

August 18, 2008

City Council

Proceedings by Authority

State of New York
City of Jamestown
City Council Chambers

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A regular meeting of the City Council of the City of Jamestown, New York was held on Monday, August 18, 2008 at 7:30 p.m.

Members Present: Council President Greg Rabb, Council Members, Anthony Dolce, Michael Taylor, Vince DeJoy, Maria Jones, Paul Whitford, Kim Ecklund and George Spitale

Members Absent: Steve Szwejbka

Others Present: Director of Finance/City Clerk James N. Olson, Deputy Fire Chief Lance Hedlund and Director of Public Safety/Police Chief Rex Rater

Council President Rabb called the meeting to order.

Rev. Maria Jones gave the invocation.

The minutes from the July, 2008 meeting were approved.

MESSAGES FROM THE MAYOR

200808A00.01

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:

James N. Olson
106 Arcade Avenue
Jamestown, New York 14701

to be re-appointed a member of the Board of Assessment Review in and for the City of Jamestown, New York.

The term for which said appointment is to be made will expire September 30, 2013.

Dated: August 18, 2008

Samuel Teresi
Mayor of the City of Jamestown, New York

August 18, 2008

200808A00.02

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:

Helen Kern
104 East Third Street, Apt. 2
Jamestown, New York 14701

to be re-appointed a member of the Jamestown Housing Authority in and for the City of Jamestown, New York.

The term for which said appointment is to be made will expire September 30, 2013.

Dated: August 18, 2008

Samuel Teresi
Mayor of the City of Jamestown, New York

200808A00.03

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:

Benjamin Passamonte
15 Howard Street
Jamestown, New York 14701

to be appointed a youth member of the Youth Services Board of Directors in and for the City of Jamestown, New York to fill the un-expired term of Ann "Coco" Price.

The term for which said appointment is to be made will expire December 31, 2008.

Dated: August 18, 2008

Samuel Teresi
Mayor of the City of Jamestown, New York

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Councilwoman Ecklund moved to suspend the rules in order to vote on the appointments.

Carried: 8 ayes, 0 nays

Councilman Spitale moved to vote on the appointments.

Carried: 8 ayes, 0 nays

OPPORTUNITY FOR PERSONS TO ADDRESS THE COUNCIL

200808A00.04

Peter Morgante, 134 Euclid Avenue: This is a disgrace that nobody's even here. The people aren't here and neither are any of the officials – half empty council – it looks terrible. But what I'm here for – last week I was here in the Safety Committee meeting and I brought up the issue that the cones in the – the horses that they put in the street when the street is torn up – are not visible. The reflection doesn't work on them. They're hazardous and they're unsafe and Council says "we will make a note of it." Nobody's concerned about anything that the public's got to say. We waste our time coming here and I'm wasting my time, believe it or not...but I've got to say one thing. You spend all that money on Sixth Street – couldn't you have gone one more block and make the whole darn thing a great thing instead of stopping halfway at the end? You did the same thing to Marvin Parkway. You only do one block at a time. The people are complaining about things like that. It's bad. Tonight you're going to vote on new load graders or whatever it is. Anybody ever consult about sharing services? Why do we need two? Why does the Parks Department have to have one and the Recreation get another? Or the DPW? It's like the Fire Department – they see a truck – then the policemen want the same thing. What about shared services among your own people instead of working with shared services with other cities and villages? That's all. Thank you.

REPORT OF STANDING COMMITTEES

FINANCE COMMITTEE

200808A01

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 \$6,192,210.01 in accordance with the period ending August 18, 2008, 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 \$4,357,337.42 and payrolls in the total amount \$1,234,872.59, and investments in the total amount of \$600,000.00 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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200808A02

BY COUNCILMAN DeJOY:

RESOLVED, That the following claim be and hereby is allowed:

No: 6 of 2007	Vanessa G. Folts 226 Maplecrest Avenue Lakewood, New York 14750	\$15,000.00
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Carried: 8 ayes, 0 nays

200808A03

BY COUNCILMAN DeJOY:

RESOLVED, That the following claim be and hereby is allowed:

No: 6 of 2008	Pamela Schauers 23 Fairdale Ave Jamestown, New York 14701	\$588.10
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Carried: 8 ayes, 0 nays

200808A04

BY COUNCILMAN DeJOY:

RESOLVED, That the following claim be and hereby is allowed:

No: 7 of 2008	Jamie L. Cusimano 133 Linwood Ave. Jamestown, New York 14701	\$637.00
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Carried: 8 ayes, 0 nays

200808A05

BY COUNCILMAN DOLCE:

RESOLVED, That the Mayor be, and he hereby is, authorized and directed to enter into a contract with Pierce Manufacturing, Inc., of Appleton, Wisconsin, for the refurbishment of the Jamestown Fire Department Ladder Truck in an amount not to exceed three hundred forty-five thousand dollars (\$345,000.00), subject to the approval of the Corporation Counsel as to form.

