

July 29, 2013

City Council

Proceedings by Authority

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

A regular meeting of the City Council of the City of Jamestown, New York was held on Monday, July 29, 2013 at 7:30 p.m.

Members Present: Council Members, Tony Dolce, Michael Taylor, Marie Carrubba, Paul Whitford, Kim Ecklund and George Spitale

Members Absent: Council President Greg Rabb, Steve Szwejbka and Maria Jones

Others Present: Director of Financial Services/City Clerk James N. Olson, Police Chief/Director of Public Safety Harry Snellings, Corporation Counsel Marilyn Fiore-Lehman, Deputy Chief Chet Harvey, Director of Development Vincent DeJoy, Director of Public Works Jeff Lehman

In the absence of City Council President Rabb, 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 the Rev. Jim Read of the Bethel Baptist Church.

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

Councilman Taylor seconded the motion.

Councilman Spitale moved to close the nominations.

Carried: 6 ayes, 0 nays

Councilman Whitford moved to approve the minutes from the June 24, 2013 meeting.

OPPORTUNITY FOR PERSONS TO ADDRESS THE COUNCIL:

201307B00.01

Rev. Jim Read, 93 Lovall Avenue, Jamestown, NY: I'd like to thank the Parks Department for...last month I mentioned how we would appreciate having more non-smoking signs for the young lungs over at Nordstrom Park where I live. The next day the guys were out there – put them in abundance around the place. There is no cure for stupid, there are still parents who sit right in front of the sign and smoke away, but I'll leave that to Chief Snellings to deal with that. I just appreciate your listening. That was far faster than I was hoping for or

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expecting, but you guys do listen. I appreciate it very much and I do pray for you guys on a regular basis. Thank you.

STANDING COMMITTEES:

FINANCE COMMITTEE:

201307B01

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 \$4,698,697.74 in accordance with the period ending July 28, 2013, 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 \$3,013,142.23, and payrolls in the total amount of \$1,685,555.51, 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: 6 ayes, 0 nays

201307B02

BY COUNCILWOMAN CARRUBBA:

WHEREAS, the U.S. Department of Justice, Bureau of Justice Assistance, is administering the 2013 Edward Byrne Memorial Justice Assistance Grant (JAG) Program, and

WHEREAS, the City of Jamestown and County of Chautauqua are eligible to receive funding under the 2013 Edward Byrne Memorial Justice Assistance Grant (JAG) Program through a joint application process, now therefore be it

RESOLVED that the Mayor and Police Chief be, and hereby are, authorized and directed to execute a Memorandum of Agreement with the County of Chautauqua to receive grant funds to be utilized by the Jamestown Police Department and the Chautauqua County Sheriff's Department in the amount of \$14,792. The Jamestown Police Department will receive \$7,396 of these funds. These proceeds will be used by the Jamestown Police Department to fund the purchase of four in-car digital dash cameras.

Carried: 6 ayes, 0 nays

201307B03

BY COUNCILWOMAN CARRUBBA:

RESOLVED, That the Mayor of the City of Jamestown be, and he hereby is, authorized to enter into a grant agreement with the Ralph C. Sheldon Foundation in an amount not to exceed

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\$5,000 for the purpose of funding a portion of the cost of the 2013 Parks, Recreation and Conservation Department Summer Playground Program subject to the approval of the Corporation Counsel as to form.

Carried: 6 ayes, 0 nays

201307B04

BY COUNCILWOMAN CARRUBBA:

RESOLVED, that the Mayor of the City of Jamestown be, and hereby is, authorized to enter into an contract with Complus Data Innovations, Inc (COMPLUS), 560 White Plains Road, Tarrytown, New York 10591 for the processing of parking tickets using the FastTrack™ Parking Ticket Management System (FastTrack™) at a cost of 14% of Parking Ticket Collections for the time period May 1, 2013 to April 30, 2016 subject to the approval of the Corporation Counsel as to form.

Carried: 6 ayes, 0 nays

201307B05

BY COUNCILWOMAN CARRUBBA:

RESOLVED, that the Mayor be, and he hereby is, authorized to enter into an agreement with 4 Guys Stainless Tank & Equipment, Inc., 230 Industrial Park Road, Meyersdale, PA 15552-0090 for the purchase of one (1) 2013 or newer Class A 1500 GPM Pumper in an amount not to exceed Three Hundred Ninety Seven Thousand Seven Hundred Seventy Two dollars (\$397,772.00) in accordance with funding received by the Department of Homeland Security Assistance to Firefighters Grant Program Award EMW-2012-FV-01876 and subject to the approval of both Amendment Number EMW-2012-FV-01876-001 requesting a 90 day Period of Performance extension and of the Corporation Council as to form.

Carried: 6 ayes, 0 nays

201307B06

BY COUNCILWOMAN ECKLUND:

RESOLVED, That the Mayor of the City of Jamestown, be and he hereby is, authorized to enter into a grant agreement with the Gebbie Foundation in an amount not to exceed \$6,000 for Improvements to the crosswalk at the corner of Third and Lafayette Streets, subject to the approval of the Corporation Counsel as to form.

