

May 24, 2021

City Council

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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, May 24, 2021 at 7:30 p.m.

MEMBERS PRESENT: Council President Dolce, Councilman Sheldon, Councilwoman Carrubba, Councilman Nelson, Councilwoman Ecklund, Councilwoman Graham-Reinhardt, Councilman Russell, Councilman Olson, Councilwoman Brackman

MEMBERS ABSENT:

OTHERS PRESENT: Mayor Edward Sundquist, City Clerk/Treasurer Jennifer Williams, City Comptroller Ryan Thompson, Chief of Police/Director of Public Safety Timothy Jackson, Deputy Fire Chief Matthew Coon, Director of Public Works Jeff Lehman, Director of Development Crystal Surdyk, Executive Assistant to the Mayor Zachary Altschuler, Rev. Daniel Groh

Council President Anthony Dolce called the meeting to order and led the council in the Pledge of Allegiance. The invocation was given by Rev. Daniel Groh from Jamestown Alliance Church.

Councilwoman Carrubba moved to approve the April voting session minutes.

Council President Dolce: Do we have any messages from the mayor this evening?

### **MESSAGES FROM THE MAYOR**

202105A00.01

Mayor Sundquist: President Dolce, I'd like to recognize an organization today. Members of the council and public, I'd like to recognize the Jamestown High School Mock Trial Team. As you know, each month we have been trying focus on and recognize people that have done really great things in our community. Today we get to recognize the Jamestown High School Mock Trial Team for their undefeated season in the 2021, New York State High School Mock Trial program. If we could give them a round of applause. I'd like to take a minute to just recognize the folks that are part of the team. We have John Carlson who is also the valedictorian of the high school this year. We have Cece Eklum, congratulations. We have Camden Austin, Ethan Haight, Aiden Moore and Tiara Skinner. With them today is their faculty advisor, James Krause and their attorney advisor, Marilyn Fiore-Lehman. So again, I want to congratulate the Jamestown High School. As I was telling them right before we started, that I, myself, did all four years of high school on the mock trial team and we also took it up to an undefeated championship one of those years along with our city attorney, Elliot Raimondo. So, we are very

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excited and honored that you guys could be here with us. This is our first in person meeting back and we thank you all. Thank you, guys, once again. Any comments from the council?

Council President Dolce: I just want to thank them for coming tonight and as a member of the JHS faculty and I have some of them in class, I know all of them and I congratulate you guys. Good job.

Councilman Nelson: Let me congratulate you. You guys are an outstanding team, having been one of the teams that they beat, but we'll be back next year and I know you guys will too. congratulations, you are an outstanding group.

Councilwoman Carrubba: I would also like to comment. Well done and I also remember the team that Mr. Raimondo and Mr. Sundquist participated on because my son was a member of the team as well and I do recall that many years ago.

Council President Dolce: How many seniors? Two?

Mr. Krause: I'd like to say, Tom, you make us a better team because your team is so good. Every year it is just excellent.

Councilman Nelson: The team did an awesome job and you do an awesome job coaching, so congratulations.

Mayor Sundquist presented each member of the team with a certificate.

Clerk/Treasurer Williams: We have one more message from the Mayor.

202105A00.02

Dear Council Members:

In May 2021, we welcomed two (2) new employees to the City of Jamestown: Jedd Jaroszynski (Department of Public Works) and Michael Yezzi (Jamestown Police Department). I am asking that these two new hires be acknowledged and welcomed to the City at the May 24, 2021, City Council Meeting.

Very Truly Yours,

Edward A. Sundquist

Council President Dolce: Thank you. Are there any presentations, petitions or communications? Are there any members of the public that would like to speak? Please come to the mic, you have five minutes. State your name and address.

