

April 28, 2025

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, April 28, 2025 at 7:30 p.m.

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

MEMBERS ABSENT:

OTHERS PRESENT: Mayor Kimberly A. Ecklund, Acting City Clerk/Treasurer Leigh Anne Jordan, Corporation Counsel Elliot Raimondo, Deputy Director of Public Safety Scott Forster, Deputy Fire Chief Matt Coon, Director of Development Crystal Surdyk, Acting Director of Public Works/Acting Director of Parks and Recreation Mark Roetzer, Police Officer Eric Kraft, Administrative Assistant to the Mayor Ashlan Davis.

Council President Anthony Dolce called the meeting to order, led the council in the Pledge of Allegiance. Invocation was provided by Rev. Dr. William Blair of the New Creation Assembly of God Church.

Councilman Sheldon moved to approve the March 31, 2025 voting session minutes.

MESSAGES FROM THE MAYOR

202504A00.01

Council Members:

In pursuance of the authority vested in me by the Charter of said City, I do hereby nominate:

Dewey Jones
6927 Barnes Road
Stockton, New York 14784

to be appointed a member of the Plumbing Board in and for the City of Jamestown, New York.

The term for which said appointment is to be made will expire

December 31, 2027.

Dated: April 28, 2025

April 28, 2025

Council Members:

In pursuance of the authority vested in me by the Charter of said City, I do hereby nominate:

Sean Bernhardt
210 W 6th Street
Jamestown, New York 14701

to be re-appointed a member of the Plumbing Board in and for the City of Jamestown, New York.

The term for which said appointment is to be made will expire
December 31, 2027.

Dated: April 28, 2025

Council Members:

In pursuance of the authority vested in me by the Charter of said City, I do hereby nominate:

Michael T. Rohlin
506 Palmer Street
Jamestown, NY 14701

to be appointed City Historian in and for the City of Jamestown, New York, to succeed Ashley Senske, resigned, to serve at the pleasure of the administration.

Dated: April 28, 2025

Kimberly A. Ecklund
Mayor of the City of Jamestown, New York

A motion to suspend the rules and vote on the appointment was made by Councilman Reynolds.

Carried: 9 – 0

A motion was made to approve the appointment by made by Councilman Daversa.

Carried: 9 – 0

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202504A00.02

The City Clerk/Treasurer read a letter from Mayor Ecklund welcoming Michael Rohlin as the City Historian. Additionally, she extended her well wishes to Robert Bailey as he retired from the Fire Department.

202504A00.03

Mayor Ecklund honored Connor Dean for his five awards in various swimming races at the 2025 New York State Championships. The proclamation is on file with the official copy of these minutes in the City Clerk's Office

OPPORTUNITY FOR PERSONS TO ADDRESS THE COUNCIL

20250AA00.04

Paul Wolfe of 212 Fulton Street, appeared before the City Council to express his desire to empower the police force. Mr. Wolfe believes that lawmakers and citizens have the same interests; a safe place to live, liberty, justice, and freedom. He doesn't feel that justice is currently being served. Lawmakers need to enact local ordinances to give the police their power back. We don't need government money; we just need to do our part.

20250AA00.04

Michael Rohlin of 506 Palmer Street, Jamestown, appeared before the City Council to thank everyone for allowing him to serve as the City Historian. As a history teacher, he knows our rich history and is excited to get to work. He encouraged everyone to let him know what they need or what from him and his service.

FINANCE COMMITTEE

202504A01

BY COUNCILMAN FAULKNER:

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 \$6,629,387.14 accordance with the period ending April 25, 2025 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 \$4,876,257.37 and payrolls in the total amount of \$1,753,129.77 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

202504A02

BY COUNCILMAN FAULKNER:

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.

Failed: 6 – 3 (Sheldon, Paterniti, Reynolds, Faulkner, Daversa, Russell, nay)

202504A03

BY COUNCILMAN FAULKNER:

BOND RESOLUTION, DATED APRIL 28, 2025, AUTHORIZING THE ISSUANCE OF UP TO \$1,650,000 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE CITY OF JAMESTOWN, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF THE CONSTRUCTION, RECONSTRUCTION AND IMPROVEMENT OF CERTAIN FACILITIES OF THE BOARD OF PUBLIC UTILITIES, INCLUDING (I) IMPROVEMENTS TO THE WASTEWATER TREATMENT PLANT AND (II) CONSTRUCTION OF A NEW GASOLINE/DIESEL REFUELING STATION IN AND FOR THE CITY ACTING BY AND THROUGH ITS BOARD OF PUBLIC UTILITIES.

