

June 26, 2023

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, June 26, 2023 at 7:30 p.m.

MEMBERS PRESENT: Council President Dolce, Councilman Sheldon, Councilwoman Brackman, Councilwoman Carrubba, Councilman Reynolds, Councilman Faulkner, Councilwoman Ecklund, Councilman Daversa, Councilman Russell

MEMBERS ABSENT:

OTHERS PRESENT: Mayor Edward A. Sundquist, Acting City Clerk Leigh Anne Jordan, Police Chief/Director of Public Safety Timothy Jackson, Deputy Fire Chief Matt Coon, Director of Development Crystal Surdyk, Acting Director of Public Works/Acting Director of Parks, Recreation and Conservation Mark Roetzer, Executive Assistant to the Mayor Zachary Altschuler, Corporation Counsel Elliot Raimondo

Council President Anthony Dolce called the meeting to order and led the council in the Pledge of Allegiance. Rev. Dr. William Blair of New Creation assembly of God gave the invocation.

Councilwoman Carrubba moved to approve the May 22, 2023 voting session minutes.

MESSAGES FROM THE MAYOR

202306C00.01

Mayor Sundquist welcomed seven (7) new employees to the City of Jamestown in June 2023. Jose Roldan and Gregory Auge (Jamestown Urban Renewal Agency), Michael Christy, Brianna Ingerson, Andrew McKillip, Matthew Mendola and Benjamin Troche (Jamestown Fire Department.)

Mayor Sundquist honored one retiree in June 2023: Debbie Patti, (Clerk's Office) by proclamation.

Additionally, Mayor Sundquist designated Carol Malek as the Deputy City Comptroller effective June 26, 2023.

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OPPORTUNITY FOR PERSONS TO ADDRESS THE COUNCIL

202306C00.02

Russ Bonfiglio – 212 Hall Avenue, Jamestown – Addressed the Council regarding the new build of the YMCA and stated that the community needs to be on board. Provided statistics for community service and stressed the importance of the YMCA to the City of Jamestown.

202306C00.03

Anthony Tota – 144 Clifton Avenue, Jamestown – Discussed calls he made to the Jamestown Police Department on 6/24/23 and 6/25/23. Has valid complaints and reasons for his calls – noise 24/7, excessive traffic, loud exhaust, speeding on City streets. Serious issues need to be addressed not dismissed.

202306C00.04

Doug Champ – 225 Bowen Street, Jamestown – Offered his congratulations to the Jamestown Police Department for obtaining the GIVE Grant. Gave detailed information on how the Consolidated Funding Application process works and the importance of understanding grants and matching financials. Concerned about where money is coming from once grants are exhausted.

Councilwoman Kim Ecklund and Director of Development Crystal Surdyk addressed his questions/concerns.

202306C00.05

Missy Paterniti – 346 Falconer Street, Jamestown – Expressed her concerns regarding trees/branches that are blocking traffic signs.

FINANCE COMMITTEE

202306C01

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 \$8,528,923.82 in accordance with the period ending June 23, 2023 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 \$6,969,991.32 and payrolls in the total amount of \$1,558,932.50 as paid by the Comptroller and City Clerk/Treasurer, a copy of

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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

202306C02

BY COUNCILWOMAN CARRUBBA:

RESOLVED, that Corporation Counsel, Elliot S. Raimondo, and Paralegal, Tonya Taber, be authorized to attend the New York State Public Employer Labor Relations Association annual training conference to be held July 10-12, 2023, in Saratoga Springs, NY, with expenses to be paid pursuant to GML 77b.

Carried: 9 – 0

202306C03

BY COUNCILWOMAN CARRUBBA:

RESOLVED, That the Executive Assistant to the Mayor be authorized to attend the Mayors Innovation Project Summer Meeting on August 9th-11th in Scranton, PA 18503 with expenses paid pursuant to Section 77-b of the General Municipal Law.

