

December 19, 2016

City Council

Proceedings by Authority

State of New York
City of Jamestown ss:
City Council Chambers

A meeting of the City Council of the City of Jamestown, New York was held on Monday, December 19, 2016 at 7:30 p.m.

Members Present: Council Members, Brent Sheldon, Tony Dolce, Vickye James, Marie Carrubba, Tom Nelson, Kim Ecklund, George Spitale

Members Absent: Council President Greg Rabb, Maria Jones

Others Present: Mayor Samuel Teresi, James N. Olson, Director of Financial Services/City Clerk, City Comptroller Joe Bellitto, Director of Public Works Jeff Lehman, Police Chief/Director of Public Safety Harry Snellings, Deputy Fire Chief Chet Harvey, Director of Development Vince DeJoy, Executive Assistant to the Mayor Matt Hanley

Director of Financial Services/ City Clerk, James N. Olson called the meeting to order and led the assembly in the Pledge of Allegiance to the Flag.

The Invocation was given by Rev. Dr. William Blair of the New Creation Assembly of God.

Councilwoman Ecklund nominated Councilman Dolce to act as President Pro-Tem in the absence of City Council President Greg Rabb.

Councilman Spitale seconded the motion.

Councilwoman Carrubba moved to close the nominations.

Carried: 7 ayes, 0 nays

Councilman Spitale moved to approve the minutes from the November 28, 2016 meeting.

MESSAGES FROM THE MAYOR

201612B00.01

Councilman Dolce introduced Fluvanna Boys Scout Troop 169 and its leader, Terry Roberts.

Councilman Dolce: If you don't mind; if you could stick around until the end of the meeting, you can come up here and get a picture? Thank you. Thank you for coming tonight.

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201612B00.02

CITY OF JAMESTOWN)
Mayor's Office)

To the City Council of the City of Jamestown New York
Council Members:

In pursuance of section 523-a. of the Real Property Tax Law, I do hereby nominate:

Randall Olson
149 Hedges Ave.
Jamestown, New York 14701

to be 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, 2021.

Dated: December 19, 2016

Samuel Teresi
Mayor of the City of Jamestown, New York

201612B00.03

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:

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

to be re-appointed a member of the Parks Recreation and Conservation Commission in and for
the City of Jamestown, New York.

The term for which said appointment is to be made will expire
December 31, 2021.

Dated: December 19, 2016

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Samuel Teresi
Mayor of the City of Jamestown, New York

201612B00.04

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:

Christine Prinzi
232 E. Virginia Blvd.
Jamestown, New York 14701

to be re-appointed a member of the Parks Recreation and Conservation Commission in and for
the City of Jamestown, New York.

The term for which said appointment is to be made will expire
December 31, 2021.

Dated: December 19, 2016

Samuel Teresi
Mayor of the City of Jamestown, New York

201612B00.05

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:

Regina Brackman
11 Genesee Street
Jamestown, New York 14701

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

The term for which said appointment is to be made will expire
December 31, 2021.

December 19, 2016

Dated: December 19, 2016

Samuel Teresi
Mayor of the City of Jamestown, New York

201612B00.06

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:

Charles Telford
22 Jewel Place
Jamestown, New York 1470

to be re-appointed a member and Chairman of the Veteran's Memorial Commission in and for
the City of Jamestown, New York.

The term for which said appointment is to be made will expire
December 31, 2019.

Dated: December 19, 2016

Samuel Teresi
Mayor of the City of Jamestown, New York

201612B00.07

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:

Theresa Baginski
64 Holly Hill Court
Randolph, New York 14772

to be re-appointed a member of the Veteran's Memorial Commission 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 December 31, 2019.

Dated: December 19, 2016

Samuel Teresi
Mayor of the City of Jamestown, New York

201612B00.08

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:

Ellen Ditonto
16 Norton Ave.
Jamestown, New York 14701

to be re-appointed Chairperson of the Zoning 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, 2019.

Dated: December 19, 2016

Samuel Teresi
Mayor of the City of Jamestown, New York

201612B00.09

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:

Judith Sandson
135 Cook Ave.
Jamestown, New York 14701

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

December 19, 2016

The term for which said appointment is to be made will expire December 31, 2019.

Dated: December 19, 2016

Samuel Teresi
Mayor of the City of Jamestown, New York

201612B00.10

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:

Catherine Way
21 Dearborn Avenue
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, 2021.

Dated: December 19, 2016

Samuel Teresi
Mayor of the City of Jamestown, New York

201612B00.11

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:

Gary Sorenson
23 Price Street
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.

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The term for which said appointment is to be made will expire December 31, 2019.

Dated: December 19, 2016

Samuel Teresi
Mayor of the City of Jamestown, New York

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

Carried: 7 ayes, 0 nays

Councilwoman Ecklund moved to vote on the appointments.