WHEREAS, the City Council of the City of Jamestown (the “City”), located in the County of Chautauqua, State of New York, hereby determines that it is in the public interest of the City to authorize, in accordance with the Local Finance Law, the financing of the costs of the construction, reconstruction and improvement of certain facilities of the Board of Public Utilities including (i) improvements to the wastewater treatment plant (\$900,000) and (ii) construction of a new gasoline/diesel refueling station (\$750,000), in and for the City acting by and through its Board of Public Utilities, for which the City is authorized by statute to expend public funds, at a total cost not to exceed \$1,650,000.

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WHEREAS, the City Council has not taken any action or adopted any local law which would require the effectiveness of this bond resolution be subjected to a permissive or mandatory referendum,

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

Section 1. There is hereby authorized to be issued serial bonds of the City, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$1,650,000, pursuant to the Local Finance Law, in order to finance the costs of the specific objects or purposes, or classes of objects or purposes, as set forth herein (collectively, the "Project").

Section 2. The respective estimated maximum costs of such specific objects or purposes, or class of objects or purposes, the principal amount of serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, for such specific objects or purposes, or class of objects or purpose, and the period of probable usefulness of such specific objects or purposes, or class of objects or purposes, pursuant to the applicable subdivision of paragraph a of Section 11.00 of the Local Finance law, are as follows:

- (A) improvements to the wastewater treatment plant, including any preliminary and incidental costs related thereto, at a total estimated maximum cost of \$1,600,000 for which \$900,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of forty (40) years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of forty (40) years computed from the earlier of (a) the date of the first issue of such serial bonds authorized herein or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds;
- (B) construction of a new gasoline/diesel refueling station, including the decommissioning of the current station and including any preliminary and incidental costs related thereto, at a total estimated maximum cost of \$1,300,000 for which \$750,000 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of thirty (30) years pursuant to subdivision 5 of paragraph a of Section 11.00 of the Local Finance Law and that the period of probable usefulness of the Project is thirty (30) years. Such serial bonds shall have a maximum maturity of thirty (30) years computed from the earlier of (a) the date of the first issue of such serial bonds authorized herein or (b) the date of the first issue of bond anticipation notes issued in anticipation of the issuance of such serial bonds.

Section 3. The City Council has ascertained and hereby states that (a) the estimated maximum costs of the Project are not to exceed \$2,900,000; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the City Council of the

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City plans to finance the costs of the Project from the (i) \$1,650,000 proceeds of the serial bonds or bond anticipation notes authorized herein and (ii) the expenditure of grant in aid monies to be received, which grant monies are hereby appropriated thereof; and (d) the maturity of the obligations authorized herein will be in excess of five (5) years.

Section 4. Subject to the terms and conditions of this resolution and the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00, 56.00 and 60.00, inclusive, of the Local Finance Law, the power to authorize bond anticipation notes in anticipation of the issuance of the serial bonds authorized by this resolution and the renewal of such bond anticipation notes and the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes authorized by this resolution, and the power to issue, sell and deliver such serial bonds and bond anticipation notes are hereby delegated to the City Comptroller, as the chief fiscal officer of the City, including whether to issue such serial bonds or bond anticipation notes at public or private sale. The City Comptroller is hereby authorized to execute on behalf of the City all serial bonds issued pursuant to this resolution and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the City Clerk is hereby authorized to affix the seal of the City to all such serial bonds and all such bond anticipation notes and to attest such seal. The City Comptroller is further delegated with the power to determine whether to issue and sell such bonds to the United States Department of Agriculture and/or the New York State Environmental Facilities Corporation, whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the Comptroller, providing for the manual countersignature of a fiscal agent or of a designated official of the Comptroller), the date, denominations, maturities and interest payment dates, place or places of payment, and also including the consolidation with other issues. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Comptroller shall determine consistent with the provisions of the Local Finance Law.

Section 5. The power to issue and sell notes to the New York State Environmental Facilities corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Comptroller. Such notes shall be of such terms, form and contents as may be prescribed by said Comptroller consistent with the provisions of the Local Finance Law.