Carried: 9 – 0

202306C04

BY COUNCILWOMAN CARRUBBA:

WHEREAS, under the Community Development Block Grant (CDBG) and HOME programs, entitlement communities are allotted funds to implement housing, neighborhood, community, and economic development activities; and

WHEREAS, the City of Jamestown has prepared for submission to the U.S. Department of Housing and Urban Development (HUD) a 2023 FY Annual Action Plan that is designed to help local jurisdictions to assess their affordable housing and community development needs and market conditions, and to make data-driven, place-based investment decisions, and serves as the framework for a community-wide dialogue to identify housing and community development priorities that align and focus funding from the CPD formula block grant programs; and

WHEREAS, the City of Jamestown has been designated an entitlement community and is eligible to prepare and submit an Annual Action Plan which includes proposed housing, neighborhood, community, and economic development activities to be funded through the City's CDBG and HOME Program funding allotments; and

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WHEREAS, in conjunction with a public input process conducted by the City of Jamestown's Department of Development, the staff has developed a draft FY 2023 Annual Action Plan which includes proposed housing, neighborhood, community, and economic development activities to be funded with \$1,144,750 through the 2023 CDBG allocation and \$397,507 through the 2023 HOME allocation, for a total of \$1,542,257; and

WHEREAS, said development activities will occur in target areas in the community and that have been designated slums blighted areas through from extensive property surveys and City Council resolution, and will include a variety of housing rehabilitation, infrastructure, planning, public services, and economic development initiatives; and

WHEREAS, a public input process was conducted by the Department of Development, including six public meetings and a public survey, for the purpose of obtaining citizen input regarding the FY 2023 Annual Action Plan and the specific CDBG and HOME activities to be contained therein and a final Public Hearing to be held on June 26, 2023; and

WHEREAS, the draft FY 2023 Annual Action Plan has been available for public review for a minimum of 30 days as required by U.S. Department of Housing and Urban Development (HUD) regulations; and

WHEREAS, additional comments of support and public input were received during the aforesaid public input period and carefully considered by Administration officials and City Council members; now therefore be it

RESOLVED, that the Mayor be and is hereby authorized and directed to submit the FY 2023 Annual Action Plan, including the specific CDBG and HOME activities contained therein, to the U.S. Department of Housing and Urban Development; and be it further

RESOLVED; that the specific CDBG and HOME activities contained within the FY 2023 Annual Action Plan will be comprised of the list hereto attached.

Summary of PY 2023 CDBG Activities:

Proposed Low-Moderate Benefit Activities (80% of Active Funds)

<u>Activity</u>	<u>Amount</u>
Strategic Code Enforcement	\$57,517
Small Business Dev. & Technical Assistance	\$53,994
Owner Occupied Emergency Repair Program	\$110,000
Environmental Assessment and Remediation	\$60,500
Community Engagement/ Enhanced Community Safety	\$33,000
Neighborhood Target Area Infrastructure Improvement Program	\$100,000
ADA Improvements Public Facilities	\$100,000
Rehabilitation: Publicly or Privately Owned Commercial/Industrial	\$210,789
SUB-TOTAL (Low-Moderate Benefit Activities)	<u>\$726,300</u>

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Proposed Slums and Blight Activities: (20% of Active Funds):	
Strategic Anti-blight Initiatives	\$79,500
Neighborhood Target Area Demolition	\$110,000

SUB-TOTAL (Slums and Blight Activities)	<u>\$189,500</u>
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CDBG Administration	\$228,950
Total (CDBG Program)	<u>\$1,144,750</u>

Summary of PY 2023 HOME Program Activities:

<u>Activity</u>	<u>Amount</u>
HOME Owner Occupied Rehabilitation	\$138,504
CHDO Set-Aside (30%)	\$119,252
HOME Redevelopment	\$100,000
SUB-TOTAL	<u>\$357,756</u>

HOME Administration	\$39,751
TOTAL (HOME Program)	<u>\$397,507</u>

Carried: 9 – 0

202306C05

BY COUNCILWOMAN CARRUBBA:

RESOLVED, that the City of Jamestown does hereby accept the Affordable Connectivity Program Outreach grant in the amount of One Hundred Fifty Thousand Dollars and No Cents (\$150,000.00) from the Federal Communications Commission; and be it further

RESOLVED, that the Mayor of the City of Jamestown be and he hereby is authorized to enter into a grant agreement with the Federal Communications Commission subject to the approval of Corporation Counsel as to form.

