

# Agenda

# Jamestown City Council

March 30, 2020

7:30 P.M.

Council Chambers, Second Floor  
Municipal Building, Jamestown, New York

**\*Due the NYS Public Health State of Emergency, no public will be allowed. Event will be transcribed and live streamed at [www.jamestownny.net/live](http://www.jamestownny.net/live). All public comments should be submitted in writing by 5PM day before the meeting via USPS mail or email to [Clerk@CityofJamestownNY.com](mailto:Clerk@CityofJamestownNY.com).**

## STANDING COMMITTEES

### Finance, et. al., Committee

1. Resolution           authorizing payment of the regular audit.
  
2. Resolution           suspending the hiring freeze and authorizing the filling of one (1) full-time Police Officer in the Jamestown Police Department (funded in the 2020 General Fund Budget).  
  
Note: This position is vacant due to a lateral transfer to an outside agency.
  
3. Resolution           authorizing DPW Street and Sewer Supervisor, Allen Spunaugle, to attend the 2020 Western New York Safety Conference to be held on September 23<sup>rd</sup> and 24<sup>th</sup>, 2020, with expenses paid pursuant to Section 77-b of the General Municipal Law.  
  
Please note: the conference was originally scheduled for April 1<sup>st</sup> and 2<sup>nd</sup>, 2020 and was rescheduled due to the Public Health State of Emergency.
  
4. Resolution           authorizing the Mayor to request Home Rule Legislation from New York State Senator George Borrello and New York State Assemblyman Andrew Goodell related to increasing the fee for Vital Statistic records from \$10.00 to \$30.00.
  
5. Resolution           authorizing the temporary freeze of loan payments to the JLDC from various city businesses through May 30, 2020 when regular payments will resume.
  
6. Resolution           authorizing the Mayor and Director of Public Works and Acting Director of Parks, Recreation and Conservation, to purchase one (1) new 2020 John Deere 1550 front mower from LandPro Equipment,

1756 Lindquist Drive, Falconer, NY 14733 in an amount not to exceed Ten Thousand, Four Hundred Fifty Dollars (\$10,450.00).

Note: Price includes trade in value of Eleven Thousand, Eight Hundred Dollars (\$11,800.00) for a 2015 John Deere Mower.

### Finance, et. al., Committee (cont)

7. Resolution authorizing the Mayor and Director of Public Works and Acting Director of Parks, Recreation and Conservation, to purchase one (1) new 2020 John Deere 1550 front mower from LandPro Equipment, 1756 Lindquist Drive, Falconer, NY 14733 in an amount not to exceed Six Thousand, Eight Hundred Dollars (\$6,800.00).

Note: Price includes trade in value of Sixteen Thousand, Dollars (\$16,000.00) for a 2013 John Deere mower.

8. Resolution authorizing the Mayor and Director of Public Works and Acting Director of Parks, Recreation and Conservation, to purchase one (1) 2011 Ford F-550 tow truck from Ed Shults Ford, 2253 Washington Street, Jamestown, NY 14701, in an amount not to exceed Thirty-Seven Thousand, Five Hundred Dollars, (\$37,500.00).

9. Resolution authorizing the Mayor to execute an agreement with The L.C. Whitford Co., Inc. for the Steele Street Culvert Rehabilitation Project in an amount not to exceed One Hundred Ninety-Two Thousand, Eight Hundred Eighty-Seven Dollars (\$192,887.00).

Note: This project will be paid through the Bridge NY program.

10. Resolution authorizing the Mayor to execute an agreement with R. Patti Concrete & Excavating, LLC, P. O. Box 3081 Jamestown, NY in for the 2020 Streetscape Reconstruction Van Buren Street, Prendergast Avenue to Lakeview Avenue in an amount not to exceed Ninety-Six Thousand, Eight Hundred Fifteen Dollars and Fifty Cents (\$96,815.50).

Note: This project twill be paid through Community Development Block Grant funds.

11. Resolution authorizing the payment of Claim authorizing the payment of claim number 14 of 2018 to Steven Raymond Michelson, Jr. of 341 Crossman Street, Jamestown, New York 14701 in the amount of One Thousand Dollars (\$1,000.00).