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Section 6. The Comptroller is hereby further authorized, at his or her sole discretion, to execute a project finance agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, if applicable, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 2 hereof, or a portion thereof, by a bond, and/or note issue of said City in the event of the sale of same to the New York State Environmental Facilities Corporation. The Comptroller is further delegated the power to submit any applications, documents and/or financial and statistical data as may be required, to EFC to effectuate the financing of serial bonds and/or bond anticipation notes through the EFC's Clean Water State Revolving Fund Program.

Section 7. The faith and credit of the City is hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this resolution as the same shall become due. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 8. When this resolution takes effect, the City Clerk shall cause the same to be published together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in the Post Journal, a newspaper having a general circulation in the City. The validity of the serial bonds authorized by this resolution and of bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or the provisions of law which should be complied with as of the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State.

Section 9. The Board of Public Utilities (BPU) shall act as Lead Agency with respect to the environmental review of the Project. Prior to the issuance of obligations authorized to be issued by this resolution, the BPU shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the "environmental compliance proceedings"). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this resolution, the City Council of the City will re-adopt, amend or modify this resolution prior to the issuance of obligations authorized to be issued herein upon the advice of bond counsel.

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Section 10. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 11. The City hereby declares its intention to issue the obligations authorized herein to finance the costs of the Project. The City covenants for the benefit of the holders of the obligations authorized herein that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations or any other funds of the City, and will not make any use of the facilities financed with the proceeds of such obligations which would cause the interest on such obligations to become subject to Federal income taxation under the Internal Revenue Code of 1986, as amended (the "Code") (except for the alternative minimum tax imposed on corporations by section 55 of the Code and except for the environmental tax imposed on corporations by section 59A of the Code), or subject the City to any penalties under section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or any facilities financed thereby if such action or omission would cause the interest on such obligations to become subject to Federal income taxation under the Code (except for the alternative minimum tax imposed on corporations by section 55 of the Code and except for the environmental tax imposed on corporations by section 59A of the Code) or subject the City to any penalties under section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of the bonds or any other provisions hereof until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the City made for such purpose on or after a date which is not more than one year prior to the date of adoption of this resolution by the City.

Section 12. For the benefit of the holders and beneficial owners from time to time of the bonds and bond anticipation notes authorized pursuant to this resolution (the "obligations"), the City agrees, in accordance with and as an obligated person with respect to the obligations, under Rule 15c 2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the "Rule"), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the Rule. In order to describe and specify certain terms of the City's continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the City Comptroller is authorized and directed to sign and deliver, in the name and on behalf of the City, the commitment authorized by subsection 6 (c) of the Rule (the "Commitment") to be placed on file with the City Clerk, which shall constitute the continuing disclosure agreement made by the City for the benefit of holders and beneficial owners of the obligations in accordance with the Rule, with any changes or amendments that are not inconsistent with this resolution and not substantially adverse to the City and that are approved by the City Comptroller on behalf of the City, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed, collectively, by this paragraph and the Commitment, shall be the City's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the City would be required to incur to perform thereunder. The City Comptroller is further authorized and directed to establish procedures in order to ensure compliance

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by the City with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the City Comptroller shall consult with, as appropriate, the City attorney and bond counsel or other qualified independent special counsel to the City. The City Comptroller acting in the name and on behalf of the City shall be entitled to rely upon any legal advice provided by the City attorney or such bond counsel or other special counsel in determining whether a filing should be made.

Section 13. This resolution shall take effect immediately upon its adoption by the City Council of the City.

Carried: 9 – 0

202504A04

BY COUNCILMAN FAULKNER:

BOND RESOLUTION, DATED APRIL 28, 2025, AUTHORIZING THE ISSUANCE OF UP TO \$27,643,347 AGGREGATE PRINCIPAL AMOUNT SERIAL BONDS OF THE CITY OF JAMESTOWN, NEW YORK, PURSUANT TO THE LOCAL FINANCE LAW, TO FINANCE THE COSTS OF THE CONSTRUCTION OF A NEW PUMP HOUSE STATION IN AND FOR THE CITY ACTING BY AND THROUGH ITS BOARD OF PUBLIC UTILITIES.