Carried: 7 ayes, 0 nays

OPPORTUNITIES FOR PERSONS TO ADDRESS THE COUNCIL

201612B00.12

Mr. Laurin: Mike Laurin, 51 Durant Avenue, Jamestown. Thank you for allowing me to speak. This afternoon, I asked Mrs. Williams from the City Clerk's Office to forward you a letter I wrote regarding the Jackson Spring housing project. If you haven't read it, please do. As you know, CODE along with the NRP group are proposing to build a housing complex along the north side of the city, less than a block away from Love Elementary School. I am concerned that if they build this complex, within a high crime area, it will have a negative effect on residents, community and the neighborhood. Crime tends to gravitate towards disadvantaged areas and individuals living in these communities are more likely to become victims. Why spend \$11 million to build housing that forces people to live in a high crime location? All of us want to see Jamestown prosper. By adding more net housing to already low-cost, low-demand housing market is not the answer. We need to demolish houses that are unsafe while simultaneously assisting homeowners in keeping property maintained so that they do not fall into disrepair. The Block Challenge is a good example of a program helping homeowners maintain their property. I know by working together, we can come up with similar programs for homeowners and landlords. Everyone in this room wants Jamestown to be a safe place. We need to focus on designing an environment that will reduce crime. I am asking for you to seriously consider what the primary and secondary effects of this project will be. Is it more likely to have a positive or negative impact on our community? Will there be any added expenses to the already overburdened taxpayers either directly or indirectly? What other programs are available to help disadvantaged community members secure owner-occupied housing within our comparatively low housing market? I urge the council to prevent this project from moving forward. Thank you.

Mr. Payne: My name is Donald Payne. I live at 872 Spring Street here in Jamestown and I'm here to talk about the Jackson Spring apartments and the letter that Mr. Laurin had in the paper. First of all, he talks about lower income and he thinks everybody on the north side is low income. I happen to be a plumbing and heating contractor in the City of Jamestown. I earn a good wage and my wife, she works at Cummins; has a \$77,000.00 a year job. As far as the crime on low income people, there's a lot of high-class people that do live on Spring Street, Prendergast, Lakeview; a lot of nice homes up there. Because of the crime on Prendergast Avenue and over on the corner there; there's three apartment complexes that landlords own and refuse to take these drug lords – because they don't scan them and check on their behavior. Of drug lords, Mr. Harry Snellings and Mayor I'm sure like that they do and are doing the best job that they possibly can to stop this drug invasion of our city. And the shootings; they work overtime. Mike, you as a police officer at one time; you should know that crime can happen anywhere in this city of Jamestown. It doesn't just happen on Spring Street – and it doesn't happen on Spring Street, it happened on Prendergast. It can happen anywhere. Mr. Quincy Turner got shot at the airport. Is that high crime right up there? No. It happens to be that the landlords on Prendergast, and Mr. Harry Snellings will know this; that the landlords refuse – all they want is the money. They don't care that the drug lords are in there. They don't evict them. Half of our crime and our drugs in this city come in by bus. How many times do you ever see a patrol officer stop a bus coming from Rochester and Buffalo to check the luggage. Am I right, Mr. Snellings? I'm 100% right. They never do. A lot of it comes right in here and I know this for a fact.....in the square, her husband deals in Yonkers, down in Harlem and he brings it all the way back and has her pick her up in Dunkirk, Syracuse and Rochester. It happens all the time. We cannot stop all of this.

What we need to have in this city; and I'm a true believer, in some rehab. A rehab unit that will take these drug lords and rehabilitate them and bring them back to normal. When they pick up a sixteen or fifteen-year-old kid with drugs; what happens? They send them to the courts, they slap their hands a little bit, fine them and bring them out. We need to rehabilitate these young kids so that they understand that the drugs are going to kill them someday or kill somebody else. That's what has to happen,

The other thing, and I give the Mayor – Mike says about the Mayor, what is he doing about it, he never speaks about it? He does speak about it. It's on his mind, 24/7 Mike. Mr. Harry Snellings; he works his ass off every day down there trying to figure out what to do about the drug and the crime in this town. The courts protect these drug lords and sometimes they don't give them a harsh enough punishment. They do not send them to rehab, which they should. As far as some of the things in this paper goes; 60% of the houses that are condemned in our city are owned by people who do not take care of them. Slum lords. 60-70% of the condemned signs in our city are caused from people that don't have money to fix them. Now we want to build a nice, beautiful housing for single women, disabled people; single lady that has one or two children that wants security? Let me tell you something, Mr. Pat Morris over here, he's the head shot at CODE. I've been in these CODE buildings; Mr. Pat Morris has a camera on them right now that shows every apartment complex in that building, it shows every hallway, inside and out, 24/7. These places are very secure. They are protected. Like the air conditioning; Mike, Mr. Laurin, he was a police officer, I'm sure he locks his doors and shuts his windows and locks

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them. He has two children and a wife that he has to protect. Everybody – I do the same on Spring Street. I've been there sixteen years and never seen a shooting on Spring Street. I've never seen one on North Main, down in my neighborhood. The fact is, we need these for disabled people with low incomes that want security. And Pat Morris is the guy to do it; okay? From CODE. Even the ones on Terrace Avenue, down on second Street; this guy knows exactly. He's got two or three people in CODE that have cameras that know everything that's going on in that building. He screens these people. I think it's a good thing. I think it should be passed and I hope the city's behind this and thank you Mayor and Mr. Snellings, the Chief, I thank you for protecting our city.

Councilman Dolce: Thank you. Before we go any further, I just wanted to note, for the record that I think there are some misconceptions out there. There is nothing for the City Council to act upon in this project. This is a private project. The only involvement we would have is the Planning Commission for any potential variance needed or any potential variance needed by the Zoning Board. This is not a city project, this is a private development. There is not going to be any official vote either tonight or down the road in the future on this project, so I just wanted to get that out there. There seems to be some sort of misinformation or misconception of that. That being said, continue.

