to own a house in Jamestown under \$75,000, you got to make over \$100,000. They got no idea on these figures that comes in here on what it costs for the average person to have a house. Then on top of that, the big issue is the issue of the landlords and they keep blaming the landlords for the deterioration of the properties.

Mr. Rabb: Mr. Morgante, excuse me – but your five minutes is up.

Mr. Morgante: Are you sure – you got a clock, you watching it or is that your listening and watching?

Mr. Rabb: We use a clock.

July 26, 2010

Mr. Morgante: But anyways, the idea is that you're picking on the landlords because they're not fixing up the houses; but why should they fix up the houses when the government pays these people rent? People sometimes don't deserve to live in one family houses. You got to earn it and they're giving it to them and they're destroying the system. We have lost the honor of owning your own house in the City of Jamestown. That is because of our property taxes.

Mr. Rabb: Mr. Morgante – thank you – I appreciate your comments.

Mr. Morgante: Well, really I can't hear but I believe you.

Mr. Rabb: Well, the only thing I can try to do is speak up if that helps you.

Mr. Morgante: No. We could have the microphones fixed up.

Mr. Rabb: Is there anyone else who would like to address the Council this evening?

STANDING COMMITTEES

FINANCE COMMITTEE

201007A01

BY COUNCILMAN DeJOY:

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 \$8,765,881.23 in accordance with the period ending July 26, 2010, 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 \$7,549,996.06, investments in the total amount of \$100,000.00 and payrolls in the total amount of \$1,115,885.17, 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

201007A02

BY COUNCILMAN DeJOY:

WHEREAS, the New York State Office of Children and Family Services has made available \$13,093.33 in youth service and youth recreation monies to be contracted with non-profit agencies in the City of Jamestown, and

WHEREAS, the Board of Directors of the City of Jamestown's Department of Youth Services has reviewed and passed the youth service and youth recreation programs for 2010 using all of the Office of Children and Family Services eligibility, and

July 26, 2010

WHEREAS, the agencies will provide proof of expenses to the Department of Youth Services before the City will forward the reimbursement to the agencies,

WHEREAS, the City of Jamestown will give the agency a check for the amount of Office of Children and Family Services funding to be reimbursed by the Office of Children and Family Services to the City of Jamestown, now therefore be it

RESOLVED, that the Mayor be and he hereby is authorized to enter into contracts with the following agencies for youth service and youth recreation programs for 2010:

PARKS & RECREATION "Summer Playground Program" - youth recreation program, \$2,433.11;

CHAUTAUQUA STRIDERS "Lighted Schoolhouse Program" - youth service program, \$1,000.00;

JAMESTOWN BOYS & GIRLS CLUB "Smart Girl Program" - youth service program, \$1,000.00;

FAMILY SERVICES OF CHAUTAUQUA REGION PROGRAM INC. "Drop Out Prevention Program - youth service program, \$1,000.00;

JOINT NEIGHBORHOOD PROJECT, INC. "Summer Youth Program" - youth service program, \$2,933.11;

DEPARTMENT OF YOUTH SERVICES "Project Y.E.S." - youth service program, \$800.00;

FIRST PRESBYTERIAN CHURCH "Shooting Stars Youth Development" - youth service program, \$2,933.11; and

THE SALVATION ARMY "Children & Family Outreach Program"- youth service program, \$1,000.00.

Carried: 9 ayes, 0 nays

201007A03

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 2010 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, 2010 through June 30, 2011 with funding in the amount of eighty-four thousand eight hundred and twenty-seven dollars (\$84,827) provided by the State of New York.

Carried: 9 ayes, 0 nays

July 26, 2010

201007A04

BY COUNCILMAN DOLCE:

RESOLVED, That the Mayor be, and hereby is, authorized to enter into a service agreement with Dunkirk and Fredonia Telephone Company, 40 Temple St., Fredonia, NY to provide telephone, fax line and voice mail box service for a three year term at a cost of \$1,095.10 per month, subject to approval of the Corporation Counsel as to form.

Carried: 9 ayes, 0 nays

PUBLIC SAFETY

201007A05

BY COUNCILMAN TAYLOR:

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:

Johanna Fagan

August 22, 2010 – August 21, 2012

Carried: 9 ayes, 0 nays

Councilman Taylor: I wanted to first of all give my congratulations to the new Chief and as Public Safety Chairman, I look forward to the future in working with you. There are many things we have to talk about. I don't have anything prepared. You've been with the force long enough and you know the expectations. You know the challenges and I look forward to working with you to solve them together. Just speaking as a member of the community, I just want to emphasize, it takes a lot. You know there's been many ups and downs with the Police Department. The Police Department's always on the rise with these challenges and things and it takes a long time to get the trust of the community. By proof of your appointment, you definitely have that already, but just to always keep everyone in mind and just to always take what you do in your leadership not just to the force, but to the community and let them always know what you're doing. From the very beginning, with all your credentials, with your resume, really your work with the Weed & Seed, especially even down to the lowest level, means so much – so much to the people out there. There's so much to build upon and I just look forward to working with you over the next year and hopefully for myself, longer.

Chief Snellings: Thank you.

There being no further business, the meeting was adjourned.

James N. Olson, Director of Financial Services/
City Clerk

July 26, 2010