WHEREAS, the City Council of the City of Jamestown (the “City”), located in the County of Chautauqua, State of New York, hereby determines that it is in the public interest of the City to authorize, in accordance with the Local Finance Law, the financing of the costs of the construction of a new pump house station in and for the City acting by and through its Board of Public Utilities for which the City is authorized by statute to expend public funds, at a total cost not to exceed \$27,643,347.

WHEREAS, the City Council has not taken any action or adopted any local law which would require the effectiveness of this bond resolution be subjected to a permissive or mandatory referendum.

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

Section 1. There is hereby authorized to be issued serial bonds of the City, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, in the aggregate principal amount not to exceed \$27,643,347, pursuant to the Local Finance Law, in order to finance the costs of the specific objects or purposes, or classes of objects or purposes, as set forth herein (collectively, the “Project”).

Section 2. The respective estimated maximum costs of such specific objects or purposes, or class of objects or purposes, the principal amount of serial bonds authorized herein, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, for such specific objects or purposes, or class of objects or purpose, and the period of probable usefulness of such specific objects or purposes, or class of objects or purposes, pursuant to the applicable subdivision of paragraph a of Section 11.00 of the Local Finance law, are as follows:

(A) the construction of a new pump house station, including installation of new horizontal split case pumps and multistage vertical pumps, new plumbing (pipes, valves, check valves, flowmeters, pressure gauges) and pump controls using VFDs, relocation of fluoride tank and treatment, installation of new hydrochlorite generation system, new generator and electrical service, construction of a new raw water storage tank and demolition of existing tank, installation of new water transmission mains, and including any preliminary and incidental costs related thereto, at a total estimated maximum cost of \$27,643,347 for which \$27,643,347 principal amount of serial bonds, and/or bond anticipation notes issued in anticipation of the issuance of such serial bonds, are authorized herein and appropriated therefore, having a period of probable usefulness of forty (40) years pursuant to subdivision 1 of paragraph a of Section 11.00 of the Local Finance Law. Such serial bonds shall have a maximum maturity of forty (40) years computed from the earlier of (a) the date of the first issue of such serial bonds authorized

Section 3. The City Council has ascertained and hereby states that (a) the estimated maximum costs of the Project are not to exceed \$27,643,347; (b) no money has heretofore been authorized to be applied to the payment of the costs of the Project; (c) the City Council of the City plans to finance the costs of the Project from the \$27,643,347 proceeds of the serial bonds or bond anticipation notes authorized herein, except to the extent of Federal or State aid received by the City which shall reduce the principal amount of such serial bonds or bond anticipation notes *pro tanto*; and (d) the maturity of the obligations authorized herein will be in excess of five (5) years.

Section 4. Subject to the terms and conditions of this resolution and the Local Finance Law, and pursuant to the provisions of Sections 21.00, 30.00, 50.00, 56.00 and 60.00, inclusive, of the Local Finance Law, the power to authorize bond anticipation notes in anticipation of the issuance of the serial bonds authorized by this resolution and the renewal of such bond anticipation notes and the power to prescribe the terms, form and contents of such serial bonds and such bond anticipation notes authorized by this resolution, and the power to issue, sell and deliver such serial bonds and bond anticipation notes are hereby delegated to the City Comptroller, as the chief fiscal officer of the City, including whether to issue such serial bonds or bond anticipation notes at public or private sale. The City Comptroller is hereby authorized to execute on behalf of the City all serial bonds issued pursuant to this resolution and all bond anticipation notes issued in anticipation of the issuance of such serial bonds, and the City Clerk is hereby authorized to affix the seal of the City to all such serial bonds and all such bond anticipation notes and to attest such seal. The City Comptroller is further delegated with the power to determine whether to issue and sell such bonds to the United States Department of Agriculture and/or the New York State Environmental Facilities Corporation, whether to issue such bonds having substantially level or declining annual debt service and all matters related thereto, prescribing whether manual or facsimile signatures shall appear on said bonds, prescribing the method for the recording of ownership of said bonds, appointing the fiscal agent or agents for said bonds, providing for the printing and delivery of said bonds (and if said bonds are to be executed in the name of the City by the facsimile signature of the Comptroller, providing for the manual countersignature of a fiscal agent or of a designated official of the Comptroller), the date, denominations, maturities and interest payment dates, place or places of

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payment, and also including the consolidation with other issues. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Comptroller shall determine consistent with the provisions of the Local Finance Law.