Councilman Dolce: Just a quick comment that this truck is now going to be our second in command in line truck as we just received a new ladder truck and the \$345,000 was part of the capital improvement plan that we passed earlier this year.

Carried: 8 ayes, 0 nays

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200808A06

BY COUNCILMAN DOLCE:

RESOLVED, that the Mayor be, and he hereby is, authorized to enter into a contract with First Niagara Benefits Consulting, 777 Canal View Boulevard, Rochester, NY 14623, for GASB 45 Actuarial Services for the fiscal years ending December 31, 2008, 2009 and 2010 in the amount of \$16,250.00.

Carried: 8 ayes, 0 nays

200808A07

BY COUNCILMAN DOLCE:

WHEREAS, funding has become available through the New York State Department of State *Local Waterfront Revitalization Program Environmental Protection Fund*, a grant program by which the state encourages municipalities to plan for the future of their waterfronts, stimulate downtown revitalization, and undertake improvement projects that will support the implementation of their plans; and

WHEREAS, the New York State Department of State has solicited grant applications under Title 11 for the completion or implementation of a Local or Regional Waterfront Revitalization Program located on New York State designated inland waterways; and

WHEREAS, it is the desire of the City of Jamestown to revitalize and plan for the future use and improvement of the Chadakoin Riverfront and the Chautauqua Lake outlet basin and said local waterfront revitalization is a key component of the City of Jamestown Urban Design Plan adopted in December 2006; now therefore be it

RESOLVED, that the City Council of Jamestown, New York is fully committed to and supportive of the application for \$26,000 in state assistance through the *Local Waterfront Revitalization Program Environmental Protection Fund* to complete the "City of Jamestown Local Waterfront Revitalization Plan".

Carried: 8 ayes, 0 nays

200808A08

BY COUNCILMAN DOLCE:

WHEREAS, funding has become available through the New York State Department of State *Local Waterfront Revitalization Program Environmental Protection Fund*, a grant program by which the state encourages municipalities to plan for the future of their waterfronts, stimulate downtown revitalization, and undertake improvement projects that will support the implementation of their plans; and

WHEREAS, the New York State Department of State has solicited grant applications under Title 11 for downtown revitalization activities designed to create a positive image for the downtown commercial districts of municipalities while encouraging consumers and investors to live, work, shop, play, and invest in the downtown; and

WHEREAS, funding is available for design, construction, and/or implementation activities related to priority projects identified in a comprehensive downtown revitalization program, including marketing campaigns and website and brochure design; and

WHEREAS, a partnership of "Jamestown Area Attractors" (The Lucille Ball/Desi Arnaz Center, Jamestown Audubon Center, Roger Tory Peterson Institute, Fenton History Center, Jamestown Savings Bank Ice Arena, Robert H. Jackson Center, Downtown Jamestown Development Corporation, City of Jamestown), along with support from the Gebbie Foundation, has collaborated to provide the required fifty-percent (50%) local match component; and

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WHEREAS, the Jamestown Area Attractors have collaboratively agreed that a tourism-related Branding Study/Marketing Plan would be of benefit to furthering the mission of each organization and contribute to the overall growth of tourism in the greater Jamestown area; and

WHEREAS, the completion of a Branding/Marketing Study will support a central goal of the City of Jamestown's Urban Design Plan by creating a foundation for increased economic development by focusing each partner organization on the City's brand identity and through the creation of synergistic relationships that will support the better use of public and private investments in tourism-related facilities, services, and promotions; now therefore be it

RESOLVED, that the City Council of Jamestown, New York is fully committed to and supportive of the application for \$84,500 in state assistance through the *Local Waterfront Revitalization Program Environmental Protection Fund* for the "Jamestown Tourism Branding Project" to complete a Branding Study/Marketing Plan, design a Jamestown area tourism website, create and publish brochures that will promote tourism in the City of Jamestown, and purchase/install street pole banners that will promote tourism in the greater Jamestown area.

Carried: 8 ayes, 0 nays

PUBLIC WORKS

200808A09

BY COUNCILMAN SPITALE:

RESOLVED that Jeffrey Lehman, P.E., Director of Public Works, is hereby authorized and directed to purchase from Milton CAT, Southwest-Milton, Inc., 4610 East Saile Drive, Batavia, NY 14020, the following equipment:

One (1) CAT Loader 930 H (for Parks Dept.)	\$102,705
Option #2 – A 2.5 CY 4-1 multi-purpose quick coupler bucket with a 4-piece bolt-on cutting edge	<u>15,488</u>
	\$118,193

for a total not to exceed the price of One Hundred Eighteen Thousand One Hundred Ninety-Three Dollars (\$118,193.00), per bid proposal opened August 11, 2008, this being the lowest bid received meeting specifications.