201612B00.14

Mr. Wilfong: Dave Wilfong, 39 Norton Avenue, County Legislator, District 11 and I have a few things I'd like to say. First of all, the North Main Street project; what is the city and what are we going to get out of this project? We're going to get the demolition of eight depleted buildings at no cost to the city. Two new housing projects; one with thirty-six units and the other with seven townhouses. The townhouses will be partnering with the Southwest Independent Living Center and the Chautauqua Blind Association to assist people that are visually impaired. Current housing stock and market have been sluggish to provide enough housing for the people with mobility problems and even our local elderly. This area already has an example of a great neighbor in HUD housing run by Lutheran Social Services. They are good landlords and have well-maintained buildings. We have housing projects in this city that have been in existence for years and we never hear anything bad about them. Bradmar Village is one and the other is the Crestline Villas. There is already a significant neighborhood watch program and have full confidence in the Jamestown Police Department to make their neighborhood safe. Many people on the Tenth Street area think this development is a good idea and look forward to seeing something positive in their neighborhoods. I think we should embrace this. Because what is the alternative? We don't do it, we stick our head in the sand and we stay the way we are or we move forward as a community and make our community a better place. Let's not go back to the old Jamestown; not in my backyard. Let's start with development for our community right out there on North Main Street. Thank you.

201612B00.15

Mr.: Whitfield Good evening. My name is Frank Whitfield and I live at 4530 West Lake Road, but I'm a board member with CODE as well. I'm also a long-term community and regional economist for the vicinity and investment advisor. We work very carefully to screen all of these projects. And of course, Pat does with the investors. This is without a doubt a

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godsend to a community like Jamestown. All over the country communities are crying and dying for opportunities like this because it upscales the housing market and it improves the crime and disorder possibilities because it upgrades the living standards and cleans out some low-quality housing units that become dump sites for illegal people, people that are lower social economic quality that want to find something for free or flop down someplace and that just erodes even further. I really want to reiterate that this is a real godsend for, and I'm saying this as just a regional economist, and I've seen this all over the place. You struggle to upscale a city and whatever you can do, there's getting to be more and more difficulty having a decent tax base anymore because of declining economic enterprise, so this is a real shot in the arm to help the people in that neighborhood to get a little encouragement to keep their properties up better. It also elevates the quality of rental housing generally because this is going to maybe draw out of some other dumpy rental houses and it forces other landlords around the city to upscale their homes. Some don't like that because that forces them to put money into their properties, like this gentleman was saying, to make them more appealing. So, it's just a great competitive edge and a real shot in the arm for Jamestown. Thank you.

201612B00.16

Mr. Baker: My name is Rod Baker. I am a neighbor to Don Payne. I've lived on Spring Street since 1986 – 868 Spring Street. I've lived there for thirty years. When I moved in there, I asked for rehabilitation. The city didn't see it feasible. My kids have grown up looking at this housing that has just been run down; for thirty years. He just celebrated his thirty-second birthday. He moved in there when he was two, so in his lifetime, that's all he's seen. I don't want his lifetime affected by it, or their lifetime affected by it or any other kids' lifetime affected by having to look at that. If I could take those houses down, I would. Pat Morris wants to. He wants to change the neighborhood for the good of all of us. It's the North Main Street, Spring Street area. It also goes to Prendergast, Eighth Street, Crossman, VanBuren; all moderate to lower income neighborhoods. When I moved onto my street, probably 60-70% were homeowners. It's not that anymore. They've left. Myself am a homeowner, Don, Daltons. But we have dreams for that neighborhood and we stay there because of our dreams. Our dreams don't have to do with that blight. And if he wants to take that blight away, we're all for it. The infrastructure of our street will get better; we'll save our cars and the neighborhood will be a lot more beautiful. And I think we need to give that section of town a chance to grow instead of seeing the same rundown, landlord, suck rent out building. These people come in and they rent to just anybody and everybody. Drug dealers move in, drug dealers move out when they get hot; thank you Mr. Snellings, appreciate that. We're tired of seeing it; this building can change that. Don't take our kids' dream away. They may want to take their parents' house. They won't want it if those houses have to stay there. Let's change Jamestown for the better. Let the project go through. Give them a hand.

201612B00.17

Mr. Sisak: Hey, how's everybody doing? My name's Darrell Sisak. I live at 824 Spring Street. I've lived there since roughly, the early eighties. I just want to say thank you to Pat because this last summer – I've got a huge house and it needed work desperately. Right now, I'm disabled. My climbing ladder days are long over. CODE put \$10,000.00 into my house. It didn't cost me a cent. I got a new foundation, I got a new porch for my downstairs deck. I mean, I

couldn't believe it. But I'll tell you something; these two houses up on the end of the street; it's like cancer on the human body. You're not going to fix it; it's got to be removed. These houses, this apartment complex comes in here; if anything, it's going to up the value of my property. Maybe now the city, it will be bringing in revenue, maybe the city will get around to fixing up our road and sidewalks. This is definitely a good thing. Like I say, a house, you've got to keep up with a house, but eventually it gets dilapidated to a point where these places are. You're looking at major risks. Number one, it's not feasible to even fix them anymore. I don't think they can be fixed. Number two; you're looking at fires. There used to be an apartment building right next to my house; 826 Spring Street apartments. Over the space of about twenty-five years, four times that place burned down. I'm surprised that one time it didn't take my house with it. I was telling the firemen, spray the roof, spray my roof.