### Public Works, et. al., Committee

12. Resolution authorizing the Mayor and Director of Public Works to enter into an agreement with Stark ESCo, Southern Tier/ Western NY, 2663 Third Avenue, Falconer, NY 14733 for further definition of mechanical and electrical system upgrades at City facilities, including, but not limited to City Hall in an amount not to exceed Twenty Three Thousand, Four Hundred Dollars (\$23,400.00)

Public Safety, et. al., Committee

New Business

***COUNCIL MEMBERS: PLEASE CONTACT THE COUNCIL PRESIDENT OR CITY CLERK IF UNABLE TO ATTEND THE WORK SESSION AT 7:00, OR THE REGULAR MEETING AT 7:30 P.M.***

BY COUNCILMEMBER:

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 resolution number 200611B17 and authorized the filling of the following position due to the essential nature of the position.

- One (1) Police Officer in the Jamestown Police Department (Funded in the 2020 General Fund Budget).
- This position is vacant due to a lateral transfer to an outside agency.

BY COUNCILMEMBER

RESOLVED, that Allen Spunaugle, DPW Street and Sewer Supervisor, be and he hereby is authorized to attend the 2020 Western NY Safety Conference, to be held September 23<sup>rd</sup> and 24<sup>th</sup>, 2020 in Niagara Falls, NY, with expenses paid pursuant to Section 77-b of the General Municipal Law.

BY COUNCILMEMBER:

WHEREAS, the State of New York currently charges thirty dollars (\$30) for producing certified copies of birth and death certificates to those individuals who were born or die in New York State, and

WHEREAS, currently Monroe County, Onondaga County, Chemung County, Tompkins County the City of Oswego and the City of Utica have received home rule legislation allowing them to charge up to the amount received by the New York Commissioner of Health pursuant to law for producing certified copies of birth and death certificates as well as ancillary services including priority handling, internet and telephone orders to those individuals who were born or die within their respective municipalities, and

WHEREAS, the City of Jamestown desires to charge up to the amount received by the New York State Commissioner of Health pursuant to law and the municipalities noted above charge for producing certified copies of birth and death certificates as well as ancillary services including priority handling, internet and telephone orders to those individuals who were born or died within the City of Jamestown, and

WHEREAS, the City of Jamestown desires the enactment of home rule legislation allowing them to charge up to the amount received by the New York State Commissioner of Health pursuant to law for producing certified copies of birth and death certificates as well as ancillary services including priority handling, internet and telephone orders to those individuals who were born or die within the City of Jamestown, and

WHEREAS, the City of Jamestown has prior passed resolutions in support of this request in 2013 and 2014, under Resolution 201312A11 and Resolution 201402A12, respectively, now therefore be it

RESOLVED, That the Mayor be and he hereby is authorized and directed to request home rule legislation from New York State Senator George Borrello and New York State Assemblyman Andrew Goodell related to the above referenced matter.

BY COUNCILMEMBER:

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, the Jamestown Local Development Corporation has approved eleven loans to Jamestown business owners since 2015, those eleven being; Gialy's LLC, Jamestown Rental Properties, LLC, Nouveau, Nate Enterprises, LLC, Crown Street Roasting Company, LLC, Shults Real Estate, LLC, International Ordinance Technologies, Thurston Development, Inc., HH Jamestown, LLC, Jamestown Brewing Company, Inc., and Chop House on Main, and

WHEREAS, all eleven borrowers of Jamestown Local Development Corporation loans have maintained a current status on their repayment balance, and

WHEREAS, complications caused by the unprecedented public health concerns revolving around corona virus (COVID-19) has led to financial uncertainties for these eleven borrowers of Jamestown Local Development Corporation loans, and

WHEREAS, On March 16, 2020, Mayor of Jamestown, Edward A. Sundquist, declared a State of Emergency in the City of Jamestown effective at 9:00AM on Tuesday, March 17, 2020, for a period not to exceed thirty (30) days or until rescinded, whichever occurs first; and now therefore be it

RESOLVED, as of Wednesday, March 18, 2020, all loan payments due to the Jamestown Local Development Corporation by Gialy's LLC, Jamestown Rental Properties, LLC, Nouveau, Nate Enterprises, LLC, Crown Street Roasting Company, LLC, Shults Real Estate, LLC, International Ordinance Technologies, Thurston Development, Inc., HH Jamestown, LLC, Jamestown Brewing Company, Inc., and Chop House on Main will be placed on a temporary freeze through May 30, 2020, when regular payments will resume, due on the next payment date set by the terms of each respective loan, with no added interest or penalty and an extended two month term on their loan, and be it further

RESOLVED, the temporary freeze of loan payments will be reassessed as the State of Emergency continues to determine if a longer term of non-payment of loans is necessary.

