



# Agenda

**Jamestown City Council Full Work Session  
7:30 p.m., Police Training Room  
Municipal Building  
Monday, November 14, 2022**

## **Budget Presentation – 6:30 p.m.**

Department of Development and Fenton Historical Center

## **Individual Committee Meetings**

The Finance, Public Safety and Public Works Committees will meet immediately following the budget presentation.

## **Standing Committees**

### **Finance Committee**

### **Resolutions**

1. Resolution designating One Million Dollars and No Cents (\$1,000,000.00) in American Rescue Plan Act Healthy Communities and Neighborhoods funds for the purpose of the Land Bank Post-Pandemic Housing Initiative
2. RESOLVED, That the Jamestown City Council designates Seven Hundred Fifty Thousand Dollars and No Cents (\$750,000.00) in American Rescue Plan Act Neighborhood Stabilization funds for the purpose of creating a permanent 19A Homeownership Program.
3. RESOLVED, That the Mayor be, and hereby is, authorized to enter into an administrative service agreement with Highmark Blue Cross Blue Shield of Western New York, 257 West Genesee Street, Buffalo, New York 14202-2657 to administer the City of Jamestown's self-insured health insurance program for the period January 1, 2023 to December 31, 2023 at the rate of Forty-Four Dollars and Five Cents (\$44.05) per member per month and for the period January 1, 2024 to December 31, 2024 at the rate of Forty-Five Dollars and Eighty Cents (\$45.80) per member per month and for the period January 1, 2025 to December 31, 2025 at the rate of Forty-Seven Dollars and Fifty-Five Cents (\$47.55) per member subject to the approval of the Corporation Counsel as to form.

4. 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 Streets Department 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.

One (1) Laborer in the Streets Division.

This position is vacant as the result of a resignation.

5. RESOLVED, That the Mayor is authorized to execute Change Order #2 with R. Patti Concrete Excavating LLC, PO Box 3081., Jamestown, NY 14701, Jamestown, NY, for Concrete Work: May Street 2022 based on the Change Order dated November 1, 2022 in the following amounts:

Additions:	
520.58 SF Flat Work: 4 inch	\$7,678.53
353.49 SF Concrete Flat Work: 6 inch	\$5,567.47
Detectable Warning Surface for ADA Accessible Curb Cuts	\$1,875.00

Deductions:	
97 LF Concrete Curb and Gutter @ \$90.00/LF	(\$8,730.00)

For a total change of	\$6,391.03
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for a total bid amount of Two Hundred Twenty-One Thousand, Four Hundred Eighty-Six Dollars and Three Cents (\$221,486.03) subject to the approval of Corporation Counsel as to form.

**Informational/Report**

**Public Safety Committee**

**Opportunities for Public Comment**

**Resolutions**

**Ordinance/Local Law**

1.

**CITY OF JAMESTOWN  
LOCAL LAW 1 OF 2022**

**A LOCAL LAW AUTHORIZING THE USE OF  
VIDEOCONFERENCING FOR MEETINGS OF PUBLIC BODIES**

By Councilmember \_\_\_\_\_

November \_\_, 2022

**BE IT ENACTED**, by the City Council of the City of Jamestown, New York as follows:

**Section 1.** Chapter 81 of Part 1: Administrative Legislation of the Jamestown City Code, entitled “Use of Videoconferencing for Meetings of Public Bodies” is hereby established and shall read as follows:

**§81-1 Legislative Findings, Intent, and Purpose.**

The City Council makes the following findings:

1. Videoconferencing is a valuable tool that has the potential to increase public engagement with City processes, reduce burdens on City staff, and provide flexibility for members of public bodies in the event that extraordinary circumstances or emergencies prevent in-person attendance at public meetings.
2. The City has employed videoconferencing throughout the COVID-19 pandemic and developed the processes and expertise to implement its use on an ongoing basis.
3. The City and the public will benefit from the continued availability of videoconferencing for future meetings of public bodies in accordance with the procedures adopted in this Local Law.

Based upon the above findings, the intent and purpose of this Local Law is to authorize all public bodies of the City to use videoconferencing for public meetings, and to promulgate a uniform

set of written procedures governing videoconferencing that is consistent with sections 103 and 103-a of the public officers law.

§81-2 Videoconferencing and Remote Attendance for Local Public Bodies.