We have a big drug problem here in Jamestown. I'll tell you one of the reasons is because, you've heard the saying, idle hands are the devil's workshop. We've got to bring corporate jobs back to Jamestown. Everyplace is gone; Crescent Tool's gone, Proto Tool's gone. I worked at Blackstone when Mr. Lenna had it for eighteen years and they downsized; they're still there, it's Titan X now. They downsized. In the mid-eighties, there was like 1500 people working there. There's never been more than 500 people working there since. You've got to have jobs. The drug problem, I am afraid that if it isn't nipped in the bud real quick, it's going to get worse and worse and worse. That's it for me, and I thank you very much.

201612B00.18

Ms. Basile: My name is Debbie Basile. I live at 76 Royal. I'm confused now. They say that their upper \$77,000.00 income housing and then they talk about low income. I'm confused. Is it low income housing, or is it middle income housing? What is it? That's my question. Number two; is it a high-crime area? Is it? Has there been shootings on Spring Street? I know it's in close proximity to Prendergast Avenue. So, that would be concern. I am one, I want to help the least of our brethren. And if we're putting visually impaired people in there, mentally impaired people in there; is that a safe neighborhood? Vulnerable populations, by definition, are children under the age of seventeen, those over the age of sixty, which I am, and the disabled. If it is a high-crime area, why are we putting the vulnerable population in there? That's my question to whoever came up with this idea. It doesn't make sense to put vulnerable population into a high-crime area. Thank you.

Councilman Dolce: You're welcome. Thank you. Chief, do you want to respond to any of that? The crime part.

Chief Snellings: Sure. The specific question was Spring Street shooting; no. Prendergast, Lakeview is in the proximity of it? Absolutely. That whole corridor – and I refer to it as a corridor with Prendergast being kind of the focal point. There has been an increase over the last year, specifically the 800 block of Prendergast. We've put a lot of focus into it over the fall. But Spring Street, specifically, no. To be blunt, quite honest, no.

Ms. Basile: Well what is the definition of a high-crime area?

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Chief Snellings: Exactly. You're talking one shooting right there in that area, but I think the rash of shootings we've had over the Thanksgiving incident has created a lot of anxiety. And rightfully so. That's not common for us. There's been a lot of overreaction to it and there's been some genuine concern. Definitely by us. I can't specifically get into it, because it's still an open, ongoing investigation, but I will tell you, it's not being ignored and we are making some headway into it. And again, I would love to talk about it, but I really can't. But again, it was a very unique situation. Every event was targeted and it was related to the Thanksgiving Day incident. I know a lot of people have tried to merge the Keith Robbins homicide investigation into that; completely separate and nothing to do with it. It was a domestic violence incident. The homicide we had on Lakeview; a domestic violence incident. The double homicide incident that we had on Barrows Street; a domestic violence incident. That's generally – the homicides that we have are domestic related.

Mr. Payne: I give Harry Snellings up there a lot of credit. This guy's up day and night trying to figure out how to protect our city. He does a great job. He's been on edge. He's been up days and nights. He does a phenomenal job. I say again, crime can happen anywhere in our city. And the place on Prendergast are across from apartment complexes that the landlord refused to...

Councilman Dolce: Mr. Payne, you have to go to the mic if you're going to speak and give everybody the chance, thank you.

Mr. Payne: They've done a great job.

Ms. Basile: I do appreciate the Mayor and Mr. Snellings, I didn't mean to be...

Chief Snellings: And I didn't take it that way at all.

Ms. Basile: I'm trying to sort this out because it seems like there's mixed messages...

Councilman Dolce: We have to go to the mics. We can't have dialogue because then it's not on the record. I don't mean to shut you down, but they have to be on the microphones for the public record. I don't know, Pat, if you want to address the other question at all. It's kind of unprecedented to ask someone from the crowd to speak, but since the question came up, you'd be the best one to answer it so if you want to address the other question that the woman had on that.

201612B00.19

Mr. Morris: Patrick Morris, Executive Director, CODE Incorporated, 411 Winsor Street. The apartment complex is going to be privately owned as has been mentioned, which is outside the realm of the city, but we appreciate everything that's happening in the neighborhood and the city to help support it and the local residents who are supporting it. The population the apartment complex is going to be modeled very much after what's happening at Euclid Gardens; one and two bedroom units. With a mix of people. We're not senior citizens, we're family –

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because there are a lot of senior complexes already in the city, so we're not a complex, but we have one and two bedrooms which makes it open for disabled people who aren't seniors or families with a disabled member. We also will have some small families in there and just a cross of the population. The rents are going to be in the \$500-700.00 range and incomes are going to be up to about \$37,000.00 if I remember right off the top of my head. I wasn't really prepared to make remarks. Basically, when you look at the population of the city on family size and income demographics, roughly just more than 50% of the families in the city would be eligible to live there. So, it's an apartment complex that really is targeted for who lives in the city and who needs safe, sanitary and affordable housing in the city.

Councilman Dolce: To answer the question of why there. And do you feel that's a good...

Mr. Morris: We did an extensive search of sites in the city and basically it came down to following the city's plans. That was a site that had adequate zoning so we could do that without having to come and ask the city to change any of its plans or zoning or anything and also up on the houses on the upper part of Spring Street and along that section of Main street are just beyond repair. So, it really makes some sense, if we're going to go after some state money to come in and serve two purposes. One is to be able to house the people who need housing in the city. We have a very low vacancy rate in the city and we have an increasing number of people in the city who are living without complete plumbing and without complete kitchens. So, we're serving the population that needs to be housed and at the same time we're doing some community good by knocking down a whole area of really bad housing, replacing it with some nice, safe, new, modern housing. Our complexes; we have high security, they're nice places to live so we already have a presence along North Main Street and we're just expanding our presence on North Main Street.

