

Minutes

CITY COUNCIL WORK SESSION

Monday, April 7, 2025

7:30 P.M.

Municipal Building, Jamestown, New York

MEMBERS PRESENT: Council President Dolce, Councilman Sheldon, Councilman Reynolds, Councilman Russell, Councilwoman Brackman, Councilman Daversa, Councilman Bonfiglio

MEMBERS ABSENT: Councilman Faulkner, Councilman Paterniti

Others Present: Mayor Kim Ecklund, City Clerk/Treasurer Jennifer John, Comptroller Ericka Thomas, Director of Development Crystal Surdyk, Deputy Director of Development Kasie Foulk, Deputy Fire Chief Matthew Coon, Director of Public Safety/Police Chief Timothy Jackson, Director of Public Works Mark Roetzer, Corporation Counsel Elliot Raimondo, Mayor's Administrative Assistant Ashlan Davis, BPU General Manager Dave Leathers, Ellen Ditonto, Becky Robbins, Brad Albright

Council President Dolce called the meeting to order and asked the Clerk to call the roll.

Opportunity for Public Comment

No one from the public appeared to speak before the City Council.

BPU Presentation

Dave Leathers, Ellen Ditonto, Becky Robbins and Brad Albright from the Board of Public Utilities attended the full City Council Work Session to provide project and utility updates.

Ms. Ditonto handed out fliers for the upcoming Developer's Forum, which is a city co-sponsored event, to be held on April 30, 2025. Roughly sixty-five people will be in attendance, a mix of developers and bankers, to drum up interest in potential development within the city. The focus of the event will be infill housing, and transforming downtown historic buildings for adaptive reuse. The attendees will be taken on walking tours and trolley tours of the neighborhoods. The neighborhoods they will be visiting include: Fluvanna Avenue near Roseland Park, to showcase land that can be developed, Spring Street, Fulton Street, Vega Street, Eagle Street, Johnson Street, and Cross Street. The downtown walking tour will feature the Willow Bay Building, Key Bank, Marine Midland, Worsted Mills, Blackstone Ney (part of the Chadakoin redevelopment area), the Mayflower building, and the Furniture Mart building. Half of the day will be spent at Wicked Warren's; they will depart on the tours and return to Wicked Warren's for one-on-one networking. Everyone is invited to attend. Representatives from the Department of State, and ESD will be in attendance, as well as a number of developers have signed up.

The other program being put on by the BPU is the Retool 25 Conference, to be held on June 3, 2025. This is the fourth conference put on by the BPU, thanks to the many community sponsors. The goal of the conference is to attract companies to the area and encourage them to maybe open a second location or relocate to the area. They are hoping to focus on attracting Canadian companies during this year's conference. With **Electrovaya** coming into the area, there is more opportunity there for new business. Topics of discussion will include sustainability, energy efficiency, and energy innovation.

Becky Robbins spoke to council regarding the yard waste site. They will open for the season on Saturday, April 12, 2025, from 7:00 a.m. until 1:00 p.m. Wednesday hours begin on May 7, 2025. Those interested in taking advantage of the yard waste site will need to obtain a new 2025 sticker for their vehicle.

Spring water main flushing begins in Falconer on April 26, 2025 with the remainder beginning April 28 through May 2, 2025 beginning at 8:00 a.m., with the exception of April 30, beginning at 4:00 a.m. Robo calls will be sent out reminding residents of the flushing. Dates can also be found on the BPU website as well as the newsletter.

Once again, this year, the BPU operates a fundraising campaign for St. Susan's. The yellow containers will be distributed around town. New this year, QR codes will be available for direct donations. The hot dog sale will be held on 6/20/25 at the BPU customer service.

Dave Leathers spoke to councilmembers regarding the microgrid project. It is continuing and moving forward and is expected to be a four-to-five-year project.

Work on the current district heating system is continuing. They are looking at retooling the system as a future project. They are checking for leaks in the current system during the warmer months. So far, they have identified very few leaks following early testing. They are hopeful that a \$19 million award will come in from New York State to fund the retool district heating project. This project is part of a large collaboration for state funding.

The new Cassadaga Pump House Station is very old. They are looking to build a new station and storage tank. This is a high-cost project which will require a bond resolution to come before council. The bonding resolution will allow the BPU to seek additional grant funding to make the project more affordable.