Carried: 9 – 0

202306C06

BY COUNCILWOMAN CARRUBBA:

RESOLVED, that the Mayor be authorized to enter into an agreement with SHI International Corporation, 290 Davidson Avenue, Somerset NJ 08873, and BECC Electric, 69 Orchard Street, Fredonia, NY 14063, for the purpose of purchasing and installing network expansion equipment, for a total of Twelve-Thousand, One Hundred Forty Dollars and No Cents (\$12,140.00) from contingency, subject to the approval of Corporation Counsel as to form.

Carried: 9 – 0

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202306C07

BY COUNCILWOMAN ECKLUND:

RESOLVED, That the City Comptroller be and hereby is authorized to make the following amendment to the 2023 General Fund Budget for the purchase of network racks as follows:

INCREASE: Appropriations \$12,140.00
EQUIPMENT
A.1680.0200.0000

DECREASE: Appropriations \$12,140.00
Contingent Account
A.1990.0400.0000

Carried: 9 – 0

202306C08

BY COUNCILWOMAN ECKLUND:

WHEREAS, the City of Jamestown (“City”) is considering the sale of City owned property located on Lafayette Street., SBL# 370.18-1-17 (“the property”) to JMI Properties, LLC (“JMI”); and,

WHEREAS, on May 16, 2023, the Jamestown Planning Commission approved the sale of the property on Lafayette Street (“the site”) for JMI Properties, LLC and,

WHEREAS, the City consider itself to be the only “involved agency” with respect to the proposed sale of the property; and,

WHEREAS, the City has determined that the property is no longer needed for municipal purposes and is not encumbered by any public purpose; and,

WHEREAS, the City has determined fair market value of the property to be Four Thousand Dollars and No Cents (\$4,000.00); and,

WHEREAS, the City published a public hearing legal notice of the proposed sale of the property in the Jamestown Post-Journal on June 9, 2023, pursuant to Section 507 of the New York State General Municipal Law to be held on June 26,2023; and,

WHEREAS, the aforementioned legal notice published on June 9, 2023, pursuant to Section 507 of the New York State General Municipal Law, also identified the prospective sales price of the property to JMI Properties, LLC as \$4,000: now therefore be it

RESOLVED, that in accordance with Section 507 of the New York State General Municipal Law, the Jamestown City Council hereby ratifies the sale of SBL# 370.18-1-17 by the City of Jamestown to JMI Properties, LLC, for Four Thousand Dollars and No Cents (\$4,000.00) and the Mayor is authorized and directed to enter into a contract with JMI for the purposes of such sale, subject to the approval of Corporation Counsel as to form.

Carried: 9 – 0

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202306C09

BY COUNCILMAN 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 Office of the City Clerk/Treasurer, 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 Part-Time Senior Account Clerk.

This position is vacant due to a retirement - Funded in 2023 budget.

Carried: 9 - 0

202306C10

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 Jamestown Police 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 Clerk II in the Jamestown Police Department – Funding provided by the GIVE Grant

Carried: 9 – 0

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202306C11

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 Jamestown Police 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 Clerk II in the Jamestown Police Department

Carried: 9 – 0

202306C12

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 Department of Public Works 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.

Engineer position in the Department of Public Works

This position is vacant as the result of a retirement.

Carried: 9 – 0

202306C13

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 Department of Public Works 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.

Laborer position in the Department of Public Works

This position is vacant as the result of a retirement – Funded in 2023 budget

Carried: 9 – 0

202306C14

BY COUNCILWOMAN ECKLUND:

RESOLVED, That the City Comptroller be and hereby is authorized to make the following amendment to the 2023 General Fund Budget for the replacement of fencing as follows:

INCREASE:	Appropriations	\$6,040.00
	EQUIPMENT	
	A.7110.0200.0000	

DECREASE:	Appropriations	\$6,040.00
	Contingent Account	
	A.1990.0400.0000	

Carried: 9 – 0

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NEW BUSINESS:

202306C15

BY COUNCILWOMAN ECKLUND:

WHEREAS, the County of Chautauqua heretofore applied for State funding under the New York State Division of Criminal Justice Services GIVE Grant Program for 2023 and,

WHEREAS, the County's application has been approved and a portion of the grant funds must be shared with the City of Jamestown Police Department, now therefore be it

RESOLVED, that the Mayor and Police Chief be and they hereby are authorized and directed to participate in GIVE for the period of July 1, 2023 through June 30, 2024 with funding in the amount of Two Hundred Sixty-One Thousand, One Hundred Ninety-Nine Dollars and No Cents (\$261,199.00) provided by the State of New York.