201612B00.20

Mr. Vogan: Hi, my name is John Vogan and I live on 26 Maltby Street. I guess my first question was that you said that this isn't a matter to be voted on by the City Council. So, what do we have as a recourse as citizens that are opposed to this? I know Pat has to apply for funding somewhere. Where can we voice our opposition to this project that would matter? Can anyone give us any information on that?

Councilman Dolce: I don't believe that there would be other than if it comes before the Planning Commission, they would have a meeting to approve the site plan, but I don't know of any other avenue to stop any private development, whether it was a store, whether it was another business, whether it was another housing complex, whether it was a private individual complex. I'm not sure that there is an avenue for that.

Mr. Vogan: Okay because it just appeared that he had to get approval from somewhere in the state of New York, from what I read in the paper this morning, so there might be somewhere where we could.

Councilman Dolce: At the state level, yes.

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Mr. Vogan: My other question was for Chief Snellings. As Pat said, they're looking to move people from our area into this new housing on Spring Street. What's going to happen when there's a lot of new vacancies created in the housing market? A lot of people are probably looking to move out of undesirable housing into this new project, if it's approved. So, do you have any concern about the vacuum that that's going to create? Because I've actually talked to some police officers who are.

Chief Snellings: It is a concern because one of two things are going to happen. Either it's going to remain vacant and then it just adds to the degradation of our neighborhoods because we'll have more houses that are unoccupied and become dilapidated, correct? Or we're going to other people move in. So there's no guarantee who's going to move in; I can't guess. Is it a concern? Sure, because it's the unknown; we don't know. I can make that argument about any house. One of the issues that we have, especially on the drug issue that keeps coming up; we have a lot of transient drug dealers. Many people have heard me say that over and over. We have people that come in on buses. We know that. We've attempted to do the bus avenue and then they change how they come into the city. They come in by taxi cab. They have friends pick them up and bring them in. They change just like we change. I don't know what, down the road, what that can do, but it potentially creates a vacuum. How it gets filled, I don't know, but if it doesn't get filled then we have another issue. That's just part of the bigger problem that we have in our neighborhoods. I don't think anybody's going to argue against that.

201612B00.21

Mr. Johnson: My name is Bruce Johnson. I live at 101 Glendale. You might wonder why I would make a comment because I live on the south side, right on the city line. I delivered mail in the North Main Street area for approximately twelve years. I know the area very well and I would consider it a high-crime area because I walked the streets. If any of you have walked the streets, you know that on a day-to-day basis, the police cars are there. And it has been that way since the early 90s when I started working down there. I live on the south side. I bet it's been ten years since I've seen a friendly police officer come by my street. Other than when he's got his lights flashing or they're trying to find something. It's very unusual. And that's all about on the south side and some of the other areas and I'm concerned with sixty police officers, or thereabouts; these guys do a fantastic job, but we don't see them and it's a deterrent to have police officers roving the city; they don't have time. That's where the long-term viability of something, such as this housing development, although it will improve the area shortly, what's the long-term effect? Is the other housing that's being vacated, is it going to bring in more people? There are still signs in New York City and other places that say come to Jamestown, New York because it's cheap living here, a lot of benefits, etc. and those type of people, we don't need. We need some people that can pay their taxes and can support the city. And I support them all the way. But, I just thought I'd make a comment and my hat's off to you guys and I'm just concerned for that long-term sustainability of keeping the peace in that area. Yes, you've got a nice environment for some, what happens to the rest?

201612B00.22

Mr. Sisak: Darrel Sisak, 824 Spring Street. Okay, this afternoon I had an appointment to see my chiropractor and they've got parking meters. And the snow was piled up so high, I couldn't get to the meter to put any money in it. Luckily, I didn't get caught, I didn't get a ticket. But you know, there should be – is this a matter of record? If I ever get a ticket and I can't – I've got a real bad back and you can't get to the meter to put money in it, it ain't right that you should have to pay a parking ticket. Which I agree with them; I think they should tear all the parking meters right out. Why would you shop in Jamestown when you can go over to the mall and park all day for nothing? But I'll tell you something, unless you're disabled or something; I never gave it a second thought until this happened to me once last year. Man, what am I going to do, but why they didn't turn the meters the other way, I don't know.

STANDING COMMITTEES

FINANCE COMMITTEE

201612B01

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 \$15,676,404.21 in accordance with the period ending December 16, 2016, 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 \$14,834,560.05 and payrolls in the total amount of \$841,844.16 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: 7 – 0

201612B02

BY COUNCILWOMAN ECKLUND:

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 New York State Conference of Mayors, the National League of Cities and any other job related conferences during 2017, with expenses paid pursuant to Section 77-b of the General Municipal Law.

Carried: 7 – 0

201612B03

BY COUNCILWOMAN ECKLUND:

RESOLVED, That Key Bank of New York, N.A., Jamestown Office, Jamestown, New York; Key Banc Capital Markets, Jamestown, 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: 7 – 0

201612B04

BY COUNCILWOMAN ECKLUND:

WHEREAS, Section 104-b of the General Municipal Law requires the governing body of every municipality to adopt a procurement policy for all goods and services which are not required by law to be publicly bid, and

WHEREAS, comments have been solicited from all officers in the city involved in the procurement process, now, therefore be it

RESOLVED, that the City of Jamestown does hereby adopt the following procurement policy for the year 2017 which is intended to apply to all goods and services which are not required by law to be publicly bid.