Mr. Champ: My name is Doug Champ, I live at 225 Bowen Street, Jamestown. And I know this is a little bit redundant for those who are here, but for the public record I wanted to talk tonight as well. And again, I'm going to stress this; thank you all for guiding the city through a pandemic. That is all the elected officials and all the officials that work hard to make this difficult time more manageable as we get into the future, more optimistic. Tonight, I'm here in front of you all, kind of like leading into Resolution 19. Resolution 19 deals with photo camering of school zones, but I want to generally direct my comments about an overall universal issue which I think is extremely important to school zones. Cameras are great, I'm all for them as a citizen and father and grandfather. Seeing students that walk by my house every day, it's important that we have adequate enforcement within the school districts. However, I think it's more a complete cross section of safety that needs to be addressed for all the zones. That includes what is involving themselves around the schools; the substandard properties that may exist, and I know it's very difficult to increase enforcement now because of the housing courts not in session, but nevertheless there are properties that students do not have to see. We need to tighten that up as part of what I called enforcement, but it's on the housing side not necessarily on the speeding side. In addition, I would like to focus on what I think is going to be a problem area; that is Buffalo Street. As I have indicated that Buffalo Street is an interesting street. Not only because I live there, or close to it, but because there are two schools back-to-back. You have an elementary school and you have a, I guess you would call it a grade school that is known as Wash. Students walk up and down the street to go to both schools and what you have in the school zones there is a variation of speed limits. You go from 30 to 20 to 30 to 25 to 20. That's actually the way it works. The camera sequence will not work under that kind of condition. The metrics evaluation with cars speeding through one of those district zones to another is going to be difficult to measure. So, I'm suggesting that that whole district, that whole zone of school, be a school district zone could set the speed limit at 20 miles per hour throughout. It's only going to save lives and also reduce potential accident problems as well. In addition to that, I believe that around the school districts in our city, we need not only cameras, but we need warning flashing lights. Those lights, as you see when you're traveling outside of Jamestown, have a great effect at slowing people down. They see those lights flashing and immediately recognize that there is a school zone and they better do something about their speed. They don't often honor speed zone signs. We all know that we don't actually drive a car on a speed limit that the set sign limit. It doesn't occur. So now I'm indicating youth in order for the camera machine to be effective, specially on Buffalo Street, you need to have a much more consistent speed limit. You can't have a variation of 30, 20, 25, 20 and then 30 again. So, that's something I recommend that you do something with, and then I think also around the schools there are things that we're all thinking about and tightening up, now and forever, safety in our public schools. Access and egress. Thank you.

Council President Dolce: Thank you. Anyone else? We can move on to our standing committees. We'll start with our Finance Committee and our first four resolutions will be read by Councilwoman Carrubba.

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**REPORT OF STANDING COMMITTEES**

**FINANCE**

202105A01

BY COUNCILWOMAN CARRUBBA:

RESOLVED, That bills be audited and warrants drawn on the proper funds in payment of the respective amounts, totals as follows: General Fund, Capital Fund, Special Revenue Fund and Trust & Agency Fund \$7,238,692.64 in accordance with the period ending May 21, 2021 copy of which is annexed hereto and a copy to be filed in the office of the City Clerk, and be it further

RESOLVED, That disbursements in the total amount of \$5,915,528.31 and payrolls in the total amount of \$1,323,164.33 as paid by the Comptroller and City Clerk/Treasurer, 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 – 0

202105A02

BY COUNCILWOMAN CARRUBBA:

RESOLVED, That City Clerk/Treasurer Jennifer R. Williams be and she hereby is authorized to attend the NYCOM Annual Meeting on June 9<sup>th</sup> – 11<sup>th</sup> at the Sagamore Hotel in Bolton Landing, New York with expenses paid pursuant to Section 77-b of the General Municipal Law.

