

July 30, 2012

City Council

Proceedings by Authority

State of New York
City of Jamestown
City Council Chambers

ss:

A regular meeting of the City Council of the City of Jamestown, New York was held on Monday, July 30, 2012 at 7:30 p.m.

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

Members Absent: Maria Jones

Others Present: Mayor Teresi, Director of Financial Services/City Clerk James N. Olson, Deputy Fire Chief Chet Harvey, Capt. Todd Isaacson

Council President Rabb called the meeting to order and led the assembly in the Pledge of Allegiance to the Flag.

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

Councilman Spitale moved to approve the minutes from the June 25th, 2012 meeting.

MESSAGES FROM THE MAYOR

201207A00.01

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:

Dr. Carole A. Faulk
155 Myrtle Street
Jamestown, NY 14701

to be re-appointed a member of the Jamestown Community College Board of Trustees in and for the City of Jamestown, New York.

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The term for which said appointment is to be made will expire
June 30, 2019.

Dated: July 30, 2012

Samuel Teresi
Mayor of the City of Jamestown, New York

Councilwoman Ecklund moved to suspend the rules and vote on the appointment.
Councilman Whitford moved to approve the appointment.

OPPORTUNITIES FOR PERSONS TO ADDRESS THE COUNCIL

201207A00.02

Richard Edward McQuay, 368 Buffalo Street, Apt. 2: I've been talking in front of the City Council for many, many months and at the last Council meeting I noticed that the President was on vacation so when I said at that meeting, I'm going to have repeat at this meeting because it seems that the President made it more of a personal between him and I then against the City and me. Now every time that I come up here to talk about the corruption and things in the City, I've been told "city business." I would like the President to go back and read our Declaration of Independence and our Constitution. When he is off his Chair as Chairman and he is down here with us, he is a citizen and right to all rights and privileges but the minute he takes his seat and raps that gavel and calls the meeting to order, he becomes answerable to the taxpayers and the voters of this community. As a citizen of that community and as a voter, I have got the right to come up here and speak on any subject I so desire. Now according to the laws, you are the employee. I am the employer. Now until your party does away with our Declaration of Independence, that is the way it stands. Now I've talked about you people hiring criminals to come into the City, child molesters to molest our girls; you hired a Chief of Police that was an alcoholic and was about to be fired under his other job...

President Rabb: Sir, that's where I have to stop you. You can't make allegations about the hiring of a Chief of Police either current or former so...

Mr. McQuay: I am not making allegations. If you check your record, you'll find that this is true because I came to this City Council many months ago and complained about him drinking on the job. I even told you that he even carried a bottle in the lower drawer of his filing cabinet. It must be the City went and investigated that because they took his bottle away. Then I got reports that he was going into the bar during business hours and drinking. I brought that up to the attention of City Council. The City Council must have took an investigation and found it to be true because shortly after that, he was allowed to resign with early retirement and I didn't like that because as a taxpayer, I'm still picking up his bar tab. It was then that you hired a police officer out of Buffalo. According to FBI records, he was under investigation for his possibility of involvement in drug dealing because he owned three houses in Buffalo. All three of those

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houses were drug houses. He stopped the investigation. You retired a drunken Sheriff, I mean police officer, police chief and you brought him in to Jamestown and gave him a job here in Jamestown. Now the FBI stopped their investigation of him because he was no longer in that direction. When I speak in front of this City Council, Mr. President, I am not talking about allegations. I have been fighting this corrupt system for 43 years. I know every dirty trick that your Democratic Party has pulled; I know that you are controlled by Rochester and I know that Rochester is controlled by Chicago. Now get corruption out of this City. It is here and it has been here for over 43 years and don't tell me these are allegations because you know that they are true. I am 74 years old. I don't know how much longer I have to live, but my Lord told me Thou shall not bear false witness against thy neighbor and at my age I cannot afford to go against the commandment of my God so I cannot lie. What I say is true and you know what I say is true. Get the corruption out of here, get it out of Rochester and get it out of Chicago, and as for the President of the United States...

President Rabb: Sir, your time is up. I have to stop you.

Mr. McQuay: Thank you Sir for letting me speak.

President Rabb: ...and just one correction – I was regrettably not here for the June meeting but I was not on vacation, I was working out of town. Is there anyone else who would like to address the Council this evening? Again, state your name, your home address, come to the microphone – either one and remember you're limited to five minutes.

201207A00.03

Tom McCrady, 5608 Summit Ave., Maple Springs: We travel into Jamestown quite often and we travel down Washington Street and I've noticed recently a memorial cross at the corner of Washington Street and Thirteenth Street so I called the local authorities in Jamestown and they informed me that that particular road – Washington Street – is a State road so I was able to write a letter to the State and what happened was that they published the letter in The Post-Journal on the 24th of July. I would like to see if we could get a copy for each of you...if you haven't read it...to read this article. Now the only thing that I was asking was if there can be a striped pedestrian crossing because Chadakoin Park is right there and in the last several weeks as going past there, the kids are coming out of the park – it's a skateboard park – they do have vending machines in the park, but they go over to the Dollar Store for an \$.89 two liter pop and they're constantly going across...everyone on Washington Street is jaywalking; so as a result of that I would like to see if we could get a state mandated crosswalk at several of the intersections. It would go from 10th Street as a crosswalk and then Top's has a crosswalk and there's six blocks that tee off into Washington. The minimum thing would be just to have pedestrian crossings and what I'm doing is I'm starting a one man campaign. I have this logo – Crosswalks or Crosses – and I'm having these printed on tee shirts and I'd like to distribute them to all the skateboarders and anyone that would like it. Fortunately, I have the ear of the press now and so what I'm suggesting is if the Council, because that park is in Jamestown, could keep in touch with the State about getting something done for crosswalks; or assume the authority for your town and be able to put in the crosswalks. Now I've seen on Second Street going out towards the College, there are crosswalks. There's a bright yellow figure going across the street and they're well painted and I assume that's probably Jamestown that did that because obviously the State hasn't come to the plate yet. So that's all – I just wanted to say that I'll be starting my

