

Agenda

Jamestown City Council

Monday, December 28, 2020

Work Session 7:15 P.M., voting session, 7:30 P.M.

Meeting will be held via Zoom.

*Due the NYS Public Health State of Emergency, the meeting will be closed to the public and will be streamed live at www.jamestownny.gov/live All public comments should be submitted in writing by 5PM the day before the meeting via USPS mail or email to clerk@jamestownny.gov.

Please be sure to include your name and home address when submitting your comments.

STANDING COMMITTEES

Finance, et. al., Committee

1. Resolution authorizing payment of the regular audit.
2. Resolution designating the depositories for the City of Jamestown for 2021.
3. Resolution authorizing the Mayor and Council Members to attend various meetings in 2021 with expenses paid pursuant to Section 77-b of the General Municipal Law.
4. Resolution adopting the current procurement policy for the year 2021 based on recommendations from the State Comptroller's Office.
5. Resolution authorizing the City Comptroller to affect the 2020 General Fund Overdrafts.
6. Resolution recognizing the various contributions to the City of Jamestown from private agencies.
7. Resolution increasing the fee for the production of certified copies of birth and death certificates to \$30.00 for the first copy and \$10 for each subsequent.
8. Resolution authorizing the Mayor and Jeffrey Lehman to purchase from Jones Chevrolet 21505 Rt. 6, Warren, Pennsylvania 16365, a new 2021 Chevrolet Silverado 3500 in an amount not to exceed Forty Thousand, Five Hundred Ninety Dollars and No Cents (\$40,590.00), subject to the approval of Corporation Counsel as to form.
9. Resolution authorizing the Mayor to execute Change Order #1 with R. Patti Concrete and Excavating, PO Box 3081, Jamestown, New York 14702, for Concrete Work 2020: Bowen Street, Price Street to Newton Avenue contract, for a total decrease of Ten Thousand, Forty-Two Dollars and Fifty-Two Cents (\$10,042.52), subject to the approval of Corporation Counsel as to form.

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

10. Resolution authorizing the Mayor to execute Changer Order #1 with G.L. Olson, Inc., 5529 Thum Rd. Dewittville, NY 14728, for ADA Restroom Addition at Jackson-Taylor Park, for a total increase in the amount of Two Thousand, Nine Hundred Ninety-Nine Dollars and No Cents (\$2,999.00), subject to the approval of Corporation Counsel as to form.

Note: The project will be funded with Community Development Block Grant (CDBG) – ADA Improvement funds.

11. Resolution authorizing the Mayor to sign any documents related to the submission of the 2021 New York Main Street Grant and further authorizing the Mayor to execute all necessary documents with New York Department of State should the City of Jamestown be successful in securing funding through the CFA submission process.

12. Resolution authorizing the Council to retain W.C.A. Services Corporation D/B/A Alstar EMS, located at 29 Maple Street, Jamestown, New York 14701 as authorized billing agent for the Jamestown Fire Department and City of Jamestown, and authorizing the Mayor and Deputy Fire Chief to execute any applications, forms or agreements pertaining to the billing accounts and statements.

Public Safety, et. al., Committee

13. Resolution establishing the 2021 regular meetings of the Jamestown City Council.

14. Resolution designating the Post-Journal as the official newspaper for publications for the Period January 1, 2021 – December 31, 2021.

15. Resolution granting Games of Chance (Bell Jar) licenses to various organizations for 2021.

16. Resolution authorizing the Board of Public Utilities to install one (1) 150W LED Equivalent fixture on pole number 18920 on Euclid Avenue.

17. Ordinance amending Chapter 175-3 (D) of the Jamestown City Code relative to Fire Department fees.

18. Ordinance amending Sections 160 and 224 of the Jamestown City Code relative to glass collection and to amend the time of solid waste recycling placement at the curb.

19. Ordinance amending Section 240-14 of the Jamestown City Code relative to unpaid sewer rents.

20. Local Law amending the City Charter and General Legislation to establish a Chief of Police and Fire Chief

New Business

COUNCIL MEMBERS: PLEASE CONTACT THE COUNCIL PRESIDENT OR CITY CLERK IF UNABLE TO ATTEND THE WORK SESSION AT 7:15, OR THE REGULAR MEETING AT 7:30 P.M.

BY:

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 \$7,704,218.74 in accordance with the period ending December 23, 2020 copy of which is annexed hereto and a copy to be filed in the office of the City Clerk, and be it further

RESOLVED, That disbursements in the total amount of \$6,246,486.97 and payrolls in the total amount of \$1,457,731.77 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.

BY COUNCIL

RESOLVED, That Key Bank of New York, N.A., Jamestown Office, Jamestown, New York; Key Bank Capital Markets, Jamestown, New York, Evans Bank, N.A., Williamsville, NY, Cattaraugus County Bank, Little Valley, NY and New York State Investment Firms be and hereby are designated as depositories of the City of Jamestown and that they be and hereby are requested, authorized and directed to honor checks, drafts, or other orders for payment of money drawn in the City's name, including those payable to the individual order of any person or persons whose name or names appear thereon as a signer or signore thereof, when bearing or purporting to bear the facsimile signatures of the City Comptroller and City Clerk/ Treasurer and the above mentioned banks shall be entitled to honor and charge this city for such checks, drafts or other orders, regardless of by whom or by what means the actual or purposed facsimile signatures or signature thereon may have been affixed thereto, if such signature or signatures resemble the facsimile specimen duly certified to or filed with the above mentioned banks by the City Clerk/ Treasurer of the City of Jamestown.