Carried: 9 – 0

202105A03

BY COUNCILWOMAN CARRUBBA:

RESOLVED, That warrants be drawn and paid to the respective owners and paying agents the sum of Three Hundred Seventy-Nine Thousand, Eight Hundred Eighty-Four Dollars and Ten Cents (\$379,884.10) in accordance with the bond and note requirement as follows:

Public Improvement Bonds, Refunding of 2010A BONDS, issue of March 19, 2019, Three Hundred Thirty-Three Thousand, Nine Hundred Eleven Dollars and No Cents (\$333,911.00) principal and Forty-Five Thousand, Nine Hundred Seventy-Three Dollars and Ten Cents (\$45,973.10) for six months interest at 5% per annum on One Million, Eight Hundred Thirty-Eight Thousand, Nine Hundred Twenty-Four Dollars and No Cents (\$1,838,924.00).

Carried: 9 – 0

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202105A04

BY COUNCILWOMAN CARRUBBA:

RESOLVED, That warrants be drawn and paid to the respective owners and paying agents the sum of Three Hundred Four Thousand, Five Hundred Dollars and No Cents (\$304,500.00) in accordance with the bond and note requirement as follows:

Public Improvement Bonds, Refunding of 2011 Series A Bonds, issue of October 15, 2020, Two Hundred Sixty Thousand Dollars and No Cents (\$260,000.00) principal and Forty-Four Thousand, Five Hundred Dollars and No Cents (\$44,500.00) for six months interest at 5% per annum on One Million, Seven Hundred Eighty Thousand Dollars and No Cents (\$1,780,000.00).

Carried: 9 – 0

202105A05

BY COUNCILWOMAN ECKLUND:

RESOLVED, That the Mayor of the City of Jamestown be and he hereby is authorized to enter into an agreement with Highmark Life Insurance Company of New York, placed through Premier Consulting Associates, LLC, 1416 Sweet Home Road, Amherst, New York 14228, for a specific excess stop-loss insurance policy for the period June 1, 2021 through May 31, 2022 in the amount of One Hundred Seventy-Five Thousand Dollars and No Cents (\$175,000.00) for specific deductible, annual unlimited maximum reimbursement, at a cost of Sixty-Seven Dollars and Seven cents (\$67.07) per covered participant, per month, subject to the approval of the Corporation Counsel as to form.

Carried: 9 – 0

202105A06

BY COUNCILWOMAN ECKLUND:

WHEREAS, the Board of Public Utilities Water Division has been awarded a \$3,000,000.00 New York State Water Infrastructure Improvement Act (WIIA) grant for a multi-year \$5,000,000.00 Water Main replacement project, and  
WHEREAS, the Board of Public Utilities Water Division is required to match \$2,000,000.00 of the grant in order to receive the funds,

Now, Therefore be it

RESOLVED, that the Mayor is authorized to execute a grant agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents and instruments necessary to bring about the project and to fulfill the City of Jamestown's obligations under the Grant Agreement, subject to review and approval by Corporation Counsel as to form.

Carried: 9 – 0

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202105A07

BY COUNCILWOMAN ECKLUND:

RESOLVED, that the Mayor is authorized to enter into an agreement with HH Jamestown, LLC., 10 Lafayette Square, Suite 1900, Buffalo, NY 14203, to modify an existing parking contract for the Cherry Street garage, subject to the approval as to form by the Corporation Counsel.

Carried: 9 – 0

202105A08

BY COUNCILWOMAN ECKLUND:

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 Assessor's Office, an effort to effectively manage the city's day-to-day responsibilities in a cost-efficient manner, it is in the City of Jamestown's best interest to lift the hiring freeze for a certain position, now therefore be it

RESOLVED that effective immediately the Jamestown City Council hereby suspends the hiring freeze instituted by resolution number 200201C03 and authorized the filling of the following position due to the essential nature of the position.

Full-Time Appraiser in the Assessor's Office replacing 2 roles of part-time Appraisers (Residential and Commercial)

This position is vacant as the result of a retirement.

