



June 23, 2014

Cathy Whitford  
25 Pearl Ave.  
Jamestown, New York 14701

to be re-appointed a member of the Property Rehabilitation and Conservation Board of Appeals in and for the City of Jamestown, New York.

The term for which said appointment is to be made will expire December 31, 2015.

201406C00.02

Council Members:

In pursuance of the authority vested in me by the Charter of said City, I do hereby nominate:

Howard Brook  
211 Myrtle Street  
Jamestown, New York 14701

to be appointed a member of the Property Rehabilitation and Conservation Board of Appeals in and for the City of Jamestown, New York.

The term for which said appointment is to be made will expire December 31, 2015.

201406C00.03

Council Members:

In pursuance of the authority vested in me by the Charter of said City, I do hereby nominate:

Gregory Lindquist  
21 LaSalle Street  
Jamestown, New York 14701

June 23, 2014

to be appointed a member of the Property Rehabilitation and Conservation Board of Appeals in and for the City of Jamestown, New York.

The term for which said appointment is to be made will expire December 31, 2014.

201406C00.04

Council Members:

In pursuance of the authority vested in me by the Charter of said City, I do hereby nominate:

Timothy B. Magnuson  
132 Hotchkiss Street  
Jamestown, New York 14701

to be appointed a member of the Salary Review Commission in and for the City of Jamestown, New York.

201406C00.05

Council Members:

In pursuance of the authority vested in me by the Charter of said City, I do hereby nominate:

James J. Tumminia  
63 Ames Ave  
Jamestown, New York 14701

to be appointed a member of the Salary Review Commission in and for the City of Jamestown, New York.

201406C00.06

June 23, 2014

Council Members:

In pursuance of the authority vested in me by the Charter of said City, I do hereby nominate:

Charles Cornell  
142 Hotchkiss Street  
Jamestown, NY 14701

to be appointed a member of the Board of Public Utilities in and for the City of Jamestown, New York to fill the unexpired term of Frederick Larson, resigned.

The term for which said appointment is to be made will expire December 31, 2017.

201406C00.07

Council Members:

In pursuance of the authority vested in me by the Charter of said City, I do hereby nominate:

Kimberly Ecklund  
32 Harris Ave.  
Jamestown, New York 14701

to be appointed a Councilmatic member of the Riverfront Management Council in and for the City of Jamestown, New York.

The term for which said appointment is to be made will expire December 31, 2015.

201406C00.08

Council Members:

In pursuance of the authority vested in me by the Charter of said City, I do hereby nominate:

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Tom Franco  
22 Prather Ave.  
Jamestown, New York 14701

to be appointed a member of the Riverfront Management Council in and for the City of Jamestown, New York.

The term for which said appointment is to be made will expire December 31, 2017.

201406C00.09

Council Members:

In pursuance of the authority vested in me by the Charter of said City, I do hereby nominate:

David B. Anderson  
126 Wilton Ave.  
Jamestown, New York 14701

to be appointed a member of the Riverfront Management Council in and for the City of Jamestown, New York.

The term for which said appointment is to be made will expire December 31, 2017.

201406C00.10

Council Members:

In pursuance of the authority vested in me by the Charter of said City, I do hereby nominate:

Russell E. Diethrick, Jr.  
153 Hallock Street  
Jamestown, New York 14701

June 23, 2014

to be appointed a member of the Riverfront Management Council in and for the City of Jamestown, New York.

The term for which said appointment is to be made will expire December 31, 2017.

201406C00.11

Council Members:

In pursuance of the authority vested in me by the Charter of said City, I do hereby nominate:

Skyler Gore  
56 East Cowden Place  
Jamestown, New York 14701

to be appointed a member of the Riverfront Management Council in and for the City of Jamestown, New York.

The term for which said appointment is to be made will expire December 31, 2017.