BY COUNCIL

RESOLVED, That the Mayor and City Council members be, and they hereby are, authorized to attend meetings of the Chautauqua County Conference of Mayors, the Southern Tier West Regional Planning and Development Board, the New York State Conference of Mayors, the National League of Cities and any other job related conferences during 2021, with expenses paid pursuant to Section 77-b of the General Municipal Law.

BY COUNCIL

WHEREAS, Section 104-b of the General Municipal Law requires the governing body of every municipality to adopt a procurement policy for all goods and services which are not required by law to be publicly bid, and

WHEREAS, comments have been solicited from all officers in the city involved in the procurement process, now, therefore be it

RESOLVED, that the City of Jamestown does hereby adopt the following procurement policy for the year 2021 which is intended to apply to all goods and services which are not required by law to be publicly bid.

PROCUREMENT POLICY FOR THE CITY OF JAMESTOWN

1. Every purchase to be made must be initially reviewed to determine whether it is a purchase contract or a public works contract. Once that determination is made, a good faith effort will be made to determine whether it is known or can reasonably be expected that the aggregate amount to be spent on the item of supply or service is not subject to competitive bidding, taking into account past purchases and the aggregate amount to be spent in a year. The following items are not subject to competitive bidding pursuant to Section 103 of the General Municipal Law: purchase contracts under \$20,000 and public works contracts under \$35,000; emergency purchases; goods purchased from agencies for the blind or severely handicapped; goods purchased from correctional institutions; purchases under state and county contracts; and surplus and second-hand purchases from another governmental entity.

The decision that a purchase is not subject to competitive bidding will be documented in writing by the individual making the purchase. This documentation may include written or verbal quotes from vendors, a memo from the purchaser indicating how the decision was arrived at, a copy of the contract indicating the source which makes the item or service exempt, a memo from the purchaser detailing the circumstances which led to an emergency purchase, or any other written documentation that is appropriate.

2. All goods and services will be secured by use of written requests for proposals, written quotations, verbal quotations, or any other method that assures that goods will be purchased at the lowest price and that favoritism will be avoided, except in the following circumstances: purchase contracts over \$20,000 and public works contracts over \$35,000; goods purchased from agencies for the blind or severely handicapped pursuant to Section 175-b of the State Law; goods purchased from correctional institutions pursuant to Section 186 of the Correctional Law; purchases under State contracts pursuant to Section 104 of the General Municipal Law; purchases under county contracts pursuant to Section 103(3) of the General Municipal Law; or purchases pursuant to subdivision 6 of this policy:

Procurement Policy for the City of Jamestown

3. The following method of purchase will be used when required by this policy in order to achieve the highest savings:

<u>Estimated Amount of Purchase Contract</u>	<u>Method</u>
\$500 - \$2,999	2 verbal quotations
\$3,000 - \$9,999	3 written/fax quotations or written request for proposals
Estimated Amount of Public Works Contract	
\$500 - \$2,999	2 verbal quotations
\$3,000 - \$4,999	2 written/fax quotations
\$5,000 - \$19,999	3 written/fax quotations or written request for proposals

A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser will document the attempt made at obtaining the proposals. In no event shall the failure to obtain the proposals be a bar to the procurement.

4. Documentation is required of each action taken in connection with each procurement.
5. Documentation and an explanation are required whenever a contract is awarded to other than the lowest responsible offer. This documentation will include an explanation of how the award will achieve savings or how the offer was not responsible. A determination that the offer is not responsible shall be made by the purchaser and may not be challenged under any circumstances.
6. Pursuant to General Municipal Law Section 104-b(2) (f), the procurement policy may contain circumstances when, or types of procurements for which, in the sole discretion of the governing body, the solicitation of alternative proposals or quotations will not be in the best interest of the municipality. In the following circumstances it may not be in the best interests of the City of Jamestown to solicit quotations or document the basis for not accepting the lowest bid:
 - a. Professional services or services requiring special or technical skill, training or expertise. The individual or company must be chosen based on accountability, reliability, responsibility, skill, education and training, judgment, integrity, and moral worth. These qualifications are not necessarily found in the individual or company that offers the lowest

price and the nature of these services are such that they do not readily lend themselves to competitive procurement procedures.

In determining whether a service fits into this category, the City Council shall take into consideration the following: (a) whether the services are subject to State licensing or testing requirements; (b) whether substantial formal education or training is a necessary prerequisite to the performance of the services; and (c) whether the services require a personal relationship between the individual and municipal officials. Professional or technical services shall include but not be limited to the following: services of an attorney; services of a physician; technical services of an engineer or architect engaged to prepare plans, maps and estimates; securing services of a certified public accountant; investment management services; printing services involving extensive writing, editing or art work; management of municipally owned property; and computer software or programming services for customized programs, or services involved in substantial modification and customizing of pre-packaged software.