A second bonding resolution will be coming forward for the water division to help fund the new fueling station. Costs have been finalized and will be presented to the BPU board at their April meeting. They are also working on land acquisition at the Fireman's Training Grounds. The project is expected to progress throughout the summer.

There is a wastewater project to replace the sand filter. The plan is to borrow \$750,000 from the water division for the fueling station project. The total cost of the project is \$1.1 million, with \$900,000 potentially borrowed from the waste water division. Plans are still being finalized, with resolutions to come.

There is a study being conducted regarding expansions. Busti, Kiantone, Carroll, Ellicott, North Harmony and the Town of Chautauqua have all reached out to the BPU expressing their desire to subscribe to the utilities. An analysis will be done to see if there is enough water to accommodate the requests. This would include new tanks, pump stations, and additional staffing.

The BPU is currently working through a waste water planning grant process. Much of the work has been done prior to applying for the grant. Much of sewer surge problems that are occurring on the west side of town are due to storms.

Work on the community fiber system will begin this summer.

Intermunicipal agreements discussions are ongoing. North Harmony has an agreement, the Town of Chautauqua will need an agreement, Village of Celoron will need an agreement. Chautauqua County is trying to see how they can support the water project as well.

County representatives are working on an updated wastewater agreement (leach aid). The agreement is up this summer.

Mr. Leathers discussed rate information for all of the utilities. For the electric rates the NYPA is pushing rate increases, however the BPU is challenging and pushing back. The process has been stopped as a request from the governor. It is anticipated that in 2025 NYPA will again come back with more rate increase proposals.

The fuel adjustment charge noted on bills has been increasing over the last year and a half or so. It has increased to 3, to 3.5 cents per kilowatt hour. It is expected to increase as well. When the city runs its power

plant the rates are lower, as was seen in January and February. The BPU does the best the can to keep rates as low as possible.

The fixed rate has not changed since 2016. The BPU will go back to the Public Service Commission to request a slight increase in the fixed rates sometime this year. More to come on that front.

There will be a 4% water rate increase and a district heat increase in 2025. There was an error in billing which is being resolved on the new bills that have come out.

Councilman Bonfiglio asked, approximately how many houses have they identified with illegal connections? Mr. Leathers said that 20-25% of the houses had illegal connections, 15% need further investigation. That makes a big difference in the grand scheme of things.

Standing Committees

Housing Committee

6:30 p.m., Police Training Room

Informational Report

Councilman Reynolds provided an overview of the Housing Committee meeting. The Department of Development came back to the Housing Committee with a new plan to spend down the left over \$640,000 from previous HOME funds. \$500,000 of the funds could be used in an established home redevelopment infill program. Jan Potter will be able to use the \$140,000 to rehab other properties. An extension for the funding is not necessary. The hope is that the money will not be taken back before it can be spent. If council approves of the project, the DOD will move forward with the 30-day comment period and the public hearing. They will look into the BPU potentially helping out with creating all electric homes.

The annual action plan and consolidated action plan are still in process with the dates pushed back a bit, pending the funding updates from HUD.

Finance Committee

7:00 pm., Mayor's Conference Room

Resolutions

1. WHEREAS, the City of Jamestown in conjunction with the Jamestown Board of Public Utilities and Collaborative Children's Solutions, have the common goal of promoting the City of Jamestown for residential and business purposes; and

WHEREAS, an opportunity has come about for the City to be highlighted and the subject of a studio production of *ViewPoint with Dennis Quaid*, to be broadcast on major networks including CNBC, MSNB, CNN, Discovery Channel, and Fox Business Network, for broadcast in 84 million homes; and

WHEREAS, the City will own any content/footage roll produced of the production of the show; and

WHEREAS, the cost of the City portion of the project will be divided amongst the City, BPU, and Collaborative Children's Solutions; and

RESOLVED, that the Mayor be and she hereby is, authorized to enter into a contract with Pioneer Production Services, LLC. For a production of *Viewpoint with Dennis Quaid* for an amount not to exceed Thirty Thousand Dollars and No Cents (\$30,000.00) subject to the approval of the Corporation Counsel as to form.

- The committee agreed to place the resolution on the April 28, 2025 Voting Session Agenda.