PROCUREMENT POLICY FOR THE CITY OF JAMESTOWN

1. Every purchase to be made must be initially reviewed to determine whether it is a purchase contract or a public works contract. Once that determination is made, a good faith effort will be made to determine whether it is known or can reasonably be expected that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year. The following items are not subject to competitive bidding pursuant to Section 103 of the General Municipal Law: purchase contracts under \$20,000 and public works contracts under \$35,000; emergency purchases; goods purchased from agencies for the blind or severely handicapped; goods purchased from correctional institutions; purchases under state and county contracts; and surplus and second-hand purchases from another governmental entity.

The decision that a purchase is not subject to competitive bidding will be documented in writing by the individual making the purchase. This documentation may include written or verbal quotes from vendors, a memo from the purchaser indicating how the decision was arrived at, a copy of

the contract indicating the source which makes the item or service exempt, a memo from the purchaser detailing the circumstances which led to an emergency purchase, or any other written documentation that is appropriate.

2. All goods and services will be secured by use of written requests for proposals, written quotations, verbal quotations, or any other method that assures that goods will be purchased at the lowest price and that favoritism will be avoided, except in the following circumstances: purchase contracts over \$20,000 and public works contracts over \$35,000; goods purchased from agencies for the blind or severely handicapped pursuant to Section 175-b of the State Law; goods purchased from correctional institutions pursuant to Section 186 of the Correctional Law; purchases under State contracts pursuant to Section 104 of the General Municipal Law; purchases under county contracts pursuant to Section 103(3) of the General Municipal Law; or purchases pursuant to subdivision 6 of this policy:

Procurement Policy for the City of Jamestown

3. The following method of purchase will be used when required by this policy in order to achieve the highest savings:

<u>Estimated Amount of Purchase Contract</u>	<u>Method</u>
\$500 - \$2,999	2 verbal quotations
\$3,000 - \$9,999	3 written/fax quotations or written request for proposals
Estimated Amount of Public Works Contract	
\$500 - \$2,999	2 verbal quotations
\$3,000 - \$4,999	2 written/fax quotations
\$5,000 - \$19,999	3 written/fax quotations or written request for proposals

A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.

4. Documentation is required of each action taken in connection with each procurement.
5. Documentation and an explanation are required whenever a contract is awarded to other than the lowest responsible offer. This documentation will include an explanation of how the award will achieve savings or how the offer was not responsible. A determination that the offer is not responsible shall be made by the purchaser and may not be challenged under any circumstances.
6. Pursuant to General Municipal Law Section 104-b(2) (f), the procurement policy may contain circumstances when, or types of procurements for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances it may not be in the best interests of the City of Jamestown to solicit quotations or document the basis for not accepting the lowest bid:
 - a. Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgment, integrity, and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures.

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In determining whether a service fits into this category, the City Council shall take into consideration the following: (a) whether the services are subject to State licensing or testing requirements; (b) whether substantial formal education or training is a necessary prerequisite to the performance of the services; and (c) whether the services require a personal relationship between the individual and municipal officials. Professional or technical services shall include but not be limited to the following: services of an attorney; services of a physician; technical services of an engineer or architect engaged to prepare plans, maps and estimates; securing services of a certified public accountant; investment management services; printing services involving extensive writing, editing or art work; management of municipally owned property; and computer software or programming services for customized programs, or services involved in substantial modification and customizing of pre-packaged software.

- b. Emergency purchases pursuant to Section 103(4) of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to seek alternate proposals may threaten the life, health, safety or welfare of the residents. This section does not preclude alternate proposals if time permits.
 - c. Purchases of surplus and second-hand goods from any source. If alternate proposals are required, the City is precluded from purchasing surplus and second-hand goods at auctions or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods and a lower price may indicate an older product.
 - d. Goods or services under \$500. The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interests of the taxpayer. In addition, it is not likely that such deminimis contracts would be awarded based on favoritism.
7. This policy shall go into effect immediately and will be reviewed annually.

Carried: 7 – 0

201612B05

BY COUNCILWOMAN ECKLUND:

BY

RESOLVED, That the City Comptroller be and he hereby is authorized to affect the 2016 General Fund overdrafts as follows:

TO:	<u>GENERAL GOVERNMENT SUPPORT</u>	<u>212,270.00</u>
	A1010.400 City Council	23,400.00
	A1210.100 Mayor	757.00
	A1210.400 Mayor	500.00
	A1310.100 Director of Finance	3,802.00
	A1310.400 Director of Finance	100.00
	A1315.100 Comptroller	

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		1,530.00	
A1315.400	Comptroller	2,200.00	
A1325.200	Treasurer	292.00	
A1410.200	City Clerk	1,407.00	
A1420.100	Corporation Counsel	717.00	
A1435.100	Human Resources	2,211.00	
A1440.100	Engineer	11,000.00	
A1440.200	Engineer	4,000.00	
A1621.100	Building - Steele St.	836.00	
A1621.200	Building - Steele St.	1,200.00	
A1640.100	Central Garage	21,000.00	
A1680.200	Information Services	223.00	
A1910.400	Unallocated Insurance	5,000.00	
A1930.400	Judgements & Claims	120,000.00	
A1964.400	Refund of Real Property Taxes	12,095.00	
<u>PUBLIC SAFETY</u>			<u>17,700.00</u>
A3020.400	Communications	12,000.00	
A3310.100	Traffic Control	5,700.00	
<u>TRANSPORTATION</u>			<u>150,749.00</u>
A5010.100	Streets Administration	1,200.00	
A5110.100	Street Maintenance	95,000.00	
A5142.100	Snow Removal	45,000.00	
A5150.400	Other Street Activities	549.00	
A5182.410	Street Lighting	9,000.00	
<u>RECREATION</u>			<u>35,027.00</u>
A7020.100	Recreation Administration	7,000.00	
A7110.100	Parks		