Carried: 9 – 0

**PUBLIC SAFETY**

202105A09

BY COUNCILWOMAN GRAHAM-REINHARDT:

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:

Jenny L. Rowe

May 24, 2021 through June 25, 2021

Carried: 9 – 0

BY COUNCILMAN SHELDON:

**ORDINANCE 2021-05-24  
CITYWIDE CONTAINER PROGRAM AMENDMENTS  
BY COUNCIL**

WHEREAS, the Jamestown Board of Public Utilities (BPU) is in the process of rolling out a program in which City residents are being provided assigned garbage containers; and

WHEREAS, the move to garbage containers assigned to residents by the BPU requires changes to Chapter 160 of the City Code to both react to this new program and ensure that Chapter 160 maintains consistency,

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

**Section 1.** Chapter 160-1 of the Jamestown City Code is hereby amended to include an additional definition:

Assigned Garbage Containers: each residential unit will be assigned a specially designed wheeled container for garbage. The numbered container remains with the assigned residence. The container is the property of the BPU and remains at the address to which it is assigned.

**Section 2.** Chapter 160-5 of the Jamestown City Code entitled “Disposal on highways or alleys” is hereby amended and shall read as follows:

No person shall place, deposit or leave in any highway or alley within the City any rubbish or waste material, except that such rubbish or waste material may be placed in a container with close-fitting cover thereon that is assigned by the BPU (residential customers). No rubbish or other waste material shall be allowed by the owner thereof to remain eight hours after such deposit or placing, and when such waste materials and similar rubbish shall be left and deposited for a period of more than 48 hours in any alley or highway of the City, the Director of Public Works is authorized to remove and dispose of the same and charge the expense of such removal and disposal to the owner or other person responsible for the placing and leaving of such rubbish or waste material.

**Section 3.** Chapter 160-6(B) of the Jamestown City Code, in a section entitled “Waste containers; placement of waste” is hereby amended and shall read as follows:

Each householder within the City shall use the solid waste container assigned to the location by the BPU fitted with covers so constructed that neither water nor snow may enter the same. Such covers, when the receptacle is in use, shall be kept closed. Such receptacles shall be kept upon the ground level, easily accessible to the garbage collectors. No garbage shall be placed in such receptacle unless having first been thoroughly drained and securely wrapped. Such receptacles shall not be larger than a ninety-five-gallon capacity. It shall be the duty of the collector, his agents and servants to report to the County Board of Health the names of any persons who fail to comply strictly with the provisions of this subsection. Upon the failure on the part of any person to observe the regulations prescribed by this subsection within 48 hours after notice from the

County Board of Health to comply with the same, such person shall be guilty of violating this subsection.

**Section 4.** Chapter 160-11 of the Jamestown City Code entitled “Placement on public streets or lands” is hereby amended and shall read as follows:

No person shall place, throw or deposit or cause to be placed, thrown or deposited any solid waste, recyclable material, hazardous waste or white goods upon any public sidewalk, street, alley, parkway, lane, gutter, park or any other public place in the City of Jamestown or upon the banks of any waterway running through or adjacent to the City of Jamestown; provided, however, that a person desiring to receive the solid waste and recyclable material collection and disposal services of the City of Jamestown may place, at curbside in front of the parcel of real property wherein such person resides, solid waste as defined herein in assigned garbage containers as defined herein and recyclable materials as defined herein for pickup by the City of Jamestown not earlier than 4:00 p.m. on the day prior to the appointed day for the pickup of said solid waste and recyclable materials by the City of Jamestown.

**Section 5.** Chapter 160-12 of the Jamestown City Code entitled “Placement on private property” is hereby amended and shall read as follows:

No person shall place, throw, deposit or cause to be placed, thrown or deposited any solid waste, recyclable material, hazardous waste or white goods upon the private property of another with or without the consent of the owner or occupant of such private property; provided, however, that a person residing in a dwelling unit situate upon a parcel of real property owned by another who desires to receive the solid waste and recyclable material collection and disposal services of the City of Jamestown may place, at curbside in front of the parcel of such real property wherein such person resides, solid waste as defined herein in assigned garbage containers as defined herein and recyclable materials as defined herein for pickup by the City of Jamestown not earlier than 4:00 p.m. on the day prior to the appointed day for the pickup of said solid waste and recyclable materials by the City of Jamestown.

