

October 24, 2011

City Council

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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, October 24, 2011 at 7:30 p.m.

Members Present:     Council President Greg Rabb, Council Members, Steve Szwejbka, Tony Dolce, Mike 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, City Comptroller Joe Bellitto, Director of Public Works Jeff Lehman, Corporation Counsel Marilyn Fiore-Lehman, Deputy Fire Chief Chet Harvey and Capt. Barry Swanson

Council President Rabb called the meeting to order.

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

The minutes of the September 26, 2011 meeting were approved.

**MESSAGES FROM THE MAYOR**

201110A00.01

Mayor Teresi:           Thank you Mr. President and my colleagues on the City Council. This is probably the best duty that I have the opportunity to do every year. This is the opportunity every year that my colleagues at the New York State Conference of Mayors take every year to honor those with their longevity and service to the municipalities across the State of New York and every year NYCOM provides meritorious service certificates to public employees across the State in five year increments that have logged more than 25 years of consecutive service to their municipalities and this is our opportunity this evening to recognize those in our workforce. We have two of our employees with us here tonight. Mr. President, I'd ask that you could join me here down on the floor in the well of the Council Chambers to recognize tonight two of our great employees. I'd also like to ask our Director of Financial Services and City Clerk Jim Olson to join us and Chet Harvey on behalf of the Fire Department, and our two honorees. I'd like to call up Bill Johnston, Battalion Chief in our Fire Department and Debbie Patti who is the Deputy Registrar of Vital Statistics. I have a certificate here from the New York Conference of Mayors. On behalf of my 600 colleagues in the New York State Conference of Mayors and our Executive Director Peter Baynes, Bill I'd like to present this certificate for 35 years of continuous public service to the people in the City of Jamestown and people of the State of New York for your distinguished public service to this community, on behalf of the State Conference of Mayors, we're very pleased to present this Certificate of Appreciation. Debbie Patti – who also is a member of the 35 Club – Debbie, on behalf of the City of Jamestown, and the New York State

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Conference of Mayors and the State of New York, I'd like to present this Certificate to you for meritorious service and all that we know that you do on a daily basis. Thank you very much.

President Rabb: Thank you Mr. Mayor.

Other individuals who received recognition but were not in attendance:

**25 Years**

Lee Erwin – Dept. of Public Works

Vincent Capizzi – Fire Department

**30 Years**

Samuel Gullo – Dept. of Public Work

James Bonfiglio – Parks Dept.

**35 Years**

Linda Riddell – Treasurer's Office

**OPPORTUNITY FOR PERSONS TO ADDRESS THE COUNCIL**

201110A00.02

Richard Edward McQuay, Sr., 368 Buffalo Street, Jamestown: I would like to take this opportunity to congratulate the President of the City Council in his great performance on September 26<sup>th</sup>, just before the City Council began. I was sitting in this front row, minding my own business, and he approached me. Now until he takes that seat, he is not the President of City Council. When he approached me, he was a citizen of Jamestown and on that day we had a conversation. Now some of you City Council members noticed that he did approach me and did have a conversation with me because some of you were watching. I turn 73 years old this month and I have never seen anything like it – it was a beautiful performance. He approached me, he looked me square in the eye and without even batting an eyelash, he told an outright lie. Then, to make it even better, he continued to threaten and harass me.

President Rabb: Sir, I have to interrupt you – I did not threaten or harass you. I just asked you to confine your remarks to City business and I don't know what the lie is that I told you, but I think you're wrong. Please continue.

Mr. McQuay: Well, the way I understood it, the way the City Council was set up, the five minutes given to the citizens of the community to speak here, is for them to voice their concerns about what's going on in the City; not about City business, but concerns about what's being done or what's not being done. Now this I found out 40 years ago when I first started talking in front of the City Council. Now I understand, Mr. President, that the message you gave me was probably from your superiors, but I would like you take a message back to your superiors. I do not like to receive messages from a third-rate messenger service. If they have another message for me, have them send six of their adolescent police officers who have

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automatic weapons, billy clubs and mace to deliver the message and I will be glad to give your bosses their answer as quickly as possible. Thank you.