03/30/2020 Resolution #06

BY COUNCILMEMBER:

RESOLVED that the Mayor and Jeffrey Lehman, P.E., Director of Public Works and Acting Director of Parks, Recreation & Conservation, be and they hereby are authorized and directed to purchase, from LandPro Equipment, 1756 Lindquist Drive, Falconer, NY 14733-9720 via bid #PC68131, one (1) new 2020 John Deere 1550 front mower, for a total amount not to exceed Ten Thousand, Four Hundred Fifty Dollars (\$10,450.00), subject to approval of the Corporation Counsel as to form.

Note: Price includes trade in value of Eleven Thousand, Eight Hundred Dollars (\$11,800.00) of 2015 John Deere mower.

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BY COUNCILMEMBER:

RESOLVED that the Mayor and Jeffrey Lehman, P.E., Director of Public Works and Acting Director of Parks, Recreation & Conservation, be and they hereby are authorized and directed to purchase, from LandPro Equipment, 1756 Lindquist Drive, Falconer, NY 14733-9720 via bid #PC68131, one (1) new 2020 John Deere 1551 front mower, for a total amount not to exceed Six Thousand Eight Hundred Dollars (\$6,800.00), subject to approval of the Corporation Counsel as to form.

Note: Price includes trade in value of Sixteen Thousand Dollars (\$16,000.00) of one (1) 2013 John Deere 1600 mower.

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BY COUNCILMEMBER:

RESOLVED that the Mayor and Jeffrey Lehman, P.E., Director of Public Works and Acting Director of Parks, Recreation & Conservation, be and they hereby are authorized and directed to purchase, from Ed Shults Ford, 2253 Washington Street, Jamestown, NY 14701, one (1) 2011 Ford F-550 with Jerr Dan aluminum rollback body, for a total amount not to exceed Thirty-Seven Thousand, Five Hundred Dollars (\$37,500.00), subject to approval of the Corporation Counsel as to form.

BY COUNCILMEMBER:

RESOLVED, That the bid submitted by **The L.C. Whitford Co., Inc.** 164 N. Main Street, Wellsville, NY 14895 for **Steele Street Culvert Rehabilitation 2020**, based on the bid opened March 18, 2020, in the following amounts, be and the same hereby is accepted:

1 LS Clearing and Grubbing at \$6,000 per LS  
3 CY Unclassified Excavation and Disposal at \$400.00 per CY  
3 CY Embankment in Place at \$400.00 per CY  
1 LS Furnishing Grouting Equipment at \$10,000 per LS  
1 CY Sand for Subsurface Grouting at \$400.00 per CY  
65 EA Subsurface Grouting at \$250.00 per EA  
20 CY Trench and Culvert Excavation at \$200.00 per CY  
1 EA Temporary Waterway Diversion Structure at \$5,000.00 per EA  
1 EA Temporary Waterway Diversion Structure at \$5,000.00 per EA  
4.5 CY Concrete for Structures, Class A at \$800.00 per CY  
400 LB Uncoated Bar Reinforcement for Concrete Structures at \$2.00 per LB  
4 CY Removal of Structural Concrete at \$1,000.00 per CY  
138 LF Lining with Cured In Place Pipe (CIPP) – 48” at \$490.00 per LF  
4 LF Corrugated Steel Pipe (2 2/3 x 1/2) 48” Dia. 16 Gauge at \$600.00 per LF  
1 EA Sawcutting Culvert Pipe at \$2,000.00 per EA  
1 EA Rebuilding Top of Existing Drainage Structures at \$4,000.00 per EA  
1 EA Abandoning Drainage Structures at \$8,000.00 per EA  
2 CY Topsoil – Reuse On-Site Materials at \$250.00 per CY  
15 SY Turf Establishment – Roadside at \$50.00 per SY  
1 LS Basic Work Zone Traffic Control at \$16,000.00 per LS  
10 CY Stone Filling (Heavy) at \$190.00 per CY  
1 LS Survey Operations at \$5,000.00 per LS  
1 EA Manhole Frame and Cover at \$1,000.00 per EA  
1 LS Specialty Work (General) at \$8,000.00 per LS  
11,000 D-C Field Change Payment at \$1.00 per D-C