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one man campaign here and I'm hoping to get some action. It has been over a month since I wrote that letter – another person was injured the other day – one fellow was killed – he was 43. My oldest daughter is 43 so anytime I see a cross on the side of the road, it clicks in my mind that the poor guy or girl or kid never made it to the other side of the street. I just feel that that should be a concern of all of us. Then also be able to watch out for other people – there's no need to be tearing down the street hitting people, killing them, or injuring them, just to get to the next light. Thank you.

President Rabb: Sir, did you get a response from the State?

Mr. McCrady: They sent a letter – yes – and they did say that...it was in this article...it says "Thank you for your July 3 letter regarding the request for a review of a pedestrian condition at Washington and Thirteenth Street. A traffic engineering investigation has been initiated to review the request. At the conclusion of our investigations, we will advise you of our findings. Sincerely, Thomas S. Messana

President Rabb: Right. And that's my understanding that we're waiting for the State to respond.

Mr. McCrady: Okay. Then I just wanted to point out that two other people have been injured in that location since that letter went out. Thank you.

President Rabb: Thank you. I don't believe there's anyone else this evening that would like to address the Council.

STANDING COMMITTEES

FINANCE

201207A01

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 \$4,665,378.69 in accordance with the period ending July 25, 2012, 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 \$3,021,781.45, and payrolls in the total amount of \$1,643,597.24, 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: 8 ayes, 0 nays

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201207A02

BY COUNCILMAN DOLCE:

WHEREAS, the City of Jamestown has requested the transfer of a tract of land for the purpose of storing material for the Board of Public Utilities, on property currently owned by the Jamestown Urban Renewal Agency identified as parcel number 387.42-3-21; and

WHEREAS, on July 25, 2012 the Jamestown Urban Renewal Agency approved the transfer of the parcel to the City of Jamestown via quit claim deed in order to facilitate the storage of material owned by the Jamestown Board of Public Utilities; now therefore be it

RESOLVED, That the City of Jamestown hereby accepts the transfer from the Jamestown Urban Renewal Agency of parcel 387.42-3-21 and designates it for public purposes.

Carried: 8 ayes, 0 nays

201207A03

BY COUNCILMAN DOLCE:

WHEREAS, the County of Chautauqua heretofore applied for State funding under the New York State Division of Criminal Justice Services Operation IMPACT Grant Program for 2012 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/Director of Public Safety be and they hereby are authorized and directed to participate in Operation IMPACT for the period of July 1, 2012 through June 30, 2013 with funding in the amount of eighty-two thousand four hundred dollars (\$82,400) provided by the State of New York.

Carried: 8 ayes, 0 nays

201207A04

BY COUNCILMAN DOLCE:

RESOLVED, That the offer of Theodore B. Valone, for the purchase of parcel 387.16-3-18 located on Cutting Street, assessed value three thousand seven hundred dollars (\$3,700.00), lot size 75x120, in the amount of one hundred one dollars (\$101.00), be and hereby is accepted, now therefore be it

RESOLVED, That the Mayor be and he hereby is authorized to execute a quit claim deed on said property and the City Comptroller be and he hereby is authorized to credit the amount of one hundred one dollars and no cents (\$101.00), to Account A330, Property Acquired for Taxes, and to charge-off the balance of twenty-three dollars and sixteen cents (\$23.16) to Account A1950 Taxes and Assessments for parcel 387.16-3-18.

Carried: 8 ayes, 0 nays

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201207A05

BY COUNCILMAN DeJOY:

RESOLVED, That the Mayor be, and hereby is authorized to enter into a Water and Sewer agreement with the Town of Kiantone provided by the City of Jamestown through its Board of Public Utilities, subject to the approval as to form by the Corporation Counsel.

Councilman DeJoy: Mr. President, this is an agreement that has gone through the Board of Public Utilities. It's not a border-to-border agreement; it's for select households that have been on the water system and it's an agreement that will benefit both BPU, City of Jamestown and those residents in the Town of Kiantone.

Carried: 8 ayes, 0 nays

201207A06

BY COUNCILMAN DeJOY:

RESOLVED, That Detective Eric Corey be, and he hereby is, authorized to attend the Narcotics Investigator Course to be held in Albany, New York, July 16-20, 2012 with expenses paid pursuant to Section 77-b of the General Municipal Law.

Carried: 8 ayes, 0 nays

201207A07

BY COUNCILMAN DeJOY:

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 Rochester, New York, July 17, 2012, with expenses paid pursuant to Section 77-b of the General Municipal Law.

Carried: 8 ayes, 0 nays

PUBLIC SAFETY

201207A08

BY COUNCILMAN WHITFORD:

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 E. Fagan

August 22, 2012 to August 21, 2014

Carried: 8 ayes, 0 nays

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201207A09

BY COUNCILMAN SZWEJBKA:

WHEREAS, a Neighborhood Watch Committee has been organized in the vicinity of Newton, Bowen, Falconer and Winsor Streets for the purpose of deterring crime in that area, and

WHEREAS, the Lillian Dickson Park 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 streets.

Councilman Szwejbka: I would just like to thank these individuals for stepping to the plate, taking ownership and this type of initiative leads to overall community wellness, improvement in community wellness.

Carried: 8 ayes, 0 nays

There being no further business, the meeting was adjourned.

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