

December 19, 2011

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, December 19, 2011 at 7:30 p.m.

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

Others Present: Mayor Samuel Teresi, Director of Financial Services/City Clerk James N. Olson, Director of Public Works Jeff Lehman, Deputy Fire Chief Chet Harvey, Corporation Counsel Marilyn Fiore-Lehman, Director of Public Safety, Police Chief/Director of Public Safety, Harry Snellings and Executive Assistant to the Mayor Matt Hanley

Council President Rabb called the meeting to order.

Dr. William Blair of New Creation Assembly of God gave the invocation.

The minutes of the November meeting were approved.

STANDING COMMITTEES

FINANCE

201112B01

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 \$7,140,702.79 in accordance with the period ending December 16, 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 \$5,927,465.19, and payrolls in the total amount of \$1,213,237.60, 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

201112B02

BY COUNCILMAN DOLCE:

RESOLVED, That Mayor Sam Teresi and City Council members be, and they hereby are, authorized to attend meetings of the Chautauqua County Conference of Mayors, the Southern Tier West Regional Planning and Development Board, the Western New York Regional Economic Development Council, the New York State Conference of Mayors, the National League of Cities and any other job related conferences during 2012, with expenses paid pursuant to Section 77-b of the General Municipal Law.

Carried: 9 ayes, 0 nays

201112B03

BY COUNCILMAN DOLCE:

RESOLVED, That Key Bank of New York, N.A., Jamestown Office, Jamestown, New York; HSBC Bank, N.A., Jamestown, New York; J. P. Morgan-Chase Bank, N.A., Buffalo, New York; Bank of America, Buffalo, New York; Manufacturers and Traders Trust Company, Jamestown, New York; Citizens Bank of New York. Buffalo, New York; Five Star Bank, Olean, New York; First Niagara Commercial Bank, Lockport, New York and New York State Investment Firms be and hereby are designated as depositories of the City of Jamestown and that they be and hereby are requested, authorized and directed to honor checks, drafts, or other orders for payment of money drawn in the City's name, including those payable to the individual order of any person or persons whose name or names appear thereon as a signer or signore thereof, when bearing or purporting to bear the facsimile signatures of the City Comptroller and Director of Financial Services and the above mentioned banks shall be entitled to honor and charge this city for such checks, drafts or other orders, regardless of by whom or by what means the actual or purposed facsimile signatures or signature thereon may have been affixed thereto, if such signature or signatures resemble the facsimile specimen duly certified to or filed with the above mentioned banks by the Director of Financial Services of the City of Jamestown.

Carried: 9 ayes, 0 nays

201112B04

BY COUNCILMAN DOLCE:

RESOLVED, That the City Comptroller be, and he hereby is, authorized to affect the 2011 General Fund overdrafts as follows:

TO:	<u>GENERAL GOVERNMENT SUPPORT</u>	<u>227,649.00</u>
	City	
	A1010.400 Council	37,000.00
	A1210.100 Mayor	16,720.00

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A1310.100	Director of Financial Services	2,150.00
A1310.400	Director of Financial Services	1,000.00
A1315.100	Comptroller	3,000.00
A1315.200	Comptroller	1,980.00
A1325.200	Treasurer	1,411.00
A1325.400	Treasurer	500.00
A1355.100	Assessment	7,400.00
A1355.200	Assessment	3,784.00
A1355.400	Assessment	2,500.00
A1410.100	City Clerk	1,700.00
A1420.100	Corporation Counsel	1,900.00
A1420.400	Corporation Counsel	500.00
A1435.100	Human Resources	1,650.00
A1435.400	Human Resources	800.00
A1440.100	Engineer	1,200.00
A1440.200	Engineer	1,562.00
A1620.100	Building - City Hall	10,000.00
A1620.200	Building - City Hall Central	10,115.00
A1640.100	Garage Central	43,000.00
A1640.420	Garage	15,000.00
A1680.100	Information Services	2,700.00
A1680.400	Information Services	23,000.00
A1930.400	Judgements & Claims	30,000.00

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A1964.400 Property Tax Refunds 2,077.00