- b. Emergency purchases pursuant to Section 103(4) of the General Municipal Law. Due to the nature of this exception, these goods or services must be purchased immediately and a delay in order to seek alternate proposals may threaten the life, health, safety or welfare of the residents. This section does not preclude alternate proposals if time permits.
 - c. Purchases of surplus and second-hand goods from any source. If alternate proposals are required, the City is precluded from purchasing surplus and second-hand goods at auctions or through specific advertised sources where the best prices are usually obtained. It is also difficult to try to compare prices of used goods and a lower price may indicate an older product.
 - d. Goods or services under \$500. The time and documentation required to purchase through this policy may be more costly than the item itself and would therefore not be in the best interests of the taxpayer. In addition, it is not likely that such de minimis contracts would be awarded based on favoritism.
7. This policy shall go into effect immediately and will be reviewed annually.

STAFF REPORT

DATE: December 23, 2020
TO: Edward A. Sundquist, Mayor
FROM: Ryan Thompson, Comptroller
SUBJECT: Over/under budget resolution

Approved and Forwarded to City Council



Edward A. Sundquist, Mayor

ACTION: Resolution Ordinance/Local Law Informational/Report

ISSUE STATEMENT: Annual over/under budget resolution with salary schedule.

BACKGROUND:

FISCAL IMPACT:

RECOMMENDATION: Pass the resolution to amend the 2020 budget for overdrafts.

ATTACHMENT(S):

1. Over/Under Resolution
2. Salary Summary

BY

RESOLVED, That the City Comptroller be and he hereby is authorized to affect the 2020 General Fund overdrafts as follows:

TO:	<u>GENERAL GOVERNMENT SUPPORT</u>		<u>247,942.00</u>
	A1010.400	City Council	38,000.00
	A1210.200	Mayor	1,722.00
	A1210.400	Mayor	4,469.00
	A1310.100	Director of Financial Services	10,000.00
	A1315.100	Comptroller	13,000.00
	A1315.200	Comptroller	2,210.00
	A1355.100	Assessor	22,000.00
	A1355.200	Assessor	650.00
	A1410.400	City Clerk	8,169.00
	A1420.100	Corporation Counsel	49,000.00
	A1420.200	Corporation Counsel	722.00
	A1435.100	Human Resources	2,000.00
	A1440.100	Engineer	13,000.00
	A1620.100	Building - City Hall	16,000.00
	A1620.400	Building - City Hall	16,000.00
	A1621.100	Building - Steele St.	4,000.00
	A1640.400	Central Garage	34,000.00
	A1680.100	Information Technology	13,000.00
	<u>PUBLIC SAFETY</u>		<u>48,280.00</u>
	A3310.100	Traffic Control	14,000.00
	A3330.100	Parking Meter Attendants	7,000.00
	A3330.200	Parking Meter Attendants	6,280.00
	A3410.100	Fire	21,000.00
	<u>TRANSPORTATION</u>		<u>48,630.00</u>
	A5010.100	Streets Administration	5,000.00
	A5110.100	Street Maintenance	42,000.00
	A5150.400	Other Street Activities	1,630.00
	<u>RECREATION</u>		<u>100,334.00</u>
	A7120.100	Tree Maintenance	87,000.00
	A7120.400	Tree Maintenance	7,288.00
	A7210.400	Stadium	6,046.00
	<u>HOME & COMMUNITY</u>		<u>33,100.00</u>
	A8140.400	Storm Sewers	21,200.00
	A8791.400	Department of Development	11,900.00
	<u>UNDISTRIBUTED</u>		<u>20,000.00</u>
	A9050.800	Unemployment Insurance	10,000.00
	A9710.623	Bond Principal	10,000.00
			498,286.00
FROM:	<u>GENERAL GOVERNMENT SUPPORT</u>		<u>14,000.00</u>
	A1640.100	Central Garage	14,000.00
	<u>UNDISTRIBUTED</u>		<u>422,338.00</u>
	A9010.800	Employees Retirement System	51,334.00
	A9015.800	Police & Fire Retirement System	20,786.00
	A9030.800	Social Security	63,310.00
	A9060.800	Health Insurance	259,295.00
	A9711.720	Bond Interest	27,613.00
	<u>REVENUES</u>		<u>61,948.00</u>
	A0000.3789	State Aid: Other Economic Assistance & Opportunity	61,948.00