NOTE: Councilwoman Ecklund: Years past amount was approximately \$70,000.00 – this is a huge increase

Councilman Russell added the increase is substantial due to circumstances and events happening in the city i.e., crime.

Carried: 9 – 0

202306C16

BY COUNCILWOMAN ECKLUND:

RESOLVED, That the Mayor or his authorized representative be, and hereby is authorized to enter into a global settlement agreement not to exceed the amount of \$2,500.00 (Two Thousand, Five Hundred Dollars and No Cents) in the matter of *Seekings v. City of Jamestown*, subject to the approval as to form by the Corporation Counsel.

Carried: 9 – 0

202306C17

BY COUNCILWOMAN CARRUBBA:

WHEREAS, funding has become available through the 2023 Consolidated Funding Application (CFA) to advance the State's efforts to improve New York's business climate and expand economic growth; and

WHEREAS, The New York State Department of State has made available Fifteen Million Dollars and No Cents (\$15,000,000.00) statewide and is soliciting applications through the CFA process, the Green Innovation Grant Program (GIGP) which supports projects across New York State that utilize unique stormwater infrastructure design and create cutting-edge green technologies, and

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WHEREAS, the City of Jamestown was previously the recipient of an Environmental Facilities Corp. (EFC) Green Innovation Grant for the Tracy Plaza Phase 2 Renovations and Master Plan Design in 2016, and

WHEREAS, Tracy Plaza Phase 3 Renovations remain to be completed, now therefore be it

RESOLVED, that the Mayor is hereby authorized to sign any documents related to the submission of the 2023 CFA New York Department of State under the Environmental Facilities Corp. (EFC) Green Innovation Grant for Tracy Plaza Phase 3 Renovations and does also hereby authorize the Mayor to execute all necessary documents with New York Department of State should the City of Jamestown be successful in securing funding through the CFA submission process.

Carried: 9 – 0

202306C18

BY COUNCILWOMAN CARRUBBA:

WHEREAS, funding has become available through the 2023 Consolidated Funding Application (CFA) to advance the State's efforts to improve New York's business climate and expand economic growth; and

WHEREAS, The New York State Department of State has made available Sixteen Million, Three Hundred Thousand Dollars and No Cents (\$16,300,000.00) statewide and is soliciting applications through the CFA process, the Local Waterfront Revitalization Program (LWRP) funded under Title 11 of the Environmental Protection Fund (EPF), provides matching grants on a competitive basis to eligible villages, towns, cities, and counties located along New York's coasts or designated inland waterways for planning, design, and construction projects to revitalize communities and waterfronts. and

WHEREAS, the City of Jamestown was previously the recipient of a LWRP study and subsequently received the State approved designation in the identified waterfront revitalization area, making the City eligible to apply for additional project implementation funding through NYS, and

WHEREAS, revitalization of Jackson Taylor Park and the design and construction of a Pump Track is consistent with and in support of the City of Jamestown Comprehensive Plan (1998), the Jamestown Urban Design Plan (2006 and 2018), the Brownfield Opportunity Area (BOA): Chadakoin River Central/Eastern Study (2014), and the Local Waterfront Revitalization Plan (2017); now therefore be it

RESOLVED, that the Mayor is hereby authorized to sign any documents related to the submission of the 2023 CFA New York Department of State under the Local Waterfront Revitalization Program (LWRP) and does also hereby authorize the Mayor to execute all necessary documents with New York Department of State should the City of Jamestown be successful in securing funding through the CFA submission process.