Section 5. The power to issue and sell notes to the New York State Environmental Facilities corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Comptroller. Such notes shall be of such terms, form and contents as may be prescribed by said Comptroller consistent with the provisions of the Local Finance Law.

Section 6. The Comptroller is hereby further authorized, at his or her sole discretion, to execute a project finance agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, if applicable, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific object or purpose described in Section 2 hereof, or a portion thereof, by a bond, and/or note issue of said City in the event of the sale of same to the New York State Environmental Facilities Corporation. The Comptroller is further delegated the power to submit any applications, documents and/or financial and statistical data as may be required, to EFC to effectuate the financing of serial bonds and/or bond anticipation notes through the EFC's Clean Water State Revolving Fund Program.

Section 7. The faith and credit of the City is hereby and shall be irrevocably pledged for the punctual payment of the principal of and interest on all obligations authorized and issued pursuant to this resolution as the same shall become due. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall annually be levied on all the taxable real property of said City a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 8. When this resolution takes effect, the City Clerk shall cause the same to be published together with a notice in substantially the form prescribed by Section 81.00 of the Local Finance Law in the Post Journal, a newspaper having a general circulation in the City. The validity of the serial bonds authorized by this resolution and of bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if such obligations are authorized for an object or purpose for which the City is not authorized to expend money, or the provisions of law which should be complied with as of the date of the publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or if such obligations are authorized in violation of the provisions of the Constitution of the State.

Section 9. The Board of Public Utilities (BPU) shall act as Lead Agency with respect to the environmental review of the Project. Prior to the issuance of obligations authorized to be issued by this resolution, the BPU shall comply with all applicable provisions prescribed in Article 8 of the Environmental Conservation Law, all regulations promulgated thereunder by the New York State

Department of Environmental Conservation, and all applicable Federal laws and regulations in connection with environmental quality review relating to the Project (collectively, the “environmental compliance proceedings”). In the event that any of the environmental compliance proceedings are not completed, or require amendment or modification subsequent to the date of adoption of this resolution, the City Council of the City will re-adopt, amend or modify this resolution prior to the issuance of obligations authorized to be issued herein upon the advice of bond counsel.

Section 10. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150 - 2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 11. The City hereby declares its intention to issue the obligations authorized herein to finance the costs of the Project. The City covenants for the benefit of the holders of the obligations authorized herein that it will not make any use of the proceeds of such obligations, any funds reasonably expected to be used to pay the principal of or interest on such obligations or any other funds of the City, and will not make any use of the facilities financed with the proceeds of such obligations which would cause the interest on such obligations to become subject to Federal income taxation under the Internal Revenue Code of 1986, as amended (the “Code”) (except for the alternative minimum tax imposed on corporations by section 55 of the Code and except for the environmental tax imposed on corporations by section 59A of the Code), or subject the City to any penalties under section 148 of the Code, and that it will not take any action or omit to take any action with respect to such obligations, the proceeds thereof or any facilities financed thereby if such action or omission would cause the interest on such obligations to become subject to Federal income taxation under the Code (except for the alternative minimum tax imposed on corporations by section 55 of the Code and except for the environmental tax imposed on corporations by section 59A of the Code) or subject the City to any penalties under section 148 of the Code. The foregoing covenants shall remain in full force and effect notwithstanding the defeasance of the bonds or any other provisions hereof until the date which is sixty (60) days after the final maturity date or earlier prior redemption date thereof. The proceeds of any obligations authorized herein may be applied to reimburse expenditures or commitments of the City made for such purpose on or after a date which is not more than one year prior to the date of adoption of this resolution by the City.