A1989.400 General Supplies 5,000.00

PUBLIC SAFETY

65,619.00

A3020.200 Communications 1,319.00

A3120.420 Police 23,000.00

Court

A3170.100 Security 13,700.00

Traffic

A3310.100 Control 11,500.00

Parking Enforcement

A3330.100 Officers 1,400.00

Parking Enforcement

A3330.400 Officers 4,500.00

A3410.420 Fire 5,000.00

Animal

A3510.400 Control 5,200.00

TRANSPORTATION

35,480.00

A5010.100 Streets Administration 6,300.00

A5150.400 Other Street Activities 1,180.00

Street

A5182.400 Lighting 28,000.00

RECREATION

233,523.00

A7020.100 Recreation Administration 6,800.00

A7020.200 Recreation Administration 1,700.00

A7110.100 Parks 147,000.00

A7110.400 Parks 27,000.00

A7120.100 Tree Maintenance 9,000.00

Summer Youth

A7130.100 Employment 4,480.00

A7140.100 Summer Playgrounds

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		2,075.00	
A7140.400	Summer Playgrounds	450.00	
A7210.100	Stadium	3,230.00	
A7210.400	Stadium Band	25,000.00	
A7270.400	Concerts Youth	388.00	
A7310.100	Bureau	6,400.00	
<u>HOME & COMMUNITY</u>			<u>43,000.00</u>
	Storm		
A8140.400	Sewers	43,000.00	
<u>UNDISTRIBUTED</u>			<u>124,896.00</u>
A9010.800	Employees Retirement System CHIPS	121,629.00	
A9551.500	Capital	237.00	
A9775.900	Parking Ramp Debt	3,030.00	
FROM:	<u>GENERAL GOVERNMENT SUPPORT</u>		<u>110,000.00</u>
A1910.400	Unallocated Insurance	10,000.00	
A1990.400	Contingency	100,000.00	
<u>PUBLIC SAFETY</u>			<u>125,000.00</u>
A3120.100	Police	50,000.00	
A3410.100	Fire	75,000.00	
<u>TRANSPORTATION</u>			<u>65,000.00</u>
	Snow		
A5142.100	Removal	45,000.00	
	Snow		
A514.400	Removal	20,000.00	

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<u>UNDISTRIBUTED</u>			<u>429,930.00</u>
A9015.800	Police & Fire Retirement System	143,824.00	
A9030.800	Social Security	65,000.00	
A9040.800	Workers Compensation	20,000.00	
A9060.800	Health Insurance	199,226.00	
A9785.900	BPU Debt	1,880.00	
 <u>REVENUES</u>			 <u>237.00</u>
A0000.3501	State Highway Maintenance (CHIPS)	237.00	

Carried: 9 ayes, 0 nays

201112B05

BY COUNCILMAN DeJOY:

RESOLVED, That warrants be drawn and paid to the respective owners and paying agents the sum of ninety-six thousand, one hundred nine dollars and thirty-eight cents (\$96,109.38) in accordance with the bond and note requirements as follows:

Public Improvement Bonds, Series A issue of June 15, 2010, ninety-six thousand, one hundred nine dollars and thirty-eight cents (\$96,109.38) for six months interest at 4.00% per annum on four million, five hundred thirty-thousand dollars (\$4,530,000).

Carried: 9 ayes, 0 nays

201112B06

BY COUNCILMAN DeJOY:

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

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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 Parks, Recreation and Conservation 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 positions, 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 authorizing the filling of the following positions due to the essential nature of the position.

- Two (2) Laborers (funded in the 2012 General Fund Budget).

Carried: 9 ayes, 0 nays

201112B07

BY COUNCILMAN DeJOY:

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 authorizing the filling of the following position due to the essential nature of the position.

- One (1) Laborer in the Department of Public Works (retirement - funded in the 2012 General Fund Budget).

Carried: 9 ayes, 0 nays

201112B08

BY COUNCILMAN DeJOY:

WHEREAS, the City of Jamestown desires to alienate approximately 20.95 acres of land within Chadakoin Park, which land is more particularly described in the attached legal description, and

WHEREAS, the subject land will continue to be utilized as land owned by the City of Jamestown, New York but will not be utilized as dedicated park land, and

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WHEREAS, property owned by municipalities and dedicated to parks purposes is held in trust for the public and cannot be alienated without express state legislative authorization, and

WHEREAS, substitute land of approximately 23.86 acres which land is more particularly described in the attached legal description will be made available prior to the completion of the alienation process, now therefore be it

RESOLVED, that the City Council of the City of Jamestown, New York hereby requests that the New York State Assembly and the New York State Senate enact a bill which would be entitled "AN ACT TO ALLOW THE DE-DEDICATION AND ALIENATION OF CERTAIN PARK LANDS LOCATED IN THE CITY OF JAMESTOWN, NEW YORK" and be it further

RESOLVED, that the Director of Financial Services/City Clerk be, and he hereby is, authorized and directed ad Clerk of the Jamestown City Council to execute a home rule request for transmittal to the New York State Assembly and the New York State Senate certifying the Jamestown City Council's adoption of this resolution.