2. WHEREAS Kathy Archer of the Full Strength Coffee Company has gifted the City of Jamestown Police Department Two Hundred Dollars and No Cents (\$200.00) for use by Project Crossroads,

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 Kathy Archer and the employees of Full Strength Coffee Company for the generous donation.

- The committee agreed to place the resolution on the April 28, 2025 Voting Session Agenda.

3. RESOLVED, That the City Comptroller be and hereby is authorized to make the following amendment to the 2024 General Fund Budget to recognize additional Consolidated Local Street and Highway Improvement Program (CHIPS), Pave New York, State Touring Route, Pave Our Potholes and Extreme Winter Recovery funding as follows:

INCREASE:	Appropriations	\$802,800.69
	CHIPS Capital Outlay	
	A.9551.0500	

INCREASE:	Estimated Revenues	\$802,800.69
	State Highway Aid	
	A.0000.3501	

- The committee agreed to place the resolution on the April 28, 2025 Voting Session Agenda.

Informational Report

Public Safety Committee

7:00 p.m., Police Training Room

Resolutions

1. WHEREAS Kathy Archer of the Full Strength Coffee Company has gifted the City of Jamestown Police Department Two Hundred Dollars and No Cents (\$200.00) for use by Project Crossroads,

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 Kathy Archer and the employees of Full Strength Coffee Company for the generous donation.

- This resolution also appears on the Finance Agenda.
- The committee agreed to place the resolution on the April 28, 2025 Voting Session Agenda.

Ordinance/Local Law

2.

LOCAL LAW NO. 1 OF 2025

A LOCAL LAW AUTHORIZING A PROPERTY TAX LEVY IN EXCESS OF THE LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW §3-c

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

Section 1. Legislative Intent: It is the intent of this local law to allow the City of Jamestown to adopt a budget for the fiscal year commencing January 1, 2026 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

Section 2. Authority: This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

Section 3. Tax Levy Limit Override: The City Council of the City of Jamestown, County of Chautauqua, is hereby authorized to adopt a budget for the fiscal year commencing January 1, 2026 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

Section 4. Severability: If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not effect, impair, or invalidate the remainder of this local law, but shall be confined in its operation in the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation in which such judgment or order shall be rendered.

Section 5. Effective date: This local law shall take effect immediately upon the filing with the Secretary of State.

Councilman Dolce noted that this resolution has been passed in the pass. He also reminded councilmembers that just because it is passed, it doesn’t mean we have to utilize it. This is just a protection in anticipation of another difficult budget season.

Councilman Reynolds moved to place the resolution on the voting session agenda, seconded by Councilman Paterniti.

Carried: 3 – 0

3.

LOCAL LAW NO. 2 OF 2025

A LOCAL LAW ELIMINATING RESIDENCY REQUIREMENTS FOR APPOINTED OFFICERS OF THE CITY OF JAMESTOWN

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

Section 1. Legislative Intent: It is the intent of this local law to permit and edit existing Charter language to allow for the appointment of officers of the City of Jamestown to live or maintain residency in Chautauqua County generally or adjoining New York State Counties, subject to the qualifications of Civil Service Law.

Specifically, it is the City's intent to be able to select appointees from the largest available pool of talent, who may or may not reside within the City of Jamestown at this time. It has become harder and harder to find talent for certain appointed positions living within the City. Therefore, the City Council requires Section 10, subsection B of the Charter to be edited as follows, with the bold language being added, and the strikeout language being removed.

Section 2. Authority. Pursuant to t Municipal Home Rule Law a City may change its Charter via Local Law. The City Charter shall provide §C-10 Qualification of Officers

B.

No person shall be appointed to any City office unless he or she is **qualified pursuant to law or civil service for a position and resident of Chautauqua or an adjoining New York State County. Preference for such appointments shall be given to City residents.** a resident of the City or to any district or ward office unless he or she is a resident of the district or ward for which he or she is appointed. Exceptions shall be made subject to the provisions of the Municipal Home Rule Law. When any appointed officer shall cease to be a resident of the City of Jamestown or whenever any appointed ward or district officer shall cease to be a resident of the ward or district for which he or she was appointed, his or her office shall become vacant.