201406C00.12

Council Members:

In pursuance of the authority vested in me by the Charter of said City, I do hereby nominate:

Cameron Hurst  
110 Chadwick Street  
Jamestown, New York 14701

to be appointed a member of the Riverfront Management Council in and for the City of Jamestown, New York.

The term for which said appointment is to be made will expire  
December 31, 2017.

Dated: June 23, 2014

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Samuel Teresi  
Mayor of the City of Jamestown, New York

Councilwoman Ecklund moved to suspend the rules and act on the appointments.

Carried: 9 ayes, 0 nays

Councilman Spitale moved to approve the appointments.

Carried: 9 ayes, 0 nays

**OPPORTUNITIES FOR PERSONS TO ADDRESS THE COUNCIL**

No one appeared to speak.

**STANDING COMMITTEES**

**FINANCE COMMITTEE**

201406C01

BY COUNCILWOMAN ECKLUND:

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 \$5,719,724.39 in accordance with the period ending June 20, 2014, 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 \$4,369,420.17, and payrolls in the total amount of \$1,350,304.22, 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

BY COUNCILWOMAN ECKLUND:

WHEREAS, the U.S. Department of Justice, Bureau of Justice Assistance, is administering the 2014 Edward Byrne Memorial Justice Assistance Grant (JAG) Program, and

WHEREAS, the City of Jamestown and County of Chautauqua are eligible to receive funding under the 2014 Edward Byrne Memorial Justice Assistance Grant (JAG) Program through a joint application process, now therefore be it

RESOLVED that the Mayor and Police Chief/Director of Public Safety be and hereby are authorized and directed to execute a Memorandum of Agreement with the County of Chautauqua to receive grant funds to be utilized by the Jamestown Police Department and the Chautauqua County Sheriff's Department in the amount of Sixteen Thousand, Three Hundred Twenty Three Dollars (\$16,323.00). The Jamestown Police Department will receive Eight Thousand, One Hundred Sixty One Dollars and Fifty Cents (\$8,161.50) of these funds. These proceeds will be used by the Jamestown Police Department to fund the purchase of an unmarked sedan.

Carried: 9 ayes, 0 nays

BY COUNCILWOMAN ECKLUND:

RESOLVED, That the Mayor of the City of Jamestown be, and he hereby is, authorized to enter into a grant agreement with the United Arts Appeal in an amount not to exceed Five Hundred Dollars (\$500.00) for the purpose of funding a portion of the cost of the 2014 Parks, Recreation and Conservation Department Summer Bandshell Concert Series subject to the approval of the Corporation Counsel as to form.

Councilwoman Ecklund: I want to note that resolutions three through six are contributions from local foundations to enable us to continue with some of our summer programs through the summer bandshell, the summer playground and also number six has to do with the Strategic Planning, so thank you to those local foundations.

Carried: 9 ayes, 0 nays

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201406C04

BY COUNCILWOMAN ECKLUND:

RESOLVED, That the Mayor of the City of Jamestown be and he hereby is authorized to enter into a grant agreement with the Chautauqua Region Community Foundation in an amount not to exceed Five Thousand Dollars (\$5,000) for the purpose of funding a portion of the 2014 Summer Playground Program for the Parks, Recreation and Conservation Department subject to the approval of the Corporation Counsel as to form.

Carried: 9 ayes, 0 nays

201406C05

BY COUNCILMAN DOLCE:

RESOLVED, That the Mayor of the City of Jamestown be, and he hereby is, authorized to enter into a grant agreement with the Ralph C. Sheldon Foundation in an amount not to exceed Seven Thousand Dollars (\$7,000.00) for the purpose of funding a portion of the cost of the 2014 Parks, Recreation and Conservation Department Summer Playground Program subject to the approval of the Corporation Counsel as to form.