Carried: 9 ayes, 0 nays

PUBLIC WORKS

201112B09

BY COUNCILMAN SPITALE:

RESOLVED that the bid submitted by Support Enterprises, Inc., 200 Dunham Avenue, Jamestown, NY 14701 to Furnish Janitorial Service: Municipal Building, in the following amounts, be, and the same, hereby is accepted:

Price per month (Year 1)	\$8,741.00*
Price per month (Year 2)	\$8,828.00*
Price per month (Year 3)	\$8,916.00*
"Alternate A" – Price per month (Year 1)	\$1,789.00*
"Alternate A" – Price per month (Year 2)	\$1,806.00*
"Alternate A" – Price per month (Year 3)	\$1,824.00*-

Requested work to be added:

(1) wall washing	\$0.16 sq ft cost
(2) carpet extraction	\$0.22 sq ft cost
(3) hard floor scrub & recoat – 2 coats wax	\$0.22 sq ft cost
(4) hard floor strip & 2 coats of wax	\$0.36 sq ft cost
(5) carpet bonneting	\$0.16 sq ft cost
(6) custodial labor – general	\$19.50 per hr cost
(7) window cleaning (interior)	538.00 per number of times cost

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per the bid opened November 30, 2011, this being the only bid received; and be it further

RESOLVED that the Mayor be, and he hereby is, authorized to execute an agreement with Support Enterprises, Inc., 200 Dunham Avenue, Jamestown, NY which agreement will reflect the services to be performed by Support Enterprises, Inc., at the prices referred to above. Said agreement shall be subject to approval as to form by the office of the Corporation Counsel.

*Actual prices are based on prevailing wage schedules published every July 1st with rates reviewed and adjusted accordingly. If the prevailing rate for custodial goes up on July 1st, wages will be adjusted accordingly and the contract amount will be raised or lowered an equivalent amount and submitted for approval.

This is due to a change in the NYS Department of Labor regulations in which the prevailing wage is evaluated yearly on July 1st. The updated wage is effective on July 1st and applies to all contract including multi-year contracts.

Carried: 9 ayes, 0 nays

PUBLIC SAFETY:

201112B10

BY COUNCILMAN SZWEJBKA:

RESOLVED, That the regular meetings of the City Council of the City of Jamestown shall be held in the City Council Chambers, Municipal Building at 7:30 p.m. beginning the evening of January 30, 2012 and on scheduled Monday evenings thereafter in the year 2012, at the same time and place.

January 30	July 30
February 27	August 27
March 26	September 24
April 30	October 29
May 21	November 26
June 25	December 17

Carried: 9 ayes, 0 nays

201112B11

BY COUNCILMAN SZWEJBKA:

RESOLVED, That The Post-Journal be, and it hereby is, designated as the official newspaper for the publications of proceedings and official notices for the City of Jamestown for the period January 1, 2012 through December 31, 2012.

Carried: 9 ayes, 0 nays

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201112B12

BY COUNCILMAN TAYLOR:

RESOLVED, That the Jamestown City Council hereby grants the following organizations a Games of Chance (Bell Jar) license for the 2012 calendar year:

Jamestown Lodge #263 BPO Elks
Chautauqua Aerie #2145, Fraternal Order of Eagles, Inc.
Loyal Order of Moose Lodge #1681
Women of the Moose Chapter 87
Jamestown Vietnam Veterans
ILS Veterans Club Inc.

Carried: 9 ayes, 0 nays

201112B13

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:

David P. Mareri	December 18, 2011 to December 17, 2013
Joanne E. Culmo	January 31, 2012 to January 30, 2013
Jennifer Ramsey	February 14, 2012 to February 13, 2014

Carried: 9 ayes, 0 nays

NEW BUSINESS:

Councilman Michael Taylor: Merry Christmas and Happy New Year. I can't wait to see you in the New Year.

There being no further business, the meeting was recessed until 2:00 P.M. on January 1, 2012.

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