- A. Each and every public body is authorized, but not required, to use videoconferencing to conduct its business as permitted by sections 103 and 103- a of the public officers law and pursuant to the requirements of this Local Law.
- B. The following requirements and procedures shall apply whenever videoconferencing is employed by a public body.
  - 1) At least the minimum number of members of the public body necessary to constitute a quorum of the public body must be physically present at one or more location(s) open to the public to attend in person.
  - 2) Each member of the public body must be physically present unless such member is unable to be physically present due to extraordinary circumstances, which shall include but not be limited to disability, illness, caregiving responsibilities, or any other significant or unexpected factor or event which precludes the member's physical attendance at such meeting. These extraordinary circumstances requirement shall be liberally construed to the maximum extent permitted by law.
  - 3) The chair or other presiding officer of the public body shall determine whether extraordinary circumstances are present, except that any member of the public body disagreeing with the determination of the chair or presiding offer may move for a vote to override the determination of the chair or presiding officer. The determination shall be overridden upon the affirmative vote of a majority of the members of the public body in attendance. The member seeking to attend remotely due to extraordinary circumstances shall not be entitled to move to override the determination of the chair or presiding officer, or to vote if so moved.
  - 4) Except in the case of executive sessions, members of the public body attending by videoconference shall be able to be heard, seen, and identified while the meeting is being conducted, including but not limited to any motions, proposals, resolutions, and any other matter formally discussed or voted upon. A member attending by videoconference shall be entitled to participate in the meeting, cast votes, and take any such other action as if the member were physically present.
  - 5) The minutes of any meeting involving videoconferencing shall include which, if any, members participated remotely and shall be made available to the public pursuant to section one hundred six of the public officers law.
  - 6) If videoconferencing is used to conduct a meeting, the public notice for the meeting shall inform the public that videoconferencing will be used, where the public can view and/or participate in such meeting, where required documents and records will be posted or available and identify the physical location(s) for the meeting where the public can attend in person.
  - 7) Each meeting conducted using videoconferencing shall be recorded, and such recordings shall be posted or linked on the public website of the public body within five business days

following the meeting. Such recordings shall remain available for a minimum of five years and shall be transcribed upon request.

- 8) The public body shall not be required to record or transcribe any executive session portion of the meeting or any other portion of the meeting which the public is not entitled to attend.
  - 9) If videoconferencing is used to conduct a meeting, the public body shall provide the opportunity for members of the public to view such meeting via video, and, where public comment or participation in the meeting is authorized or required, to comment or participate via videoconference in real time. Videoconferencing, where employed, shall afford the same opportunity for public participation or testimony as in-person participation or testimony.
  - 10) Staff members and any other participants in a meeting employing videoconferencing may be permitted, at the sole discretion of the chair or other presiding officer, to participate, comment, and/or testify by videoconference or through such other remote means as enable the participant to be contemporaneously heard during the meeting. This subsection shall not apply to members of the public body or members of the public engaging in public comment or participation governed by other provisions of this Local Law.
  - 11) The public body shall be authorized, but not required, to adopt additional written procedures governing member and public attendance consistent with this Local Law. This Local Law and such additional written procedures, if any, as may be adopted by the public body shall constitute the written procedures of the public body for the purposes of section 103-a(2)(b) of the public officers law and shall be conspicuously posted on the public website of the public body.
  - 12) Any public body employing videoconferencing must maintain an official website.
  - 13) Videoconferencing and broadcast of meetings shall utilize technology to permit access by members of the public with disabilities consistent with the 1990 Americans with Disabilities Act (ADA), as amended, and corresponding guidelines. For purposes of this Local Law, "disability" shall have the meaning defined in section two hundred ninety-two of the executive law.
- C. Notwithstanding the foregoing, the in-person participation requirements of subdivision B of this Local Law shall not apply during a state disaster emergency declared by the governor pursuant to section twenty-eight of the executive law, or a local state of emergency proclaimed by the Mayor or the chief executive of Chautauqua County, if the public body determines that the circumstances necessitating the emergency declaration would affect or impair the ability of the public body to hold an in-person meeting. In the event of such a determination, no physical location need be noticed or made available to the public for in-person attendance, and all members and non-members may participate remotely.

## **Section 2.** Severability Clause.

Severability is intended throughout and within the provisions of this Local Law. If any section, subsection, sentence, clause, phrase, or portion of this Local Law is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Local Law.

**Section 3.** Effective and Operative Date.

This Local Law shall be effective immediately after filing in the office of the Secretary of State.

**Informational Report**

1. Special Event – Jamestown Holiday Parade to be held on December 3, 2022 with street closures to begin at 3:00 p.m. though 8:30 p.m. on Third Street, between Hall and Prendergast Avenue.

**Public Works Committee**

**Opportunity for Public Comment**

**Resolutions**

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**Mayor's Remarks**

**Executive Session**

***COUNCIL MEMBERS: PLEASE CONTACT THE COUNCIL PRESIDENT OR CITY CLERK IF UNABLE TO ATTEND THE WORK SESSION AT 7:30.***