**Section 6.** Section 160-13 of the Jamestown City Code shall have its title amended to “Placement in assigned containers required.” The text of Section 160-13 is also hereby amended and shall read:

No person shall place, at curbside for collection by the City of Jamestown, any solid waste as defined herein which is not contained in a sanitation bag placed inside an assigned container as defined herein.

**Section 7.** All ordinances and parts of ordinances hereto passed which are inconsistent with any provision of this ordinance are hereby repealed.

**Section 8.** **Effective Date.** This ordinance shall take effect immediately upon adoption and publication according to law.

Carried: 9 – 0

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**NEW BUSINESS**

202105A11

BY COUNCILWOMAN CARRUBBA:

RESOLUTION, rescinding Resolution 202104C27, adopted April 26, 2021 with Kevin Triscari for the purchase of parcel 387.13-8-9 in the amount of \$50.00.

Carried: 9 – 0

202105A12

BY COUNCILWOMAN CARRUBBA:

WHEREAS, the City of Jamestown (“City”) is considering the sale of City owned property located at 8 East Second Street SBL# 387.40-3-38 (building) and #387.40-3-39 (adjoining lot) collectively “the property;” and,

WHEREAS, the property is located within the City’s core business district and has been identified for rehabilitation and development; and,

WHEREAS, the City has determined that the property is no longer needed for municipal purposes: now therefore be it

RESOLVED, that in accordance with Section 507 of the New York State General Municipal Law, the Jamestown City Council hereby authorizes the Mayor to enact a process for and solicit requests for proposals for the sale of 8 East Second Street SBL# 387.40-3-38 (building) and #387.40-3-39 (adjoining lot).

Carried: 9 – 0

202105A13

BY COUNCILWOMAN CARRUBBA:

WHEREAS, the City of Jamestown (“City”) is considering the sale of City owned property located at 402 Lakeview Avenue SBL# 370.19-8-2; and,

WHEREAS, the property is located within the City’s Lakeview Avenue Historic District; and,

WHEREAS, the City has determined that this property is no longer needed for municipal purposes: now therefore be it

RESOLVED, that in accordance with Section 507 of the New York State General Municipal Law, the Jamestown City Council hereby authorizes the Mayor to enact a process for and solicit requests for proposals for the sale of 402 Lakeview Avenue SBL# 370.19-8-2.

Carried: 9 – 0

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202105A14

BY COUNCILWOMAN CARRUBBA:

RESOLVED, that the Mayor be and he hereby is authorized to execute Change Order #1 to the Ladder 1 Refurbishment agreement dated December 6, 2019, with Pierce Manufacturing, Inc., 816 Commercial Avenue, Weyauwega, WI 54983 to include changes as follows:

ADD

Additional Refurbishment Costs \$ 21,805.00

for a total increase of Twenty-one Thousand Eight Hundred and Five Dollars (\$21,805.00) subject to the approval of Corporation Counsel as to form.

Carried: 9 – 0

202105A15

BY COUNCILWOMAN ECKLUND:

RESOLVED, that the City Comptroller be and hereby is authorized to make the following amendment to the 2021 General Fund Budget for the purpose of funding additional repairs to Ladder 1, as follows:

INCREASE: Appropriations \$21,805.00  
Fire Department Equipment  
A.3410.0200

DECREASE Appropriations \$21,805.00  
Contingent Account  
A.1990.0400

Councilman Olson: There isn't going to be any more changes, right?

Deputy Chief Coon: There could be.

Councilman Olson: There still could be some? Okay.