**STANDING COMMITTEES**

**FINANCE COMMITTEE**

201110A01

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 \$9,388,173.35 in accordance with the period ending October 21, 2011, 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 \$8,039,401.29, investments in the total amount of \$250,000.00 and payrolls in the total amount of \$1,098,772.06, 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

201110A02

COUNCILMAN DOLCE:

RESOLVED, That the City Comptroller be, and he hereby is, authorized to make the following amendments to the 2011 General Fund Budget for the cost to replace the grader assembly on the 1987 John Deere Motor Grader:

INCREASE:	Appropriations	\$10,000.00
	Central Garage-Equipment Repairs	
	A. 1640.0429	

DECREASE:	Appropriations	\$10,000.00
	Contingency	
	A.1990.0400	

Carried: 9 ayes, 0 nays



**PUBLIC SAFETY**

201110A05

BY COUNCILMAN TAYLOR:

RESOLVED, That the Board of Public Utilities be, and it hereby is, requested to install one new 150W HPS street light fixture with 8' mast arm at the following location:

BPU Pole 40095

Willard Street

Carried: 9 ayes, 0 nays

201110A06

BY COUNCILWOMAN JONES:

WHEREAS, a Neighborhood Watch Committee has been organized in the Forest Avenue Area for the purpose of deterring crime in that area, and

WHEREAS, the Forest Heights Neighborhood Watch Program has the support and approval of the Jamestown Police Department, and

WHEREAS, the Jamestown Police Department has received funding for the purchase of Neighborhood Watch signs with the understanding that the City of Jamestown will erect the signs and assume the responsibility for the maintenance of said signs, now therefore be it

RESOLVED, that the Director of Public Works be, and he hereby is, authorized to erect and maintain said signs in appropriate places on the aforesaid street.

Councilman Taylor: As all of us on Public Safety especially are very proud and glad when the neighbors take the initiative to set up these committees. A question I got from some of the citizens in this Forest Avenue area as well as the one we placed on 13<sup>th</sup> Street a month ago we voted on is they always wanted to know the availability of council members, public safety people, to speak with them. They always want a constant contact just to let them know that our council at large or their ward council – anyone they want – are always available to help them in any way possible. I just wanted to mention, they are very appreciative of this body for what we do. I will likewise let them know we all appreciate them and are inspired by their initiative to take control of their community as well.

Carried: 9 ayes, 0 nays

201110A07

BY COUNCILMAN SZWEJBKA:

BE IT ORDAINED by the City Council of the City of Jamestown, New York, as follows:

Section 1. Section 290.24.A of the Code of the City of Jamestown is hereby amended to delete thereto:

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Monroe Street from West Third Street to West Fourth Street

Section 2. This ordinance amendment shall be effective immediately upon adoption.

Carried: 9 ayes, 0 nays

**NEW BUSINESS**

201110A08

BY COUNCILMAN DeJOY:

RESOLVED, That the Mayor of the City of Jamestown be, and he hereby is, authorized to enter into a grant agreement with the Lenna Foundation in an amount not to exceed \$15,000.00 for the purpose of funding the Physician Recruitment Program through the Strategic Planning and Partnership Commission subject to the approval of the Corporation Counsel as to form.

Councilman DeJoy: I want to mention, Mr. President, that this is a grant and obviously, as it states, to recruit physicians. We have many needs here in Jamestown in terms of orthopaedic surgeons and EMT's and so many other areas that we want to insure that Jamestown has a very viable and dynamic health care system and I'm very proud to have helped in actually forwarding some names of physicians that I know up in Buffalo and I hope that they're very successful in this endeavor.

Carried: 9 ayes, 0 nays

**COMMENTS FROM COUNCIL MEMBERS:**

Councilman Taylor: This is usually my favorite work session of every year because I get the opportunity to wish my home girl and good friend, Kim Ecklund, a happy earlier or late, in the sense early birthday so we can all wish Kim a happy birthday.

The second thing, I just want to say is in the City of Jamestown, whereas people are looking for jobs and innovative ways to get people more engaged in their community without free advertising or mentioning names, there's various businesses, various citizens that are going out of their way to promote, to bring in individuals, to bring in forms of art, forms of entertainment – many different things in the City; trying to reach the late teens or the 20 something's or the 30 somethings or the disengaged 40 early somethings that may not have faith in this City or don't think anything's going on. They sometimes do these things that are a financial loss to their businesses; they sometimes do these things in hopes to increase their business, but number one – they're trying to get everybody engaged – through music, art, entertainment. I would just encourage this Council and encourage this community to really pay attention – I know everyone here is – but pay attention a little bit more to what's going on in downtown Jamestown to support these businesses, to support these arts, to support these forms of entertainment because everyone

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is really making an effort to better this City, to bring up the morale, to really make Jamestown great. We've seen it in Luci Fest. It continues on, so I just want everyone as vaguely as I'm saying it, because there's a lot going on, but just take a look at what's going on downtown. Encourage your friends and yourselves to also get involved and appreciate these things as well. Thank you Mr. President.

There being no further business, the meeting was adjourned.

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