Carried: 9 – 0

BY COUNCILWOMAN CARRUBBA:

WHEREAS, funding has become available through the 2023 Consolidated Funding Application (CFA) to advance efforts to improve New York’s business climate and expand economic growth; and

WHEREAS, The New York Main Street (NYMS) Program was created by the Housing Trust Fund Corporation (HTFC) in 2004 to provide resources to assist New York’s communities with Main Street and downtown revitalization efforts. Article XXVI was added to NYS Private Housing Finance Law in 2009 to formally establish the New York Main Street Program in statute. The NYMS Program is administered by the Office of Community Renewal (OCR) under the direction of the Housing Trust Fund Corporation.; and

WHEREAS, NYMS provides resources to invest in projects that provide economic development and housing opportunities in downtown, mixed-use commercial districts with a primary goal of stimulating reinvestment and leveraging additional funds to establish and sustain downtown and neighborhood revitalization efforts; and

WHEREAS, Applicants may request up to Twenty Thousand Dollars and No Cents (\$20,000.00) for Technical Assistance to complete a project that improves community or property owner readiness to participate in a future New York Main Street renovation activity; and

WHEREAS, The City is eligible to apply for the Building Reuse/Feasibility Analysis program which can provide an analysis of rehabilitation or adaptive re-use options for downtown, mixed-use building(s) to provide property owners with the resources necessary to make informed decisions regarding the feasibility of rehabilitation projects; now therefore be it

RESOLVED, that the City Council of Jamestown, New York is fully committed and supportive of the Consolidated Funding Application (CFA) submission by the City of Jamestown for the “***New York Main Street (NYMS) Program***” for Twenty Thousand Dollars and No Cents (\$20,000.00), 5% or One Thousand Dollars and No Cents (\$1,000.00) of which will be required as a local match; and be it further

RESOLVED, that the Mayor is hereby authorized to sign any documents related to the submission of the 2023 CFA for the “***New York Main Street (NYMS) Program***” and does also hereby authorize the Mayor to execute all necessary documents with Housing Trust Fund Corporation (HTFC) should the City of Jamestown be successful in securing funding through the CFA submission process.

Carried: 9 – 0

202306C20

BY COUNCILWOMAN CARRUBBA:

WHEREAS, funding has become available through the 2023 Consolidated Funding Application (CFA) to advance the State's efforts to improve New York's business climate and expand economic growth; and

WHEREAS, The New York State Office of Parks, Recreation and Historic Preservation (OPRHP) has made available Twenty-Six Million Dollars and No Cents (\$26,000,000.00) statewide and is soliciting applications through the CFA process, the Environmental Protection Fund Grants Program for Parks, Preservation and Heritage (EPF), and

WHEREAS, the City of Jamestown is eligible to apply for project funding through NYS CFA process, and

WHEREAS, revitalization of Jackson Taylor Park and the design and construction of a Pump Track is consistent with and in support of the City of Jamestown Comprehensive Plan (1998), the Jamestown Urban Design Plan (2006 and 2018), the Brownfield Opportunity Area (BOA): Chadakoin River Central/Eastern Study (2014), and the Local Waterfront Revitalization Plan (2017); now therefore be it

RESOLVED, that the Mayor is hereby authorized to sign any documents related to the submission of the 2023 CFA New York Department of State under the Environmental Protection Fund and does also hereby authorize the Mayor to execute all necessary documents with New York Department of State should the City of Jamestown be successful in securing funding through the CFA submission process.

Carried: 9 – 0

202306C21

BY COUNCILWOMAN ECKLUND:

WHEREAS, funding has become available through the 2023 Consolidated Funding Application (CFA) to advance the State's efforts to improve New York's business climate and expand economic growth; and

WHEREAS, The New York State Department of State has made available Four Million Dollars and No Cents (\$4,000,000.00) statewide and is soliciting applications through the CFA process, the Local Government Efficiency (LGE) Grant Program which incentivize new actions to reduce the cost of operations and service delivery, thereby limiting growth in property taxes, and

WHEREAS, Projects include local government reorganization and service delivery modernization, through shared services, municipal and functional consolidations, and establishment of regional service delivery mechanisms, and

WHEREAS, Two or more local governments are eligible to apply for funding assistance to plan for and implement shared services, now therefore be it

RESOLVED, that the Mayor is hereby authorized to sign any documents related to the submission of the 2023 CFA New York Department of State under the Local Government Efficiency (LGE) Grant Program for the shared services project, in partnership with the Chautauqua County Health Department, *Healthy Homes Inspection Capacity Building* and does also hereby authorize the Mayor to execute all necessary documents with New York Department

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of State should the City of Jamestown be successful in securing funding through the CFA submission process.