Section 12. For the benefit of the holders and beneficial owners from time to time of the bonds and bond anticipation notes authorized pursuant to this resolution (the “obligations”), the City agrees, in accordance with and as an obligated person with respect to the obligations, under Rule 15c 2-12 promulgated by the Securities Exchange Commission pursuant to the Securities Exchange Act of 1934 (the “Rule”), to provide or cause to be provided such financial information and operating data, financial statements and notices, in such manner, as may be required for purposes of the Rule. In order to describe and specify certain terms of the City’s continuing disclosure agreement for that purpose, and thereby to implement that agreement, including provisions for enforcement, amendment and termination, the City Comptroller is authorized and directed to sign and deliver, in the name and on behalf of the City, the commitment authorized by subsection 6 (c) of the Rule (the “Commitment”) to be placed on file with the City Clerk, which shall constitute the continuing disclosure agreement made by the City for the benefit of holders and beneficial owners

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of the obligations in accordance with the Rule, with any changes or amendments that are not inconsistent with this resolution and not substantially adverse to the City and that are approved by the City Comptroller on behalf of the City, all of which shall be conclusively evidenced by the signing of the Commitment or amendments thereto. The agreement formed, collectively, by this paragraph and the Commitment, shall be the City's continuing disclosure agreement for purposes of the Rule, and its performance shall be subject to the availability of funds and their annual appropriation to meet costs the City would be required to incur to perform thereunder. The City Comptroller is further authorized and directed to establish procedures in order to ensure compliance by the City with its continuing disclosure agreement, including the timely provision of information and notices. Prior to making any filing in accordance with the agreement or providing notice of the occurrence of any material event, the City Comptroller shall consult with, as appropriate, the City attorney and bond counsel or other qualified independent special counsel to the City. The City Comptroller acting in the name and on behalf of the City shall be entitled to rely upon any legal advice provided by the City attorney or such bond counsel or other special counsel in determining whether a filing should be made.

Section 13. This resolution shall take effect immediately upon its adoption by the City Council of the City.

Carried: 9 – 0

202504A05

BY COUNCILMAN FAULKNER:

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 and No Cents (\$100,000.00) be placed without prior approval of the City Council of Jamestown, New York; and

WHEREAS, Dylan Monroe of Monroe & More, LLC submitted an amended application to the Jamestown Local Development Corporation for a loan of Three Hundred Fifty Thousand Dollars and No Cents (\$350,000.00) through the Jobs and Private Investment Loan Program (Tier II) as part of a Seven Hundred Twenty-One Thousand, Four Hundred Sixty-Four Dollars and No Cents (\$721,464.00) project to purchase Equipment & Machinery for the purpose of expanding business capabilities and services; and

WHEREAS, the Board of Directors of the Jamestown Local Development Corporation, at its meeting held on April 16, 2025, gave preliminary approval for the loan to Monroe & More, LLC of Three Hundred Fifty Thousand Dollars and No Cents (\$350,000.00) at a 5.0% rate of interest for a twenty (20) year term subject to the ratification by a majority vote of the City Council of Jamestown, New York; now therefore be it

April 28, 2025

RESOLVED, that the Jamestown City Council hereby approves the Jamestown Local Development Corporation loan to Monroe & More, LLC in the amount of Three Hundred Fifty Thousand Dollars and No Cents (\$350,000.00) at a 5.0% rate of interest for a twenty (20) year term with collateral being a first lien position on Machinery & Equipment, Accounts Receivable and all assets of the company, and a personal guarantee by Dylan Monroe.

Carried: 9 – 0

202504A06

BY COUNCILMAN FAULKNER:

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.

Carried: 9 – 0

202504A07

BY COUNCILMAN FAULKNER:

WHEREAS, The Jamestown City Code Section 219-9 B. states “Failure of the person to make payment within 15 days of the date of service of a violation ticket shall result in doubling the penalty amount. If the violation remains, an appearance ticket will be issued resulting in a court appearance date and;

WHEREAS 219-9 B. shall be amended to remove “If the violation remains, an appearance ticket will be issued resulting in a court appearance and;

WHEREAS, 219-9 F. will be added to include “If the violation remains, an appearance ticket will be issued resulting in a court appearance date”; and now therefor be it

RESOLVED, that the Mayor be and is hereby authorized and directed to update the Jamestown City Code 219 Quality of Life Ticketing

Carried: 9 – 0

April 28, 2025

202504A11

BY COUNCILMAN SHELDON:

RESOLVED, That the Mayor be and she hereby is authorized to execute an agreement R. Patti Concrete Excavating, LLC, P.O. Box 3081, Jamestown, NY 14701 for Street Reconstruction 2025: Hall Avenue from Third St. to Harding Ave.