City of Jamestown
2020 Budget - Salary Summary

Department	Estimated Actuals	Adopted Budget	Budget Adjustment(s)	Modified Budget	Variance to Modified Budget	% Variance	Commentary
City Council	\$ 46,001	\$ 46,000	\$ -	\$ 46,000	\$ 1	0.0%	
Mayor	\$ 149,695	\$ 152,351	\$ -	\$ 152,351	\$ (2,656)	-1.7%	Executive assistant started a month late
Director of Admin	\$ 9,343	\$ -	\$ -	\$ -	\$ 9,343	0.0%	Former Clerk/Treasurer worked through January 2020; offset by favorable Clerk/Treasurer Depts.
Comptroller	\$ 310,489	\$ 297,627	\$ -	\$ 297,627	\$ 12,862	4.3%	Former Comptroller stayed longer than originally anticipated
Treasurer	\$ 57,217	\$ 70,909	\$ (8,920)	\$ 61,989	\$ (4,772)	-7.7%	
Assessor	\$ 198,267	\$ 177,150	\$ -	\$ 177,150	\$ 21,117	11.9%	Former Assessor retirement buyout was not budgeted
Clerk	\$ 121,278	\$ 142,658	\$ (17,785)	\$ 124,873	\$ (3,595)	-2.9%	
Corporation Counsel	\$ 176,365	\$ 127,998	\$ -	\$ 127,998	\$ 48,367	37.8%	New Associate Corporation Counsel position; offset by Zombie Grant revenue
Human Resources	\$ 45,123	\$ 43,753	\$ -	\$ 43,753	\$ 1,370	3.1%	Vacation sellback not budgeted
Engineer	\$ 327,436	\$ 319,721	\$ (5,000)	\$ 314,721	\$ 12,715	4.0%	Retro pay and raises for CSEA contract negotiation
City Hall Building	\$ 102,225	\$ 86,826	\$ -	\$ 86,826	\$ 15,399	17.7%	Vacation and comp time sellback for building maintenance supervisor was not budgeted
145 Steele St.	\$ 8,431	\$ 4,906	\$ -	\$ 4,906	\$ 3,525	71.9%	Cleaner working additional hours due to Covid-19 pandemic
Central Garage	\$ 468,385	\$ 495,708	\$ (13,650)	\$ 482,058	\$ (13,673)	-2.8%	Multiple vacancies throughout year and overtime below budget
Information Services	\$ 137,912	\$ 130,243	\$ (5,182)	\$ 125,061	\$ 12,851	10.3%	Retro pay and raises for CSEA contract negotiation; vacation sellback for IT Director not budgeted
Police	\$ 5,272,024	\$ 5,289,699	\$ (500)	\$ 5,289,199	\$ (17,175)	-0.3%	
Court Security	\$ 190,647	\$ 215,014	\$ -	\$ 215,014	\$ (24,367)	-11.3%	
Traffic Control	\$ 189,597	\$ 179,765	\$ (4,000)	\$ 175,765	\$ 13,832	7.9%	Retro pay and raises for CSEA contract negotiation
Parking Meter Attendant	\$ 66,325	\$ 60,221	\$ -	\$ 60,221	\$ 6,104	10.1%	Retro pay and raises for CSEA contract negotiation
Fire	\$ 4,690,907	\$ 4,669,974	\$ -	\$ 4,669,974	\$ 20,933	0.4%	
Animal Control	\$ 62,640	\$ 62,720	\$ -	\$ 62,720	\$ (80)	-0.1%	
Street Administration	\$ 100,351	\$ 95,679	\$ -	\$ 95,679	\$ 4,672	4.9%	Vacation sellback not budgeted
Street Maintenance	\$ 1,253,215	\$ 1,266,215	\$ (55,000)	\$ 1,211,215	\$ 42,000	3.5%	Labor allocated to street maintenance higher than budget; Total DPW salaries below budget due to lower overtime
Bridge Maintenance	\$ 6,000	\$ 6,000	\$ -	\$ 6,000	\$ -	0.0%	
Snow Removal	\$ 654,905	\$ 785,000	\$ (50,000)	\$ 735,000	\$ (80,095)	-10.9%	Labor allocated to snow removal lower than budget; Total DPW salaries below budget due to lower overtime
Parks & Rec Admin	\$ 203,016	\$ 203,103	\$ -	\$ 203,103	\$ (87)	0.0%	Overtime below budget
Parks	\$ 663,638	\$ 873,094	\$ (141,000)	\$ 732,094	\$ (68,456)	-9.4%	Labor allocated to tree maintenance higher than budget; Total Parks salaries below budget due to lower overtime
Tree Maintenance	\$ 286,078	\$ 200,000	\$ -	\$ 200,000	\$ 86,078	43.0%	Labor allocated to tree maintenance higher than budget; Total Parks salaries below budget due to lower overtime
Summer Youth Employment	\$ 7,351	\$ 13,500	\$ -	\$ 13,500	\$ (6,149)	-45.5%	
Summer Playground	\$ -	\$ 15,000	\$ (15,000)	\$ -	\$ -	0.0%	
Stadium	\$ 21,975	\$ 95,000	\$ (15,000)	\$ 80,000	\$ (58,025)	-72.5%	Labor allocated to stadium lower than budget; Total Parks salaries below budget due to lower overtime
Storm Sewer	\$ 175,000	\$ 175,000	\$ -	\$ 175,000	\$ -	0.0%	
Street Cleaning	\$ 205,000	\$ 205,000	\$ -	\$ 205,000	\$ -	0.0%	
Grand Total	\$ 16,206,836	\$ 16,505,834	\$ (331,037)	\$ 16,174,797	\$ 32,039	0.2%	
Total Parks*	\$ 971,691	\$ 1,168,094	\$ (156,000)	\$ 1,012,094	\$ (40,403)	-4.0%	Overtime below budget
Total DPW**	\$ 2,288,120	\$ 2,431,215	\$ (105,000)	\$ 2,326,215	\$ (38,095)	-1.6%	Overtime below budget

*Total of Parks, Tree Maintenance, and Stadium Departments

**Total of Street Maintenance, Snow Removal, Storm Sewer, and Street Cleaning Departments

STAFF REPORT

Approved and Forwarded to City Council

Edward A. Sundquist

Edward A. Sundquist, Mayor

DATE: December 22, 2020
TO: Edward A. Sundquist, Mayor
FROM: Ryan Thompson, Comptroller
SUBJECT: Resolution to Amend Budget For Various Contributions

ACTION: Resolution Ordinance/Local Law Informational/Report

ISSUE STATEMENT: The city has received various donations throughout the year from private agencies that should be recognized.