Carried: 9 ayes, 0 nays

201406C06

BY COUNCILMAN DOLCE:

RESOLVED, That the Mayor of the City of Jamestown be and he hereby is authorized to enter into a grant agreement with the Ralph C. Sheldon Foundation in an amount not to exceed Thirty Five Thousand Dollars (\$35,000.00) for the purpose of funding the Physician Recruitment Project through the Strategic Planning and Partnership Commission Health Care Action Team subject to the approval of the Corporation Counsel as to form.

Carried: 9 ayes, 0 nays

201406C07

BY COUNCILMAN DOLCE:

RESOLVED, That Corporation Counsel Marilyn Fiore-Lehman, Police Chief/Director of Public Safety Harry Snellings, Police Captain Robert Samuelson, Deputy Fire Chief Chet Harvey and Battalion Chief Sam Salemmbe be and they hereby are authorized to attend a New York State Public Employer Labor Relations Association Annual Training Conference to be held in

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Saratoga Springs, New York on July 15-18, 2014, with expenses paid pursuant to Section 77-b of the General Municipal Law.

Carried: 9 ayes, 0 nays

201406C08

BY COUNCILMAN DOLCE:

RESOLVED, That Detectives Diane Miraglia and Lori Buchanan be and they hereby are authorized to attend the Reid Technique of Investigative Interviewing for Child Abuse Investigations at the Tonawanda Police Department June 17-19, 2014 with registration fees paid by the Child Advocacy Program and lodging expenses paid pursuant to Section 77-b of the General Municipal Laws of the State of New York.

Councilman Dolce: I believe this is the first time we've had people go to that type of training. I just want to thank the members of the CAP, they've been very active in the community in working for child abuse so I want to thank that organization for partnering with us on that. Thank you.

Carried: 9 ayes, 0 nays

**PUBLIC WORKS COMMITTEE**

201406C09

BY COUNCILMAN SPITALE:

RESOLVED, That the bid submitted by R. Patti Concrete Excavating, LLC, PO Box 3081, Jamestown, NY 14702-3081, for Concrete Repairs - Camp Street: Wildwood Ave. to Hebner St., based on the proposal opened June 3, 2014 in the following amounts, be and the same hereby is accepted:

200 SF Flat Work: 4 inch at \$6.00 SF	\$1,200.00
900 SF Flat Work: 6 inch at \$6.50 SF	5,850.00
1200 LF Standard 18" Curb & Gutter at \$22.50 LF	27,000.00
5 EA Core Drill: 4 inch diameter with 10' of 4" drain pipe at \$125.00 EA	625.00
5 TON Additional Stone at \$40.00 TON	200.00
5 CY Additional Excavation: \$0.00 CY	0
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	\$34,875.00

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for a total bid amount of Thirty-four Thousand, Eight Hundred Seventy-five Dollars (\$34,875.00), this being the lower of two bids received meeting qualifications, and be it further

RESOLVED, That the Mayor be and he hereby is authorized to execute an agreement with R. Patti Concrete Excavating, LLC, which agreement will reflect the services to be performed by R. Patti Concrete Excavating, LLC, at the prices referred to above, said agreement to be subject to approval as to form by the office of the Corporation Counsel.

Carried: 9 ayes, 0 nays

**PUBLIC SAFETY COMMITTEE**

201406C10

BY COUNCILMAN WHITFORD:

RESOLVED, That the following person be and he hereby is appointed to the office of Commissioner of Deeds in and for the City of Jamestown for a term of two years:

David E. Wilfong

June 24, 2014 to June 3, 2016

and be it further

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:

Theresa A. Jackson

July 22, 2014 to July 21, 2016

Carried: 9 ayes, 0 nays

**NEW BUSINESS**

201406C11

BY COUNCILMAN DOLCE:

WHEREAS, The Jamestown City Council at a regular meeting held on September 21, 1981, authorized the Mayor of the City of Jamestown to enter into an agreement with the Jamestown Local Development Corporation delegating to the Jamestown Local Development Corporation responsibility for the processing and approval of loan applications for "first instance" Urban Development Action Grant re-use money; and