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		9,000.00	
A7110.400	Parks	7,000.00	
A7120.100	Tree Maintenance	9,000.00	
A7120.200	Tree Maintenance	106.00	
A7120.400	Tree Maintenance	2,000.00	
A7140.400	Summer Playgrounds	88.00	
	Skating		
A7265.400	Rink	700.00	
A7557.400	Historical Marker	133.00	
	<u>UNDISTRIBUTED</u>		<u>1,187.00</u>
A9050.800	Unemployment Insurance	1,000.00	
A9785.900	Installment Debt - BPU	187.00	
FROM:	<u>GENERAL GOVERNMENT SUPPORT</u>		<u>65,000.00</u>
A1990.400	Contingency	65,000.00	
	<u>TRANSPORTATION</u>		<u>58,073.00</u>
A5110.400	Street Maintenance	58,073.00	
	<u>RECREATION</u>		<u>18,000.00</u>
A7210.100	Stadium	18,000.00	
	<u>UNDISTRIBUTED</u>		<u>255,610.00</u>
A9010.800	Employees Retirement System	40,291.00	
A9015.800	Police & Fire Retirement System	215,319.00	
	<u>REVENUES</u>		<u>20,250.00</u>
A0000.3902	State Aid - Planning Studies	20,250.00	

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Carried: 7 – 0

201612B06

BY COUNCILWOMAN ECKLUND:

RESOLVED, that resolution number 201610A11 accepting the donation by the Jamestown Kendall Club, P.B.A. of a Ballistic Wall, adopted October 24, 2016, be and here by is rescinded.

Carried: 7 – 0

201612B07

BY COUNCILWOMAN ECKLUND:

RESOLVED, That the Mayor of the City of Jamestown be and he hereby is authorized to enter into an agreement with the Chautauqua Region Community Foundation for the Chautauqua Region Community Foundation to collect charitable gifts in an amount up to Twenty Thousand Dollars (\$20,000.00) for the purpose of funding the installation of a Ballistic Wall in the Reception area of the Jamestown Police Department subject to the approval of the Corporation Counsel as to form.

Carried: 7 – 0

201612B08

BY COUNCILWOMAN ECKLUND:

RESOLVED, That the City Comptroller be and he hereby is authorized to make the following amendment to the 2016 General Fund Budget to recognize additional Consolidated Local Street and Highway Improvement Program (CHIPS) aid – PAVE New York for 2016 as follows:

INCREASE:	Appropriations	\$108,747.00
	CHIPS – Capital	
	H.9551.0500	
INCREASE:	Estimated Revenues	\$108,747.00
	State Highway Aid	
	A.0000.3501	

Carried: 7 – 0

201612B09

BY COUNCILWOMAN ECKLUND:

RESOLVED, that the Mayor and Deputy Fire Chief be and they hereby are, authorized to enter into a purchase agreement with Delacy Ford, 3061 Transit Road, Elma, New York 14059 for one (1) 2016 Ford Interceptor Utility in an amount not to exceed Twenty-Six Thousand, Nine

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Hundred Seventeen Dollars (\$26,917.00), paid for with funds contained in the 2016 Fire Department Budget subject to the approval of the Corporation Counsel as to form.

Carried: 7 – 0

201612B10

BY COUNCILWOMAN ECKLUND:

RESOLVED, That the City Comptroller be and he hereby is authorized to make the following amendment to the 2016 General Fund Budget for the purpose of funding the purchase of a replacement of the Medic 35 vehicle in the Fire Department with unexpended salaries in the Fire Department as follows:

INCREASE:	Appropriations	\$30,000.00
	Fire Department Equipment	
	A.3410.0203	
DECREASE:	Appropriations	\$30,000.00
	Fire Department Salaries	
	A.3410.0100	

Carried: 7 – 0

201612B11

BY COUNCILWOMAN ECKLUND:

RESOLVED, That the Mayor be, and hereby is, authorized to enter into an agreement with Delta Dental of New York, Inc., 5 Penn Plaza Center, New York, NY 10022, to provide third-party administration of the City of Jamestown's self-insured dental program at a cost of Three Dollars and Ninety-Nine Cents (\$3.99) per participant per month, for the period January 1, 2017 through December 31, 2018, subject to the approval of the Corporation Counsel as to form.