BACKGROUND: The city has received contributions from Community Foundation (\$250.00), United Way (\$156.00), Bob and Maria Perron (\$250.00), and David Wilfong (\$962.84).

FISCAL IMPACT: Increase in revenues and appropriations of \$1,618.84.

RECOMMENDATION: Amend the FY2020 Budget to recognize various contributions.

ATTACHMENT(S): 1. Budget Amendment Resolution

RESOLVED, That the City Comptroller be and hereby is authorized to make the following amendments to the 2020 General Fund Budget, to recognize the various contributions to the City of Jamestown from private agencies:

INCREASE: Appropriations \$ 962.84
Parks Equipment
A.7110.0200

INCREASE: Appropriations \$ 656.00
Fire Department Equipment
A.3410.0200

INCREASE: Estimated Revenues \$ 1,618.84
Contributions-Private Agencies
A.0000.2070

BY COUNCIL

WHEREAS, on March 30, 2020 the City Council for the City of Jamestown passed resolution number 202003B04 authorizing the Mayor to request Home Rule Legislation from New York State Senator George Borrello and New York State Assemblyman Andrew Goodell related to the fees charged for the production of certified copies of birth and death certificates and,

WHEREAS, on December 1, 2020, Mayor Sundquist was notified by New York State Senator Borrello that Governor Cuomo signed bill S8224 into law, now therefore be it,

RESOLVED, that the City Council of the City of Jamestown hereby approves the fee for the production of certified copies of birth and death certificates to be increased from Ten Dollars (\$10.00) per copy to Thirty Dollars (\$30.00) per copy, with a charge of Ten Dollars (\$10.00) for each subsequent copy, effective January 1, 2021.

BY COUNCIL

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 Jones Chevrolet, 21505 Rt. 6, Warren, PA 16365 via bid #COJDFS16 bid opening November 30, 2020, one (1) new 2021 Chevrolet Silverado 3500 with utility body, for a total amount not to exceed Forty Thousand Five Hundred Ninety Dollars (\$40,590.00) subject to approval of the Corporation Counsel as to form.

Note: Funded via DPW capital

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BY COUNCIL

RESOLVED, that the Mayor be and he hereby is authorized to execute Change Order #1 to the Concrete Work 2020: Bowen Street, Price St. to Newton Ave., contract with R-Patti Concrete & Excavating, P.O. Box 3081, Jamestown, NY 14701 to include changes as follows:

ADD

Flat Work 6"	\$ 3,286.13
Concrete Curb and Gutter	\$ 2,812.50
Asphalt Pavement	\$ 1,782.00

DECREASE

Concrete Flatwork 4"	\$(3,743.15)
Brick Pavement Replacement	\$(2,880.00)
Brick Pavement Relay	\$(9,100.00)
Detectable Warning Surface for ADA Accessible Curb Cuts	\$(2,200.00)

for a total decrease of Ten Thousand, Forty-Two Dollars and Fifty-Two Cents (\$10,042.52) subject to the approval of Corporation Counsel as to form.

BY COUNCIL

RESOLVED, That the Mayor be and he hereby is authorized to execute Change Order #1 with G.L. Olson, Inc., 5529 Thum Rd., Dewittville, NY 14728 for ADA Restroom Addition at Jackson Taylor Park, for a total increase in the amount of Two Thousand, Nine Hundred Ninety-Nine Dollars and No Cents (\$2,999.00), subject to the approval of the Corporation Counsel as to form.

The project will be funded with Community Block Grant (CDBG) – ADA Improvement funds.

BY COUNCIL

WHEREAS, 2020 program funding has become available through the Consolidated Funding Application system (CFA); and

WHEREAS, The Housing Trust Fund Corporation (HTFC), through its Office of Community Renewal (OCR), will accept applications for 2020 New York State funding for the New York Main Street program with total estimated funding of \$6,200,000 available; and

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

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

WHEREAS, said revitalization of Downtown Jamestown is consistent with and in support of the City of Jamestown Comprehensive Plan (1998), the Downtown Jamestown Community Redevelopment Plan (2001), the Jamestown Urban Design Plan (2006), the Brownfield Opportunity Area (BOA): Chadakoin River Central/Eastern Study (2014), and the Downtown Jamestown Revitalization Initiative Strategic Investment Plan (2017); now therefore be it

RESOLVED, that the City Council of Jamestown, New York is fully supportive of the Consolidated Funding Application (CFA) submission by the City of Jamestown in the amount of up to \$500,000 for HTFC Main Street Grant Funds for the Target Area Building Renovation Program; and be it further

RESOLVED, that the Mayor is hereby authorized to sign any documents related to the submission of the 2021 *New York Main Street Grant* and does also hereby authorize the Mayor to execute all necessary documents with New York Department of State should the City of Jamestown be successful in securing funding through the CFA submission process.