Carried: 9 – 0

202105A16

BY COUNCILWOMAN ECKLUND:

RESOLVED, That the City Comptroller be and hereby is authorized to make the following amendment to the 2021 General Fund Budget to recognize additional Consolidated Local Street and Highway Improvement Program (CHIPS), Pave New York, and Extreme Winter Recovery funding as follows:

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INCREASE:	Appropriations CHIPS Capital Outlay A.9551.0500	\$747,653.00
INCREASE:	Estimated Revenues State Highway Aid A.0000.3501	\$747,653.00

Carried: 9 – 0

202105A17

BY COUNCILWOMAN ECKLUND:

RESOLVED, That the bid submitted by Donegal Construction Corporation, PO Box 450, New Stanton, PA 15672 to Genesee County Highway Department for 2021 Construction and Maintenance Materials, as quoted in Bid 2021-01, be and the same hereby is accepted:

7-Foot-Wide Milling Machine at \$4500.00/day  
Mobilization @ \$350/event

for a total contract amount not to exceed Thirty Thousand Dollars (\$30,000.00) by “piggybacking” off 2021 Genesee County Highway Department and be it further

RESOLVED, That the Mayor be and he hereby is authorized to execute an agreement with Donegal Construction Corporation, which said agreement will reflect services to be performed by Donegal Construction Corporation, at the price reflected above. Said agreement to be subject to approval as to form by the office of the Corporation Counsel.

Carried: 9 – 0

202105A18

BY COUNCILWOMAN ECKLUND:

RESOLVED, That the Mayor be and he hereby is authorized to execute an agreement with R. Patti Concrete Excavating, LLC, PO Box 3081, Jamestown, NY, for Concrete Work Street Reconstruction – Kidder St. based on the bid opening May 6, 2021 in the following amounts:

3550 SF Flat Work: 4 inch at \$9.50 SF  
1450 SF Flat Work: 6 inch at \$12.00 SF  
650 LF Curb and Gutter at \$47.00 LF  
50 TON Additional Stone at \$45.00 TON  
5 CY Additional Excavation at \$0.00 EA  
10 SY Asphalt Pavement – Minimum 5” Depth at \$50.00 SY  
15 EA Concrete Drilling: 4 Inch Diameter Core at \$175.00 EA  
40 SF Detectable Warning Surface at \$58.00 SF

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for a total bid amount of Eighty-Nine Thousand Three Hundred Seventy Dollars (\$89,370.00), subject to the approval of Corporation Counsel as to form.

Carried: 9 – 0

202105A19

BY COUNCILMAN RUSSELL:

WHEREAS, The New York State has enacted legislation authorizing various cities to amend the Vehicle Jamestown Traffic Law (VTL) and the Public Officers Law (POL), to establish a demonstration program that would implement speed violation monitoring systems in school speed zones by means of photo devices; and

WHEREAS, Speeding motorists are a pervasive problem in some areas of the City of Jamestown and often a significant factor in accidents that sometimes result in death or injury to motorists and pedestrians; and,

WHEREAS, Speeding motorists are especially an issue in school zones, where children and families are vulnerable to distracted speeding drivers. Under the current provisions of law, a police officer must be present at the scene of a speeding violation to observe the violation and serve the operator of the vehicle with a summons; and,

WHEREAS, Technology presently exists which will photographically capture vehicles speeding without the presence of a police officer. This speed sensing technology can determine the speed of a vehicle and capture/record the data by photographic, micrographic, video tape or other recording system and produces an image of a motor vehicle at the moment that it exceeds the speed limit. This image can then be used as evidence in a proceeding to impose liability on the owner of the vehicle for the speeding violation; and,

WHEREAS, Legislative enactment and amendment of the VTL and POL will give the City of Jamestown a greater ability to enforce appropriate speed limits through school speed zones, and allow the City to adjudicate the liability of owners for violations of posted speed limits and to impose monetary fines.

RESOLVED, That the Mayor be and he hereby is authorized and directed to sign home rule legislation for Bill A7224/S6629 for New York State Senator George Borrello and New York State Assemblyman Andrew Goodell related to the above referenced matter.