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WHEREAS, Article V, Section 3 of said bylaws of the Jamestown Local Development Corporation requires that no loan of Urban Development Action Grant originated moneys in excess of one hundred thousand dollars (\$100,000.00) be placed without prior approval of the City Council of Jamestown, New York; and

WHEREAS, Rex E. McCray and Donald R. Pangborn, principals of Weber Knapp Co, Inc. has made an application to the Jamestown Local Development Corporation for a loan of two hundred thousand dollars (\$200,000), through the Jobs and Private Investment Loan Program (Tier II) as part of a \$7,300,000.00 project involving the acquisition of all stock and assets of Weber Knapp Co., Inc; and

WHEREAS, the Board of Directors of the Jamestown Local Development Corporation, at its meeting held on July 28, 2011, gave preliminary approval for a loan of two hundred thousand dollars (\$200,000.00) at a 5.5% rate of interest for a ten (10) year term to Weber Knapp Co., Inc. subject to the ratification by a majority vote of the City Council of Jamestown, New York; and

WHEREAS, the Jamestown City Council approved and ratified loan on August 29, 2011 (2011A08902) approved the loan not to exceed two hundred thousand dollars (\$200,000.00) at a 5.5% rate of interest for ten (10) years by the Jamestown Local Development Corporation to Rex E. McCray and Donald R. Pangborn principals of Weber Knapp Co., Inc. with collateral as follows; a pro-rata, first security position with the CCIDA and STEDO on the real estate located at 441 Chandler Street, Jamestown, NY. . The value of the building is \$1.1 million per an appraisal completed November 2008. A third mortgage position on 2019 Allen Street Extension Falconer NY behind Five Star Bank and Cephaz Capital. A pro-rata third lien position on all machinery and equipment, whether now owned or later acquired, with the CCIDA and STEDO wherever located behind positions to be held by Five Star Bank and Cephaz Capital. The value of the machinery and equipment is \$4.1 million per an appraisal completed. A pro-rata third lien security position in all accounts receivable and inventory, whether now owned or later acquired with CCIDA and STEDO, wherever located behind a first and second security position to be held by Five Star Bank and Cephaz Capital. An assignment of life insurance in the amount of \$200,000.00 covering the life of Rex E. McCray and an assignment of life insurance in the amount of \$200,000 covering Donald R. Pangborn with personal guarantees from Rex E. McCray and Donald R. Pangborn provided; and

WHEREAS, Weber Knapp Co., Inc. seeks to refinance their loans with Five Star Bank in the amounts of \$1,600,000 and \$2,465,725 respectively, and to pay off all loans to Cephaz Capital Partners II, L.P., and have thereby requested a DEBT SUBORDINATION AGREEMENT and a MORTGAGE SUBORDINATION AGREEMENT. The JLDC, CCIDA, and STEDO will share a pro-rata first position on real property located at 441 Chandler Street , a pro-rata second position on real property located at 2019 Allen Street behind Five Star Bank, and on all non-realty (business personal property) a shared second position behind Five Star Bank; and therefore be it

RESOLVED, that the Jamestown City Council hereby authorizes the Mayor to execute said subordination documents on behalf of the City of Jamestown.

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Councilman Dolce: Just a little explanation on this again that Webber Knapp is refinancing private loans and what this does is change the JLDC's position on the current loans they have with us. This must be approved by the Council because of the amount of the loan. It's actually a win-win situation for the both the City, the JLDC which is part of that and Webber Knapp itself. Webber Knapp by refinancing will strengthen their financial situation and the JLDC actually moves up to second position on two of those situations there. So it's a win-win all the way around and it's good for this business which has invested through the years here in Jamestown. So again, it's a win-win for us. Thank you.

Carried: 9 ayes, 0 nays

There being no further business, the meeting was adjourned.

James N. Olson  
Director of Financial Services/City Clerk