Carried: 7 – 0

201612B12

BY COUNCILWOMAN ECKLUND:

RESOLVED, that the following fee schedule be adopted and become effective January 1, 2017:

Tax Certificates	\$50.00
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Carried: 7 – 0

BY COUNCILWOMAN ECKLUND:

WHEREAS, in 1986 the City of Jamestown established a deferred compensation plan to be made available to all eligible employees and elected officials pursuant to federal and state regulation permitting such plans, and

WHEREAS, the five (5) year agreement with the ICMA-Retirement Corporation for the administration of the plan will expire December 31, 2016, and

WHEREAS, certain substantial tax benefits accrue to employees and elected officials participating in said deferred compensation plan, and

WHEREAS, the City of Jamestown has solicited proposals from prospective administrators of said deferred compensation plans and has determined that city employees and elected officials would continue to benefit from being offered such a plan, and

WHEREAS, ICMA Retirement Corporation, 777 North Capital Street NE, Washington, DC, has agreed to hold harmless and indemnify the City of Jamestown, its appointed and elected officials and participating employees from any loss resulting from their or their agent's failure to perform duties and services pursuant to the New York State Deferred Compensation Program; now, therefore, be it

RESOLVED, That the City Council of the City of Jamestown hereby continues the City of Jamestown's Deferred Compensation Plan for the voluntary participation of all eligible city employees and elected officials, and be it further

RESOLVED, That the Mayor be, and he hereby is, authorized and directed to execute an agreement with the ICMA Retirement Corporation as plan administrator for a term of five (5) years, beginning January 1, 2017 and concluding December 31, 2021, with the option for two (2) one-year renewals, subject to approval of the Corporation as to form, and be it further

RESOLVED, That the Director of Financial Services/City Clerk is hereby authorized to execute for the City of Jamestown individual participation agreements with each said employee requesting same, it being implicitly understood that other than the incidental expenses of collecting and disbursing the employee's deferrals and other minor administrative matters, there is to be no cost or contribution by the City of Jamestown to the program.

Carried: 7 – 0

PUBLIC WORKS COMMITTEE

BY COUNCILMAN SPITALE:

RESOLVED, that the Mayor be and he hereby is authorized to enter into a contract with Ahlstrom Schaeffer Electric Corporation, 46 Hopkins Ave., Jamestown, New York, in an amount not to exceed Twenty-Six Thousand Two Hundred Dollars (\$26,200.00) for the Main Street Ramp Lighting Proposal dated June 30, 2015 to replace 48 metal halide 175 watt fixtures with 55 watt LED programmable fixtures subject to the Corporation Counsel as to form.

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Carried: 7 – 0

201612B15

BY COUNCILMAN NELSON:

RESOLVED, that the Mayor be and he hereby is authorized to enter into a contract with Ahlstrom Schaeffer Electric Corporation, 46 Hopkins Ave., Jamestown, New York in an amount not to exceed Sixty-Five Thousand Nine Hundred Seventy Dollars (\$65,970.00) for the Cherry Street Ramp Lighting Proposal dated June 30, 2015 to replace 126 metal halide 175 watt fixtures with 55 watt LED programmable fixtures subject to the Corporation Counsel as to Form.

Councilman Nelson: Just one comment; that this will save \$9,760.00 a year.

Carried: 7 – 0

PUBLIC SAFETY COMMITTEE

201612B16

BY COUNCILWOMAN JAMES:

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, 2017 and on scheduled Monday evenings thereafter in the year 2017, at the same time and place.

January 30
February 27
March 27
April 24
May 22
June 26

July 31
August 28
September 25
October 30
November 27
December 18

Carried: 7 – 0

201612B17

BY COUNCILWOMAN JAMES:

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, 2017 through December 31, 2017.

Carried: 7 – 0

December 19, 2016

201612B18

BY COUNCILWOMAN JAMES:

RESOLVED, That the Jamestown City Council hereby grants the following organizations a Games of Chance (Bell Jar) license for the 2017 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: 7 – 0

201612B19

BY COUNCILWOMAN CARRUBBA:

WHEREAS, a Neighborhood Watch Committee has been organized in the Stewart Avenue/West Third Street/Harding Avenue area for the purpose of deterring crime in this area, and

WHEREAS, the Stewart Avenue/West Third Street/Harding Avenue 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.

Carried: 7 – 0

201612B20

BY COUNCILWOMAN CARUBBA:

RESOLVED, That the Board of Public Utilities be, and it hereby is, requested to install a new 150 Watt HPS street light at the following location:

City Pole 17380

Crossman Street

December 19, 2016

Carried: 7 – 0

201612B21

BY COUNCILWOMAN CARRUBBA:

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

Section 1. Section 175-3.B. of the Code of the City of Jamestown is hereby amended for the listed classifications and fees as follows:

CLASSIFICATION	FEE
REROOF	\$25
FENCES	\$25

Section 5. This ordinance amendment shall be effective January 1, 2017.

Carried: 7 – 0

NEW BUSINESS

Councilman Dolce: Just one quick note. I wanted to thank everyone who came out tonight. I know that there's a lot of passion; and I think that's a good thing; to see people on both sides that have questions that need to be answered on any of the projects. It's good to see people here. A lot of times, we're here alone and we don't know how people – with the exception of the media. I'm sorry Jason. I know people have some strong feelings and they're passionate about it and I think the one thing we can all agree on is that we all want what's best for Jamestown and it's getting the information out and answering questions and being able to look at things in a realistic way so that those in charge can make the decisions they have to make and do what's best for the City of Jamestown. So we do listen and we do care and we do thank you for coming out. I know some people have left, but it's nice to hear from the people in the neighborhoods, who live there, live around the city to get their take on it and their perspective on this development as well as any other issue that comes before the city. With that, I'd just like to wish everybody a very merry Christmas and a happy New Year. We'll see you next year.

There being no further business, the meeting was adjourned.

James N. Olson
Director of Financial Services/City Clerk