Councilman Spitale: This is coming with a clamp bucket besides the other bucket because the one they have now is 17 years old and this is replacing it. It's a better, heavier-duty loader.

Carried: 8 ayes, 0 nays

200808A10

BY COUNCILMAN SPITALE:

RESOLVED, that Jeffrey Lehman, P.E., Director of Public Works, is hereby authorized and directed to purchase from Milton CAT, Southwest-Milton, Inc., 4610 East Saile Drive, Batavia, NY 14020, the following equipment:

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One (1)CAT Loader 930 H (for DPW)	\$102,705
Option #1 – A 3 CY general purpose quick coupler bucket with a 4-piece bolt-on cutting edge	5,732
Option #3 – A limited slip differential or equal for rear axle	1,880
Option #4 - Additional three (3) hydraulic valves completely plumbed for snow equipment	<u>4,303</u>
	\$114,620

for a total not to exceed the price of One Hundred Fourteen Thousand Six Hundred Twenty Dollars (\$114,620.00), per bid proposal opened August 11, 2008, this being the lowest bid received meeting specifications.

Councilman Dolce: These two pieces of equipment are part of the capital improvement bonding that we did earlier this year. To respond to you as part of that, the reason that we had to go out and buy these pieces of equipment over the years, the Council did look at sharing these with the BPU or with other communities, but the problem always comes in as to when they're needed, and when you share pieces of equipment, you don't always have these pieces of equipment...everyone needs them at the same time. This is the season when you need pieces of equipment; this is when your construction is done, this is when a lot of the excavating is done. A lot of times when you share equipment, it just doesn't work because it's not conducive to the type of service that they provide. So that's why these important pieces of equipment were added. Thank you.

PUBLIC SAFETY

200808A11

BY COUNCILWOMAN JONES:

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, 2008 to August 21, 2010

Carried: 8 ayes, 0 nays

NEW BUSINESS

200808A12

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 Jamestown Police Department in an effort to effectively manage the city's day-to-day responsibilities in a cost efficient manner, it is in

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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) full-time Animal Control Officer in the Jamestown Police Department (replacement of one full-time Animal Control Officer, funded by the 2008 budget).

Councilman DeJoy: Mr. President, this position is one because of a retirement in July of this year. Mr. Pickett retired and this is an essential position. Actually, the City looked to other outside organizations to perhaps take over this responsibility and they didn't feel that they were able to do it at this time, so we did actually look into outside contracting for this, but we need to fill this position as soon as possible.

Carried: 8 ayes, 0 nays

200808A13

BY COUNCILMAN DOLCE:

RESOLVED, That the newly appointed Animal Control Officer be, and hereby is, authorized to attend training provided by the National Animal Control Association Training Academy, to be held in Albany, New York, September 8-12, 2008 with expenses paid pursuant to Section 77-b of the General Municipal Laws of the State of New York.

Councilman Dolce: I just want to add that the person has not been appointed yet, but upon appointment this will take effect and they then can go to that training.

Carried: 8 ayes, 0 nays

Councilman Dolce: I just wanted to report that the first meeting of the sub-committee of the Housing Committee for the landlord licensing met tonight, and a number of issues were discussed, goals and objectives as well as members on the committee and we will be meeting probably on a regular basis for the next several months to look at some of the pros and cons to landlord licensing and how other communities handle some of the issues that we've been talking about in the Housing Committee and possibly looking at our Chap. 215 of the City Code and things that we can do there that might put a little more beef into that Code and enforcement to that. So, it was a very productive meeting and we'll have more to come – our next meeting is September 10th.

Chairman Rabb: It is, I believe, a Wednesday?

Councilman Dolce: Wednesday, September 10th at 6:00 P.M.

Chairman Rabb: And did you mention that you've been selected as the Chair of Housing Sub-Committee?

Councilman Dolce: I did not, but you just did. I want to thank Councilman Whitford for nominating me. I'm happy to serve in that capacity and hopefully we can bring something

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substantive forth in the next several months to address the housing issue.

Councilwoman Ecklund: I'd like to just mention one thing – it's not really Council related, but it is community related and it is a great event taking place this week in Jamestown and it is the 13 year old Babe Ruth World Series at the stadium and the Russell E. Diethrick Park. A tremendous amount of kids, a tremendous amount of talent. We had a young man last night pitched 16 strikeouts, so I'd like to encourage the community, come down there and support these kids. Our local team as well is still in it, so please come down to the ballpark and enjoy some baseball.

Chairman Rabb: Thank you. Anybody else have anything to share with the group?

There being no further business, the meeting was adjourned.

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