Subtotal of all above \$185,620.00

Mobilization at \$7,267.00 per LS

for a total bid amount of One Hundred Ninety-Two Thousand Eight Hundred Eighty-Seven Dollars (\$192,887.00), this being the only bid received meeting qualifications, and be it further

RESOLVED, That the Mayor be and he hereby is authorized to execute an agreement with **The L.C. Whitford Co., Inc.**, which agreement will reflect the services to be performed by **The L.C. Whitford Co., Inc.** at the prices referred to above, enter into a construction phase engineering

services agreement with Greenman Pedersen, Inc., upon the NYSDOT's approval of the Steele Street Contract documentation Award Package, said agreement to be subject to approval as to form by the office of the Corporation Counsel.

Note: Steele Street Culvert Rehabilitation Project will be paid through the Bridge NY Program.

BY COUNCILMEMBER:

**RESOLVED**, That the Mayor be and he hereby is authorized to execute an agreement with **R. Patti Concrete & Excavating, LLC, PO Box 3081 Jamestown New York 14701 for Concrete Work: 2020 Streetscape Reconstruction Van Buren Street, Prendergast Ave. to Lakeview Ave.:**

1700 SF 4" Concrete at \$13.25 SF  
850 SF 6" Concrete at \$13.75 SF  
750 LF Curb/Gutter at \$68.50 LF  
40 SY Brick Replacement at \$150.00 SY  
10 SY Brick Relay at \$125.00 SY  
12 EA Drain Pipe at \$100.00 EA  
16 SY Asphalt at \$83.00 SY  
20 CY Additional Excavation at \$20.00 CY  
10 CY Additional Stone at \$45.00 CY  
10 LF Steps at \$60.00 LF

for a total bid amount of Ninety-Six Thousand, Eight Hundred Fifteen Dollars and Fifty Cents (\$96,815.50), subject to the approval of the Corporation Counsel as to form.

Note: This project will be paid through Community Development Block Grant funds.

BY COUNCILMEMBER:

RESOLVED, That the following claim be and is hereby allowed:

No: 14 of 2018	STEVEN RAYMOND MICHELSON, JR. 341 Crossman St. Jamestown, New York 14701	\$1,000
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BY COUNCILMEMBER:

WHEREAS, City Hall is in need of mechanical and electrical system upgrades to improve occupant comfort, and reduce operational and maintenance costs, and

WHEREAS, in accordance with Article 9 of the New York State Energy Law, the City has the opportunity to implement improvement needs and energy conservation measures by means of an Energy Performance Contract, and

WHEREAS, the Public Works Committee discussed the opportunity of receiving Energy Performance Contract proposals that will identify opportunities to improve City-owned facilities and reduce operating costs, including but not limited to City Hall, and

WHEREAS, the Director of Public Works to issue a Request for Proposals for an Energy Performance Contract on March 4, 2020, and

WHEREAS, THE Department of Public Works received Energy Performance contract proposal(s) and is recommending the selection of Stark ESCo now thereby be it

RESOLVED, that the Mayor and Jeffrey Lehman P. E., Director of Public Works and Acting Director of Parks, Recreation and Conservation is authorized to enter into a Program Development Agreement with Stark ESCo, Southern Tier/Western NY, 2663 Third Avenue, Falconer, NY 14733, for a not to exceed price of Twenty-Three Thousand, Four Hundred Dollars, (\$23,400.00) per their proposal dated March 26, 2020, for further definition of mechanical and electrical system upgrades to improve occupant comfort, and reduce operational and maintenance costs at City facilities, including but not limited to City Hall, that would result in annual guaranteed energy and operational savings that will offset the annual project payments, contingent upon the form and terms of agreement having been approved by Corporation Counsel.