Carried: 9 – 0

202306C22

BY COUNCILWOMAN ECKLUND:

Resolution designating One Hundred Fifty Thousand Dollars and No Cents (\$150,000.00) in American Rescue Plan Act Healthy Neighborhoods funds for the purpose of funding the North Main Street Viaduct Public Safety Enhancements Project to be administered by the Jamestown Urban Renewal Agency (JURA).

Carried: 9 – 0

NOTE: Councilwoman Ecklund proposed an amendment to read designating Forty-Five Thousand Seven Hundred Twelve Dollars and Fifty Cents (\$45,712.50) in American Rescue Plan Act Healthy Neighborhoods funds for the purpose of funding Phase I Lighting Only of the North Main Street Viaduct Public Safety Enhancements Project.

Carried: 9 - 0

202306C23

BY COUNCILWOMAN ECKLUND:

RESOLVED, That the Paula Pichon and Zachary Altschuler be authorized to attend the National League of Cities Good Jobs, Great Cities Academy on July 11-12 in Washington D.C. with expenses paid pursuant to Section 77-b of the General Municipal Law.

NOTE: All expenses to be reimbursed, per National League of Cities Travel Logistics & Reimbursement Guidelines.

Carried: 9 – 0

202306C24

BY COUNCILWOMAN ECKLUND:

RESOLVED, That the Mayor is authorized to execute an agreement with GPI/Greenman-Pedersen, Incorporated, 403 Main Street, Suite 300, Buffalo, NY 14203, for the purchase of Engineering Design Drawings for emergency structural roof repairs at the following location:

- Fire Station 5 – 195 Fairmount Avenue

For a total amount not to exceed Four Thousand Dollars and No Cents (\$4,000.00), subject to the approval of Corporation Council as to form.

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NOTE: This is an emergency bid for services to reconstruct the Station 5 Roof due to partial collapse.

Carried: 9 – 0

202306C25

BY COUNCILWOMAN ECKLUND:

WHEREAS Ralph C. Wilson, Jr. Foundation has gifted the City of Jamestown Twenty-Five Thousand Dollars and No Cents (\$25,000.00) to fund the Johnson Street Park playground, basketball court and amenities;

RESOLVED, that the City of Jamestown hereby accepts the donation, and be it further

RESOLVED, that the Jamestown City Council hereby extends its appreciation and gratitude on behalf of the citizens of the City of Jamestown to the Ralph C. Wilson Jr. Foundation for the generous donation.

Carried: 9 – 0

202306C26

BY COUNCILWOMAN ECKLUND:

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

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

WHEREAS, Amber Carlson of Fun Foods NY, LLC made application to the Jamestown Local Development Corporation with a request for financing in the amount of one hundred forty thousand three hundred fifty dollars and no cents (\$140,350.00) through the Jobs and Private Investment Loan Program (Tier I) for the acquisition of the Field and Wright Building located at 100 – 120 North Main Street, Jamestown, New York; and

WHEREAS, the Board of Directors of the Jamestown Local Development Corporation, by use of unanimous consent resolution, gave approval for the loan request from Fun Foods NY, LLC in the amount of one hundred forty thousand three hundred fifty dollars and no cents (\$140,350.00) at a fixed rate of four-percent (4%) interest for a ten (10) year term subject to the ratification by a majority vote of the City Council of Jamestown, New York; now therefore be it

RESOLVED, that the Jamestown City Council hereby approves the Jamestown Local Development Corporation loan to Fun Foods NY, LLC in the amount of one hundred forty thousand three hundred fifty dollars and no cents (\$140,350.00) at a fixed rate of four-percent (4%) interest for a term of ten (10) years for the acquisition of the Field and Wright Building with collateral as follows: a first lien security position on the Field and Wright Building located

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at 100-120 North Main Street, Jamestown, New York and in all business assets to include machinery and equipment, furniture and fixtures, an assignment of rents for all leased spaces, and a personal guarantee from Amber Carlson.