Carried: 6 ayes, 0 nays

BY COUNCILWOMAN ECKLUND:

WHEREAS, as part of Governor Andrew Cuomo's Regional Economic Development Council initiative, the 2013 Consolidated Funding Application (CFA) is an online application for accessing state resources currently available from multiple New York State agencies and authorities through one application; and

WHEREAS, in conjunction with the 2013 Consolidated Funding Application (CFA) process, up to \$16 million for Municipal Parks, Historic Preservation, and Heritage Area Projects will be available statewide in 2013 through the New York Office of State Parks, Recreation and Historic Preservation, and up to \$15 million will be available through the New York Department of State for Local Waterfront Revitalization Projects (LWRP); and

WHEREAS, the Jamestown Urban Renewal Agency has prepared for submission on or before August 12, 2013, the 2013 Consolidated Funding Application for the City of Jamestown, an application for grant funding with a local match, for the construction and the continuation of the Chadakoin Riverwalk Trail System (Phase 6) that will extend from the current trail system on both the north and south sides of the Chadakoin River and follow the industrial heritage trail along Steele Street and will also follow the Chadakoin River that will meet and link to McCrae Point Boat Landing. The Chadakoin Riverwalk Trail (Phase 6) will additionally follow a path through West Third Street beginning at the Washington Street Bridge in an a secondary loop to once again follow the Chadakoin River to extend and link to McCrae Point Boat Landing; and

WHEREAS, said application is consistent with and in support of the City of Jamestown's Comprehensive Plan (1998), and other studies regarding riverfront development and its importance to downtown redevelopment including the Downtown Jamestown Community Redevelopment Plan (2001) and City of Jamestown Urban Design Plan (2006); now therefore be it

RESOLVED, that the City Council authorizes the Mayor to submit to the New York State Regional Economic Development Council an application for grant funding with a local match for the continuation and construction of the Chadakoin Riverwalk Trail System (Phase 6) along the Chadakoin River and the industrial heritage corridor to link at McCrae Point Boat Landing; and be it further

RESOLVED, that the City Council hereby authorizes the Mayor to execute all necessary documents with New York State's Department of State and the New York State Office of Parks, Recreation, and Historic Preservation should the City of Jamestown be successful in securing funding for said Chadakoin Riverwalk Trail System (Phase 6) construction and continuation plan.

Carried: 6 ayes, 0 nays

201307B08

BY COUNCILWOMAN ECKLUND:

WHEREAS, the Transportation Enhancement Program (TEP) is a federal reimbursement program under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), administered by the New York Department of Transportation (NYSDOT); and

WHEREAS, municipalities are eligible to apply for funding for eligible projects which fall into one or more of five (5) federally established eligibility categories, and the Transportation Enhancement Program (TEP) enables funding for transportation projects of cultural, aesthetic, historic and environmental significance with \$30 million available for this application round; and

WHEREAS, the Chautauqua County Department of Public Facilities is preparing and submitting a Transportation Enhancement Program application for grant funding consideration on or before August 16, 2013 for the Jones & Gifford Redevelopment Project in collaboration with the City of Jamestown and the Village of Celoron; and

WHEREAS, the Jones & Gifford Redevelopment Project will construct a dedicated walking and bike paths in both the City of Jamestown and Village of Celoron, utilizing established rights-of-way from McCrea Point Boat Landing in Jamestown to Lucille Ball Memorial Park in the Village of Celoron; and

WHEREAS, the Jones and Gifford Redevelopment Project will link to the Chadakoin Riverwalk Trail System (Phase 6) at McCrea Point Boat Landing, and has been identified as an integral component to Downtown Jamestown redevelopment plans, smart growth, and connectivity to neighboring municipalities; now therefore be it

RESOLVED, that the Jamestown City Council hereby endorses and supports the Transportation Enhancement Program grant application for the Jones & Gifford Redevelopment Project submitted by Chautauqua County Department of Public Facilities in collaboration with the City of Jamestown and the Village of Celoron.

Carried: 6 ayes, 0 nays

201307B09

BY COUNCILWOMAN ECKLUND:

WHEREAS, the City of Jamestown, New York, as a United States Department of Housing and Urban Development (HUD) entitlement community, is the annual recipient of Community Development Block Grant (CDBG) and HOME Program funding; and

WHEREAS, the City of Jamestown, New York is an economically distressed, Northeastern United States city located in Western New York; and

WHEREAS, the City of Jamestown contains an overabundance of older housing stock, aging infrastructure, obsolete industrial buildings, and Brownfield sites; and

WHEREAS, since FY 1990, the City of Jamestown has been allocated and has effectively utilized forty three million, eight hundred-fifteen thousand, eight hundred sixty-four dollars (\$43,815,864) in CDBG and HOME Program funding for a variety of projects that have

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directly benefited residents and neighboring properties, businesses, property owners, but not limited to:

- Rehabilitation of thousands of rental and owner-occupied housing units;
- Installation of enhanced neighborhood street lighting;
- Extensive handicapped accessibility improvements to public facilities to comply with the Americans with Disabilities Act (A.D.A.);
- Construction of wheelchair ramps in residences;
- Promotion of homeownership through the Homesteading first-time homeowners program;
- Extensive commercial façade and commercial handicapped accessibility improvement projects in Downtown Jamestown;
- Lead abatement programs;
- Preparation of various industrial development sites for industrial expansion projects;
- Youth Group Work Camps to help elderly citizens make minor repairs, paint, and landscape their owner occupied homes;
- Demolition of blighted and unsafe structures;
- Building improvements to Jamestown Boys and Girls club;
- Enhancements to the Eastside and Downtown YMCA Youth centers;
- Establishment of a Community Policing program;
- Assistance for the renovation and new construction of numerous low-moderate income multi-housing projects;
- Numerous target area housing and infrastructure rehabilitation projects including new streets, curbing, lighting, storm sewers, and sidewalks;
- Target Area Code Enforcement mini-sweeps;
- Low-income foreclosure prevention, low income legal services, and at-risk youth job training programs;
- Various parks and playground improvement projects, including Chadakoin Park infrastructure improvements;

WHEREAS, over 1,200 communities rely on CDBG as a direct source of annual funding; and

WHEREAS, since 2010, funding for CDBG has been cut by over \$1 billion while the need for these important resources at the local level has continued to grow; and

WHEREAS, for every \$1.00 of CDBG funding invested in a project another \$3.55 is leveraged from other sources; and

WHEREAS, since its inception in 1974, CDBG has leveraged nearly \$400 billion in other resources for community development and affordable housing; and

WHEREAS, between FY2005-FY2012 CDBG has created or retained 302,622 jobs; and

WHEREAS, between FY2005-FY2012 CDBG has assisted over one million low-and-moderate income homeowners rehabilitate their homes, provided down payments and closing cost assistance to qualified home buyers, and assisted homeowners through lead paint abatement; and

WHEREAS, the City of Jamestown CDBG and HOME Program activities have benefited every citizen of the City of Jamestown in some manner; and

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WHEREAS, no other source of funding exists or is available to the City of Jamestown to continue these vital commercial, industrial, and residential improvement activities; and

WHEREAS, CDBG formula funding for FY2013 (in the Continuing Resolution) prior to the sequestration cut to \$3.3 billion, and the proposed FY2014 budget recommends a further cut to \$2.8 billion; and now therefore be it

RESOLVED, that the Jamestown City Council hereby encourages President Barack Obama, United States Senator Charles Schumer, United States Senator Kirsten Gillibrand, United States Representative Thomas Reed, United States Senate Majority Leader Harry Reid, United States Senate Minority Leader Mitch McConnell, United States House of Representatives Speaker John Boehner, and United States House of Representatives Minority Leader Nancy Pelosi, to vigorously oppose the proposed reductions in funding for the Community Development Block Grant (CDBG) and HOME Program and the elimination of the “grandfathering” of metropolitan cities not meeting population levels for which they initially qualified as a HUD Entitlement Community; and be it

FURTHER RESOLVED, that the City Clerk is hereby authorized to communicate the concerns of the Jamestown City Council by transmitting certified copies of this resolution to President Barack Obama, United States Senator Charles Schumer, United States Senator Kirsten Gillibrand, United States Representative Thomas Reed, United States Senate Majority Leader Harry Reid, United States Senate Minority Leader Mitch McConnell, United States House of Representatives Speaker John Boehner, and United States House of Representatives Minority Leader Nancy Pelosi.

Carried: 6 ayes, 0 nays

PUBLIC WORKS:

201307B10

BY COUNCILMAN SPITALE:

RESOLVED that Jeffrey Lehman, P.E., Director of Public Works and Acting Director of Parks, Recreation & Conservation, is hereby authorized and directed to purchase from Moffett Turf Equipment Inc., 33 Thruway Park Drive, West Henrietta, NY 14586, one (1) new 2013 Smithco 42-000F Three-wheeled Infield Groomer, as follows:

Purchase Price	\$14,892.00
Optional Items:	
Mid Mounted Scarifier (with chisel style teeth)	1,096.00
Rear mounted infield tooth rake	594.00
Grader Blade Kit	208.00
Less:	
Trade-in of used 1987 Toro Sand Pro	<u>(1,000.00)</u>
Total price	\$15,790.00

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said equipment for use in the Parks, Recreation & Conservation Department.

Carried: 6 ayes, 0 nays

PUBLIC SAFETY:

201307B11

BY COUNCILMAN WHITFORD:

RESOLVED, That the following person be, and she hereby is, appointed to the office of Commissioner of Deeds in and for the City of Jamestown for a term of two years:

Francine Piazza

July 24, 2013 to July 23, 2015

Carried: 6 ayes, 0 nays

There being no further business, the meeting was adjourned.

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