Carried: 9 – 0

202105A20

BY COUNCILMAN SHELDON:

WHEREAS, The New York State Unified Court System recommends that local judges be elected; and,

WHEREAS, The City of Jamestown, under Section 1. Subparagraph (i) of paragraph 1 of subdivision (e) of section 2104 of the uniform city court act, as amended by chapter 455 of the laws of 2014, was amended to allow for the appointment by the Mayor of Jamestown, with the advice and consent of the Jamestown City Council, a second City Court Judge for the City of Jamestown; and,

WHEREAS, The City of Jamestown, under Section 1. Subparagraph (i) of paragraph 1 of subdivision (e) of section 2104 of the uniform city court act, as amended by chapter 455 of the laws of 2014, was amended to allow for the appointment by the Mayor of Jamestown, with the

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advice and consent of the Jamestown City Council, a second City Court Judge for the City of Jamestown; and,

WHEREAS, The City of Jamestown and its citizens have an interest in electing both of the full-time city court judges; and,

WHEREAS, The proposed legislation allows for the office of full-time city court judge established in the city of Jamestown pursuant to paragraph (i) of subdivision (a) of section 6 of chapter 548 of the laws of 2013, upon the first occurrence of a vacancy in such office following the effective date of this act, such office shall be filled with an election, with the legislation to take effect immediately; and,

RESOLVED, That the Mayor be and he hereby is authorized and directed to sign home rule legislation for Bill A4857/S1751 for New York State Senator George Borrello and New York State Assemblyman Andrew Goodell related to the above referenced matter.

Carried: 9 – 0

202105A21

BY: COUNCILWOMAN GRAHAM-REINHARDT:

RESOLVED, That the City of Jamestown Food Truck Pilot Program be amended to add the following under the Section titled LOCATIONS:

“PARKS

Vending in parks is allowed with the consent of the City Parks Manager except in those cases where the presence of such food trucks would conflict with vending done during youth sports events as a fundraising activity.”

Councilwoman Ecklund: Mr. President, I would like to propose an amendment to this resolution. In discussion, the word youth, I would like to propose eliminating that or striking that out. The reason being, to give a little history for those in the public, my concern is if the city partakes in sponsoring any events, which I would be remiss to not mention the concerts at Allen Park would fall under this category. The Allen Park Women’s Club does in fact do fundraising there for them there. I would like to propose that we eliminate the word youth and leave everything else as is.

Council President Dolce: Any other questions or comments? We have a motion on the floor, seconded by Councilwoman Carrubba. Now the clerk will poll the council on the amendment.

Carried: 9 – 0

Council President Dolce: Now if the clerk could please poll the council on the resolution.

Councilwoman Ecklund: I should have asked this before and this might be out of line, but, the word sports now, the municipal band is not really a sport. So, I don’t want to screw this up. This is important and I don’t want this to pass with the word sport and then have it be challenged because this is in fact not a sport. So, I’m asking for some legal opinion here.

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Councilwoman Carrubba: I can withdraw my second to the motion.

Councilwoman Ecklund: I would make the amendment to eliminate the word youth and sports. The correct verbiage would be vending in parks is allowed with the consent of the City Park's Manager except in those cases where the presence of such food trucks would conflict with the vending done during events as a fundraising activity.

The motion was seconded by Councilman Olson.

Councilwoman Ecklund: I'm sorry for the ninth hour.

Council President Dolce: I thought about that too when you said it and I was going to let it go, we would figure it out later. It's okay, we got it. We have that amendment on the floor, seconded by Councilman Olson. Clerk, can you please poll the council on the new amendment.

Carried: 9 – 0

Council President Dolce: And now I'll have the clerk poll the council on the resolution.

Carried: 9 – 0

Council President Dolce: We are a little rusty. Is there any other new business to come before the council this evening?