Carried: 9 – 0

NOTE: President Dolce stated that any Jamestown Local Development Corporation loan over \$100,000.00 threshold must be passed by Council.

202306C27

BY COUNCILWOMAN CARRUBBA:

WHEREAS, Jamestown City Council voted 9-0 to approve Resolution 202305D16 on May 29, 2023 to suspend the hiring freeze for the purpose of adding eight (8) new positions in the Jamestown Fire Department, for a period of up to three (3) years, and to accept \$1.8 million in federal Staffing for Adequate Fire and Emergency Responses (SAFER) grant funding, contingent upon meeting specific terms and conditions. RESOLVED, That the hiring freeze instituted by the Jamestown City Council resolution number 200611B17, adopted on November 20, 2006, is hereby suspended for the purpose of adding eight (8) new positions in the Jamestown Fire Department, to be funded, in part, with proceeds from a \$1.8 million Staffing for Adequate Fire and Emergency Responses (SAFER) grant, for a period of up to three (3) years; and be it

WHEREAS, the Mayor was authorized and directed to execute all required approvals, certifications and assurances with the Federal Emergency Management Administration (FEMA) in order to accept and utilize said \$1.8 million SAFER grant, subject to the review and approval of all documents as to their form and substance by the Corporation Counsel; and

WHEREAS, the above authorizations were contingent upon and subject to the following terms and conditions:

1. The successful negotiation of a tentative agreement with the Jamestown Professional Firefighters Association, Local 137, providing that upon the full utilization or expiration of said SAFER grant funding, that the eight (8) firefighters to be hired with SAFER grant proceeds shall not constitute a new Fire Department minimum staffing requirement, in accordance with an impact arbitration order dated October 3, 2002.

Said tentative agreement shall be subject to the review of and approval by outside legal counsel, as retained for the City of Jamestown via action from the Jamestown City Council.

2. Local 137 shall waive its right to pursue and will forego any and all legal action against the City of Jamestown relative to the City of Jamestown's inability to secure new outside funding for the retention of any of the eight (8) firefighters, initially hired with funding, in part, from the SAFER grant program.
3. The city shall make good faith and reasonable efforts to secure new outside funding necessary to retain and continue the new firefighter positions that were initially funded, in part with SAFER grant proceeds.

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4. Formal ratification of said tentative agreement by the voting membership of Local 137.
5. Formal ratification of said tentative agreement by the Jamestown City Council and the execution of the final agreement by the Mayor of the City of Jamestown, subject to the review and approval by outside legal counsel.

WHEREAS Jamestown City Council

FURTHER RESOLVED, That the City Clerk/Finance Director or City Comptroller was and is hereby authorized and directed to utilize funding from the contingency line in the FY 2023 City General Fund Budget, for the purpose of retaining outside legal counsel services relative to this matter.

AND WHEREAS, Jamestown City Council intends to retain the services of Bond, Schoeneck & King to review the aforementioned tentative agreement by the voting membership of Local 137.

BE IT RESOLVED, That the Mayor be and is hereby authorized and directed to execute the retainer agreement with Bond, Schoeneck & King, 1010 Franklin Avenue, Suite 200, Garden City, NY 11530-2900 for any and all legal services related to this matter, subject to the review and approval of corporation counsel as to form.

Carried: 9 – 0

NOTE: Councilwoman Carrubba added this is in reference to Resolution 202305D16 approved May 26, 2023 relating to the SAFER Grant

OTHER BUSINESS

Councilwoman Carrubba recognized Paula Pichon and the Department of Development for all of their hard work. It is evident in the many grants received. Also, thanks to Finance Committee Chair for keeping track of spending and diligence in making sure everyone is on the same page.

President Dolce discussed the many resolutions and work being done in past months, hard to keep straight.

Councilwoman Carrubba additionally recognized and gave thanks to Chief Jackson. Nuisance officer has been very busy and getting a lot of work done. This is a quality of life/safety issue and are definitely seeing a difference.

Councilman Russell read stats given by Chief Jackson and the Violence Interruption unit. Offered his gratitude and thanks for attempting to clean up the City of Jamestown streets.

There being no further business, the meeting was adjourned.

Jennifer R. Williams
City Clerk/ Treasurer