BY COUNCIL

RESOLVED, the Council hereby retains W.C.A. Services Corporation D/B/A/ Alstar EMS located at 29 Maple Street, Jamestown, NY 14701 as authorized billing agent for the Jamestown Fire Department and City of Jamestown in accordance with Section 4 of the Ambulance Agreement authorized under Resolution 202010A12; and be it

FURTHER RESOLVED, the Mayor and the Deputy Fire Chief be authorized to execute any applications, forms, or agreements on behalf of the City for the sole purpose of establishing provider numbers, billing accounts, or billing services through federal, state, or local agencies.

BY COUNCIL

RESOLVED, That the regular meetings of the City Council of the City of Jamestown shall be held in the City Council Chambers, Municipal Building at 7:30 p.m. beginning the evening of January 25, 2021 and on scheduled Monday evenings thereafter in the year 2021, at the same time and place.

January 25
February 22
March 29
April 26
May 24
June 28

July 26
August 30
September 27
October 25
November 29
December 27

BY COUNCIL

RESOLVED, That The Post-Journal be and it hereby is designated as the official newspaper for the publications of proceedings and official notices for the City of Jamestown for the period January 1, 2021 through December 31, 2021.

BY COUNCIL

RESOLVED, That the Jamestown City Council hereby grants the following organizations a Games of Chance (Bell Jar) license for the 2021 calendar year:

Jamestown Lodge #263 BPO Elks

Chautauqua Aerie #2145, Fraternal Order of Eagles, Inc.

Jamestown Vietnam Veterans

ILS Veterans Club Inc.

BY COUNCIL:

RESOLVED, That the Board of Public Utilities be, and it hereby is, requested to install one (1) 150W LED Equivalent fixture at the following location:

BPU Pole 18920

Euclid Avenue

ORDINANCE 2020-12-07

**AMENDING FEES FOR FIRE DEPARTMENT SERVICES
IN THE JAMESTOWN CITY CODE**

By Councilmember _____

December 28, 2020

BE IT ORDAINED by the City Council of the City of Jamestown as follows:

Section 1. Chapter 175-3(D) of the Code of the City of Jamestown is hereby amended and replaced as follows:

Fees for Fire Department services shall be as follows:

<u>Type of Service</u>	<u>Fee</u>
Ambulance Service Assistance	\$100.00
Ambulance Transport:	
Advanced Life Support (ALS-1) – Emergency (427)	\$1,350.00
Advanced Life Support (ALS-2) – Non-Emergency (426)	\$1,150.00
Basic Life Support (BLS) – Emergency (429)	\$950.00
Basic Life Support (BLS) – Non-Emergency (428)	\$850.00
Loaded Mileage (425)	\$30.00
Response and Treatment, No Transport (998)	\$50.00
Fire Department Master Box Alarm	\$225
Commercial and Industrial	\$200 annually
Hazardous Materials Spill Response – Fire	\$275.00 plus expenses
Technical Rescue:	
Light-duty Rescue	\$300.00
Heavy-duty Rescue	\$500.00
Industrial/Commercial Rescue	\$800.00
Vehicle Fire	\$250.00
File Search / Fire Incident Report	\$12.00
Requests for Specialized Equipment – Non-fire Incident	Billed at a rate at or equal to an established and current Federal Emergency Management

Agency Equipment
Schedule.

Section 3. All ordinances and parts of ordinances hereto passed which are inconsistent with any provision of this ordinance are hereby repealed.

Section 4. **Effective Date.** This ordinance shall take effect immediately upon adoption and publication according to law.

ORDINANCE 2020-12-08

**AMENDING GARBAGE COLLECTION
AND DISPOSAL
IN THE JAMESTOWN CITY CODE**

By Councilmember _____

December 28, 2020

WHEREAS, changes in the recycling industry have made the recycling of certain materials impracticable, and residents have complained that the time to place garbage and recycling at the curb is overly restrictive; and,

WHEREAS, the Board of Public Utilities has recommended changes be made to the City Code to accommodate the above-referenced issues, specifically to change the placement of materials at the curb to no earlier than 4:00 p.m. the day prior to pick up and to remove glass as a listed recyclable;

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

Section 1. Chapter 160-11, “Placement on Public Streets or Lands” of the Code of the City of Jamestown is hereby amended and replaced as follows (changes in bold and underlined):

No person shall place, throw or deposit or cause to be placed, thrown or deposited any solid waste, recyclable material, hazardous waste or white goods upon any public sidewalk, street, alley, parkway, lane, gutter, park or any other public place in the City of Jamestown or upon the banks of any waterway running through or adjacent to the City of Jamestown; provided, however, that a person desiring to receive the solid waste and recyclable material collection and disposal services of the City of Jamestown may place, at curbside in front of the parcel of real property wherein such person resides, solid waste as defined herein in sanitation bags as defined herein and recyclable materials as defined herein for pickup by the City of Jamestown not earlier than **4:00 p.m.** on the day prior to the appointed day for the pickup of said solid waste and recyclable materials by the City of Jamestown.