Councilwoman Carrubba: I would just like to comment and thank again the City DPW, Gina Paradis, Crystal Surdyk, the Department of Development. The Mayor was there and all the other volunteers, Dan Stone, I can't forget Dan Stone and all the other volunteers who contributed to the clean up at Hands on Jamestown. It was a pretty pleasant day. I heard there were Girl Scout Troops, there were Rotarians, very nice to see. And a lot of city employees that were volunteering as well. Thank you all. It's actually a pleasant experience. This is the second one I've done and I think it is a great way to help everyone in the city. The neighbors were very appreciative that saw us doing a lot of picking up – mainly cigarette butts. They seem to be prevalent all over the city. I wanted to thank everyone who came out. It is a team effort that can't be done by just a couple of people. There were a lot of people from JRC who have been volunteering every month and meeting monthly to try to organize this event and get people out and hopefully people will take that into consideration before they start littering and throwing things on the ground. We found some other things, things that probably should have gone in the garbage containers but now that we have the new garbage containers no excuses for debris on the terrace. We are looking forward to a better environment for everybody. I think people will notice who come from outside the city. Thank you for everyone who volunteered.

Council President Dolce: Thank you. I was going to say that too. I think I got the award for the strangest thing; I found, an old blender. Someone threw an old blender out. Eddie found clothes. It was a great day. Lots of people showed up. There were groups from the High School there as well. The next one I believe is June 12<sup>th</sup> and that is in zone 5. It's the west side of town. Where will you be for that I guess is the question?

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Ms. Surdyk:

We haven't decided yet. That's yet to be determined.

Council President Dolce:

So, public stay tuned. We do know it's the 12<sup>th</sup>, probably the same time, 8:00 a.m. through 12:00 p.m. Thanks to everyone that showed up.

Councilwoman Graham-Reinhardt: This is just an announcement. I know Regina has been working very hard and it will be here before we know it. Juneteenth is on June 18-20. It won't be a huge celebration, but this is really to remember our friend and colleague who has left us, Vickye James. This was a very big deal for her. Members of the public who might be interested in coming down, seeing some of the events and participate or just stop by and say hi, we would really appreciate it. We appreciate the city for supporting this, we didn't want to let this go. Just to have people put it on their calendars and if they have some time to come down, we would appreciate it. More information to come. Thank you.

Council President Dolce:

Thank you. Finally, I just wanted to piggyback on what the gentleman, Mr. Champ said earlier. It's been one heck of a year. It's been exactly 14 months since we actually sat in this chamber and conducted business. One thing I noticed is, it's so much easier when you don't have to hit the mute button. It goes so much faster. Nobody froze tonight, nobody got kicked out and had to come back in. Although, we did have to get dressed up tonight, we couldn't wear shorts. It just feels good to be back in these seats again. Although we aren't completely out of the woods, I think we are headed in the right direction and hopefully it will continue to go that way. A year ago, when this all started and everything got shut down and this all got started, they mayor came to me and said have you ever seen anything like this before? None of had, this is crazy. I think you were in your second month, third month of your term. You had some department heads scrambling, you never even got into a flow. It's just been one month at a time and trying to get things done and COVID response for this and trying to do regular business and do it online and having committee meetings. It's just been a real challenge, but I think it's a testament to all of us and all of the people here. We have been able to keep the ship going in the same direction and accomplish quite a bit and there is a lot of work to be done for the rest of this term and the rest of this year. We have money coming in that we have to sit down and discuss, the COVID stimulus money, how we are going to spend it. It's a good problem to have. A lot of things are starting in this term I have been disappointed that we haven't been able to have our public forums that I wanted to have. I'm looking forward to summer and fall and hoping to have some of those in outdoor venues so it could be done safely and get back on track and try to get the public mor engaged once again for our work here. I just wanted to thank you, council. It's good to see you in person and not be on Hollywood squares.

There being no further business, the meeting was adjourned.

Jennifer R. Williams  
City Clerk/ Treasurer