Section 3. Severability: If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not effect, impair, or invalidate the remainder of this local law, but shall be confined in its operation in the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation in which such judgment or order shall be rendered.

Section 4. Effective date: This local law shall take effect immediately upon the filing with the Secretary of State.

Councilman Reynolds explained that the propose language is similar to that of Civil Service, chapter 3. He started to look into this as there are some upcoming department heads that are retiring in the near future. He wanted to start this conversation in the case that the city is not able to fine adequate candidates from inside the City of Jamestown. He noted other municipalities practices with situations such as this. He would rather enact this local law, instead of requesting home rule legislation every time a position needs to be filled with a candidate from outside the city.

Corporation Counsel Raimondo explained that we do have the ability to appoint positions on a case by case basis under home rule legislation, based on the mayor's recommendation. The City Clerk and potentially other appointments may have to be sent to New York State for approval. The mayor would have to recommend, council would have to approve, and sometimes the state must approve the candidate if home rule legislation remains in effect without the local law.

Council President Dolce is leery and is looking to have a way to protect the city. He doesn't want to see employees making large salaries live outside the city. He suggested that councilmembers look this over, talk to Mr. Raimondo, etc. He doesn't see that this needs to be decided in an urgent manner.

Councilman Paterniti asked that as it currently stands, do we require a new department head to move to the city, etc. Councilman Reynolds said that would be up for debate.

Councilman Russell is willing to discuss the proposed local law, but he has always felt strongly that at least the police officers and fire employees live in the city. It makes you have a greater sense of responsibility. He also expressed frustration over the civil service lists with candidates that may have scored higher than a Jamestown resident. He also shares Councilman Reynolds concern about finding the talent needed to fill the positions. There are critical incidents that arise that need immediate response. If the police chief, for example is living two hours away, that could be detrimental to city operations.

Mayor Ecklund is confident that she will be able to find a worthy candidate to fulfill at least the fire chief position with a person who currently lives in the city, or will move into the city within a reasonable time.

Councilman Dolce suggested that members research and talk about this prior to it being added to the agenda.

Informational Report

4. Special Event: Memorial Day Parade, to be held on Monday, May 26, 2025, from 9:00 a.m. until 11:00 a.m. (including set up and tear down). The parade route begins at Baker Park and concludes at the Lakeview Cemetery.
 - The committee approved of the Special Event as presented.
5. Special Event: St. James Italian Festival, to be held on Saturday, July 12, 2025, from 7:00 a.m. until 7:00 p.m. (including set up and tear down), on the corner of Allen and Institute Street.
 - The committee approved of the Special Event as presented.
6. Special Event: World Series of Wheels, to be held on Saturday, July 26, 2025, with a rain date of Sunday, July 27, 2025, from 7:00 a.m. until 5:00 p.m. (including set up and tear down), at Bergman Park.
 - The committee approved of the Special Event as presented.

Councilman Paterniti would like to bring forth a resolution regarding the overpopulation of deer. He has been researching other municipalities and how they handle the situation. The resolution will appear on the next work session agenda.

Resolutions

1. RESOLVED, That the City Comptroller be and hereby is authorized to make the following amendment to the 2024 General Fund Budget to recognize additional Consolidated Local Street and Highway Improvement Program (CHIPS), Pave New York, State Touring Route, Pave Our Potholes and Extreme Winter Recovery funding as follows:

INCREASE:	Appropriations	\$802,800.69
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	A.9551.0500	

INCREASE:	Estimated Revenues	\$802,800.69
	State Highway Aid	
	A.0000.3501	

- This resolution also appears on the Finance Agenda.
- The committee agreed to place the resolution on the April 28, 2025 Voting Session agenda.

Informational Report

Councilman Daversa was happy to announce that hot asphalt mix is being used on E. 2nd street to combat the pot hole problem.

Mayor's Remarks

Mayor Ecklund thanked Crystal Surdyk and Kasie Foulk for formulating an alternative plan to spend down the \$640,000. She also thanked Ericka Thomas, Elliot Raimondo, and Heather Greenfield for their work on the \$1 million FRB grant that has been received. The funding is for the fleet maintenance building.

Executive Session

There was no need for an executive session.

There being no further business, the meeting was adjourned.

Jennifer R. John
City Clerk/Treasurer