Section 2. Chapter 160-12, “Placement on Private Property” of the Code of the City of Jamestown is hereby amended and replaced as follows (changes in bold):

No person shall place, throw, deposit or cause to be placed, thrown or deposited any solid waste, recyclable material, hazardous waste or white goods upon the private property of another with or without the consent of the owner or occupant of such private property; provided, however, that a person residing in a dwelling unit situate upon a parcel of real property owned by another who desires to receive the solid waste and recyclable material collection and disposal services of the City of Jamestown may place, at curbside in front of the parcel of such real property wherein such person resides, solid waste as defined herein in sanitation bags as defined herein and recyclable materials as defined herein for pickup by the City of Jamestown not earlier than **4:00 p.m.** on the day prior to the appointed day for the pickup of said solid waste and recyclable materials by the City of Jamestown.

Section 3. Chapter 224-2(B) “Definitions and word usage” of the Code of the City of Jamestown is hereby amended to remove mention of glass and glass containers, being replaced as follows:

As used in this chapter, the following words shall have the meaning indicated.

CARDBOARD: A thick corrugated paperboard, including corrugated boxes and cartons and similar corrugated materials.

DWELLING UNIT: One or more rooms designed for occupancy by one family for living and sleeping purposes.

HAZARDOUS WASTE: Waste defined in § 27-0903 of the New York Environmental Conservation Law, as amended, and the regulations thereunder, and at Section 1004 of the Federal Resource Conservation and Recovery Act of 1976, as amended, 42 U.S.C. § 6903, and the regulations thereunder.

METAL CANS: Food and beverage containers made entirely of metal to which there may be added paper or plastic labels.

NEWSPAPERS: A paper product printed on newsprint, including all newspaper, newspaper advertisements and comics, but excluding magazines, telephone books or other advertising material printed on

glossy or slick papers, including such advertising material printed on glossy or slick paper which is enclosed with newspapers.

PRIVATE HAULER: A person, firm or corporation providing to residents the service of collecting and disposing of solid waste and/or recyclables to residents who do not for whatever reason receive the solid waste collection and disposal services of the City of Jamestown.

RECYCLABLES: Solid waste consisting of cardboard, newspapers, metal cans and soft plastic, together with such other materials as may from time to time be designated by the General Manager of the City of Jamestown Board of Public Utilities and approved by the Jamestown City Council.

RESIDENCE: A building or parcel of land containing dwelling units.

RESIDENT: A person residing in a residence.

SOFT PLASTIC: Containers consisting of the type of plastic upon the bottom or some other part of which there is embossed a universal recycling symbol as determined by the General Manager of the City of Jamestown Board of Public Utilities, but excluding the caps or lids of such containers; also, milk containers made of plastic regardless of whether embossed with the universal recycling symbol and such other food and beverage containers as may from time to time be designated by the General Manager of the City of Jamestown Board of Public Utilities, but excluding the caps or lids of such milk containers or other containers.

SOLID WASTE: Putrescible substances discarded or rejected as being spent, useless, worthless or in excess by the owners at the time of such discard or rejection, organic waste material, both animal and vegetable, waste material, both animal and vegetable, and wastepaper, but excluding white goods, tires, hazards waste, building materials, trees, tree parts, shrubs, grass clippings and related yard waste, commercial waste, construction and demolition debris, furniture and all other materials and substances which are not accepted by the Chautauqua County Landfill for disposal.

WHITE GOODS: Household mechanisms, including but not limited to televisions, air conditioners, refrigerators, washers, dryers, stoves, lawn mowers and other large and/or bulky items.

Section 4. Chapter 224-4 “City collection and disposal; placement at curb” of the Code of the City of Jamestown is hereby amended to remove mention of glass and glass containers and adjust curbside placement time, being replaced as follows:

It shall be the duty and responsibility of all persons residing in the City of Jamestown who receive the solid waste collection and disposal services of the City of Jamestown to separate recyclables from all residential solid waste and place such recyclables out for collection in the following manner:

A. Newspapers, cardboard, boxboard, paper, plastic, metal (aluminum, tin), shall be placed in the appropriate recycling container approved by the City of Jamestown Board of Public Utilities. Cardboard boxes and other cardboard containers shall be flattened prior to placement in the appropriate recycling container approved by the City of Jamestown Board of Public Utilities.

B. Prior to placement for collection and removal, newspapers and cardboard shall be free of staples, and soft plastic and metal cans shall be cleaned and the contents removed therefrom. Caps and lids shall be removed from all soft plastic recyclables. Metal cans shall be flattened whenever possible.

C. Recyclables for collection by the City of Jamestown shall be placed at curbside on the day of the week specified by the General Manager of the City of Jamestown Board of Public Utilities. Cardboard and newspapers, soft plastics, and metal cans shall be collected on separate weeks in accord with a schedule designated by the General Manager of the City of Jamestown Board of Public Utilities. Recyclables placed for collection shall be collected on the same day of the week designated by the General Manager of the City of Jamestown Board of Public Utilities for the collection of solid waste.

D. No person shall place any solid waste or recyclables at curbside for collection earlier than **4:00 p.m.** on the day prior to the appointed day for the pickup of said solid waste and recyclables by the City of Jamestown.

E. Recyclables shall not be placed or mixed in the same container or otherwise commingled with other forms of solid waste.

F. Ownership of recyclables set out for collection shall thereupon vest

with the City of Jamestown. It shall be unlawful for any person other than a person authorized by the City of Jamestown to collect, remove or dispose of recyclables, the ownership of which has vested with the City of Jamestown as herein provided.