2400 SF 4" Flatwork @ \$15.50 SF
1200 SF 6" Flatwork @ \$16.00 SF
1000 LF Curb/Gutter In-Kind at \$115.00 LF
185 SY Brick Replacement at \$270.00 SY
2 EA Drain Pipe @ \$200.00 ea.
10 CY Additional Excavation @ \$0.00
270 SF/2" lift Warm Mix Asphalt 12.5mm binder @ \$15.00 / SF/2" Lift
1 Lump Sum Landscape Restoration @ \$8,000.00

for a total bid amount of Two Hundred Thirty-Three, Thousand Eight Hundred Dollars and No Cents (\$233,800.00), subject to the approval of the Corporation Counsel as to form. The project will be funded through CHIPs funds.

Carried: 9 – 0

202504A12

BY COUNCILMAN SHELDON:

RESOLVED, That the Mayor be and she hereby is authorized to execute an agreement with Elistac, Inc. of Castile, NY, for Composite Decking and Accessories – McCrea Point:

157 EA 12' Composite Decking System @ \$42.82 EA
150 EA 16' Composite Decking System @ \$57.59 EA
468 EA 20' Composite Decking System @ \$68.82 EA
12 EA 2-3/8" Exterior Coated Trimhead Hidden Edge Dock Screws @ \$144.99 EA
3 EA CAMO Marksman Pro-X1 – Hidden Deck Fastener Installation Tool @ \$54.99 EA
2 EA CAMO Lever Deck Board Bending and Locking Tool @ \$336.00 EA

for a total bid amount of Fifty Thousand, One Hundred Forty-Five Dollars and Eight-Five Cents (\$50,145.85) subject to the approval of the Corporation Counsel as to form. The project will be funded through ARPA.

Councilman Daversa noted that the current decking at McCrea Point has become hazardous. The new decking will be a welcome addition to the park.

Carried: 9 – 0

April 28, 2025

202504A13

BY COUNCILMAN SHELDON:

RESOLVED that the Mayor and Mark Roetzer, Jr., P.E., Acting Director of Public Works and Acting Director of Parks, Recreation & Conservation, be and they hereby are authorized and directed to purchase for the Streets Division of the Department of Public Works, from Joe Basil Chevrolet, Inc., 5111 Transit Rd., Depew, NY 14043 “piggy-backing” on Erie County Contract # 240059-00, paid from H.9551.0400.0019 Capital Account, a 2025 Chevrolet Silverado 3500 4WD Reg Cab Work Truck to replace DPW Dump/Plow number 61, for a total amount not to exceed Sixty-Nine Thousand, Four Hundred Sixty-Four Dollars and No Cents (\$69,464.00) subject to approval of the Corporation Counsel as to form.

Carried: 6 – 3 (Paterniti, Bonfiglio, Daversa)

202504A14

BY COUNCILMAN SHELDON:

RESOLVED, That the Mayor be, and she hereby is, authorized and directed to enter into a contractual agreement with Stantec, Inc. for the drafting and delivery of a Safe Streets for All (SS4A) Action Plan for the City of Jamestown, New York, utilizing Federal Highway Administration funds, in an amount not to exceed Two Hundred Seventy-Five Thousand Dollars and No Cents (\$275,000.00).

Carried: 9 – 0

202504A15

BY COUNCILMAN SHELDON:

RESOLVED, that the Director of Public Works be and he hereby is authorized to enter into an agreement with United Survey, Inc., 25145 Broadway Ave., Oakwood Village, OH 44146 to contract sewer slip lining services for work to the city’s storm sewer, piggybacking off the agreement between Erie County, NY and United Survey, Inc., for a cost to not exceed One Hundred Forty Thousand Dollars and No Cents (\$140,000.00). Said agreement subject to approval of the Corporation Counsel as to form.

Carried: 9 – 0

April 28, 2025

202504A16

BY COUNCILMAN SHELDON:

RESOLVED, That the Mayor be and she hereby is authorized to execute an agreement with S. Tabone Construction Fredonia, NY 14063 for Street Reconstruction 2025: Clinton Street from Third St. to Fourth Street:

100 SY Production Cold Milling @ \$20.00 SY
25 SY Misc. Cold Milling @ \$26.00 SY
10 GAL Tack Coat @ \$25.02 GAL
10 TON Warm Asphalt 9.5 mm top Course @ \$470.00 TON
30 LF Joint Sealant @ \$16.66 LF
8 EA 24" x 30" ADA Cast Iron Detectable Warning Plates @ \$300.00 EA 1200 SF 4" Flatwork @ \$14.50 SF
425 SF 6" Flatwork @ \$15.50 SF
300 SF/2" Lift 12 mm binder Warm Mix Asphalt @ \$12.00 SF
520 LF/18" concrete Curb & Gutter incl 18" wide street repair @ \$95.00 LF 100 SY Brick Pavement repair @ \$255.00 SY
10 CY Additional Excavation @ \$0.00
10 LF Terrace Steps @ \$35.00 LF
1 EA Drain Pipe @ \$200.00 EA
1 Lump Sum Landscaping Restoration @ \$8,000.00

for a total bid amount of One Hundred Twenty-One Thousand, Five Hundred Thirty-Seven Dollars and Fifty Cents (\$121,537.50), subject to the approval of the Corporation Counsel as to form. The project will be funded through CHIPS funds.

Carried: 9 – 0

202504A17

BY COUNCILMAN SHELDON:

WHEREAS, Suit-Kote Corporation has agreed to donate all materials and manpower required to perform crack sealing and micro-paving on the Soap Box Derby track at the City of Jamestown Russell E. Diethrick, Jr. Park, valued at Four Thousand Dollars and No Cents (\$4,000.00); and

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 Suit-Kote Corporation for their generous donation.

Carried: 9 – 0

April 28, 2025

PUBLIC SAFETY

202504A18

BY COUNCILMAN REYNOLDS:

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, 2025 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.

The Local Law will be automatically tabled for thirty days

April 28, 2025

202504A19

BY COUNCILMAN PATERNITI:

RESOLVED, That Fire Investigators Andrew Caruso, Ryan Saunders, Jesus Garcia, Emily Webster, and Detectives Rex Goot and Courtney Schauman be and they are hereby authorized to attend the International Association of Arson Investigators Annual Fire/Arson Investigation Seminar, to be held at The Saratoga Hilton, 534 Broadway, Saratoga Springs, New York, 12866 beginning Wednesday, May 7, 2025 and concluding on Friday, May 9, 2025, with fees and expenses paid pursuant to Section 77-b of the General Municipal Laws of the State of New York.

Carried: 9 – 0

PUBLIC WORKS

202504A20

BY COUNCILWOMAN BRACKMAN:

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.

One (1) Principal Engineering Aide in the Department of Public Works. This position is vacant as the result of a recent employee resignation.

Carried: 9 – 0

REPORTS FROM COUNCILMEMBERS ON ADMINISTRATIVE BOARDS

Councilman Paterniti noted that the site plan was approved for the new St. Susan Center at the last Planning Commission meeting. It will be moving forward with great anticipation.

April 28, 2025

NEW BUSINESS

202504A21

BY COUNCILMAN SHELDON:

WHEREAS, the City of Jamestown and the Kendall Club Police Benevolent Association, Inc., through negotiations arrived at the terms of a tentative collective bargaining agreement running from January 1, 2025- December 31, 2028 which was presented to and ratified by the Union membership, and

WHEREAS, the City Council has, after much deliberation and discussion, considered all the terms contained within the tentative agreement, now therefore, be it

RESOLVED, that the Mayor is authorized and directed to enter into a labor agreement with the Kendall Club PBA for the years, 2025, 2026, 2027, and 2028, be and hereby ratified and approved, subject to the approval of the Corporation Counsel as to form.

Councilman Reynolds and Councilman Russell recused themselves from the vote as they are both retired police officers and members of the Kendall Club PBA.

Councilman Sheldon moved recuse Councilman Reynolds and Councilman Russell.

Carried: 9 – 0

Vote on the resolution

Carried: 7 – 0 (Reynolds, Russell recused)

Councilman Russell read a statement congratulating the Mayor, her team, and the negotiations committee for the work done on the Kendall Club contract. He appreciates the work the police officers do on a daily basis. He would like to restart the conversation on the consolidating of police services, due to rising costs and tax increases. Providing the services is becoming unsustainable. If Jamestown, Dunkirk, Fredonia, and other smaller towns and villages wish to remain successful, we must work together and consolidate police services.

Councilman Reynolds supported Councilman Russell's statements. It's time to move forward with consolidation.

There being no further business, the meeting was adjourned.

Leigh Anne Jordan Acting City Clerk/ Treasurer