G. The General Manager of the City of Jamestown Board of Public Utilities is hereby empowered to designate the day of the week on which solid waste and particular recyclables will be collected and removed from a particular area.

H. No person shall put out for collection and disposal any hazardous waste, nor shall any person commingle with any solid waste or recyclables put out for collection any hazardous waste.

Section 5. All ordinances and parts of ordinances hereto passed which are inconsistent with any provision of this ordinance are hereby repealed.

Section 6. **Effective Date.** This ordinance shall take effect immediately upon adoption and publication according to law.

ORDINANCE 2020-12-09

**AMENDING BOARD OF PUBLIC UTILITIES
DELINQUENCY PERIOD
IN THE JAMESTOWN CITY CODE**

By Councilmember _____

December 28, 2020

WHEREAS, Section 240-14 of the City Code (“Code”) provides that sewer rentals remaining unpaid for a period of two years shall be collected and enforced in the same manner as taxes; and,

WHEREAS, The Board of Public Utilities collects water and sanitation charges that remain unpaid for sixty (60) days by including those charges on the annual tax bills of the property owner; and,

WHEREAS, The Board of Public Utilities believes that reducing the delinquency period for the payment of sewage rents from two years to sixty days will increase collectability, stabilize rates, and support landlords in a timelier manner to hold users of the service accountable for payment; and,

WHEREAS, the change of the delinquency period to sixty days will not impact or alter the frequency of updates to the annual tax levy process; and,

WHEREAS, the Board of Public Utilities has requested the City Council to enact this change;

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

Section 1. Chapter 240-14 “Late penalty, collection” of the Code of the City of Jamestown is hereby amended and replaced as follows (changes in bold and underlined):

All sewer rentals not paid within 15 days of the billing date as herein provided shall have a penalty in the amount of 1 1/2% per month on the unpaid principal balance added to the bill. The City Clerk/Treasurer shall collect all sewer rents established hereunder, and any unpaid bills, including penalties, shall be included in the annual tax levy against the

real property parcels in default, notwithstanding the fact that the bill or bills were unpaid by tenants or other nonowners of the real property parcel so affected. Such amount of sewer rents, together with penalties thereon, as remain unpaid for a period of **sixty days** shall be collected and enforced in the same manner and at the same time as provided by law for the collection and enforcement of real property taxes.

Section 2. All ordinances and parts of ordinances hereto passed which are inconsistent with any provision of this ordinance are hereby repealed.

Section 3. **Effective Date.** This ordinance shall take effect immediately upon adoption and publication according to law.

**CITY OF JAMESTOWN
LOCAL LAW 3 OF 2020**

**A LOCAL LAW AMENDING THE CITY CHARTER AND GENERAL
LEGISLATION TO ESTABLISH A CHIEF OF POLICE AND FIRE CHIEF**

By Councilmember _____

December 28, 2020

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

Section 1. Chapter 6 (§C-6) of Article II of the Jamestown City Charter, entitled “Appointed Officers” is hereby amended to read as follows:

The appointed officers of the City shall include a City Clerk/Treasurer, Comptroller, Corporation Counsel/Director of Human Resources, Director of Public Works/Director of Parks, Recreation and Conservation, the General Manager of the Board of Public Utilities, Chief of Police, and the Fire Chief.

Section 2. Chapter 9 (§C-9) of Article II of the Jamestown City Charter, entitled “Terms of Office” is hereby amended to read as follows:

The terms of office of the various elected and appointed officers of the City shall be as follows:

A. The term of office of the Mayor and all appointed officers of the City specified in § C-6 of the Charter shall begin on the first day of January in the year 1996 and shall continue for successive terms of four years each from that date. The term of office for the members of the City Council shall begin on the first day of January in the year 1996 and shall continue for successive terms of two years each from that date.

B. The term of office for all officers appointed during a Mayor’s term shall run concurrent with the Mayor’s term.

C. All elected and appointed officers and employees for whom a term of office is specified by the provisions of this Charter shall continue in office until their several successors are duly, elected, appointed, employed and qualified, as the case may be.

Section 3.

Chapter 32 (§C-32) of Article IV of the Jamestown City Charter, entitled “Chief of Police/Director of Public Safety” is hereby amended to read “Chief of Police” and shall read as follows:

Subject to the direction of the Mayor and the general rules prescribed by the City Council for the government of the Police Department, the Chief of Police shall have supervision and control over the Police Department of the City and the various members thereof. It shall be their duty to ensure that the laws of the state and the local laws and ordinances of the City of Jamestown are enforced in the City by causing the arrest and, in proper cases, the commitment of persons alleged to have violated such laws pending examination before a Magistrate. They shall maintain discipline and efficient organization in the police force of the City, and they shall have the power to appoint, suspend from office and to remove from the force any police officer or civilian employed in the Police Department who is incompetent or guilty of neglect of duty or misconduct in office or who for other reason is a bar to the efficiency and discipline of the police force, which removal shall be subject to civil service laws and under the regulations of the local Civil Service Commission.

Section 4.

Chapter 36 (§C-36) of Article IV of the Jamestown City Charter, entitled “Fire Chief” is hereby established and shall read as follows:

Subject to the direction of the Mayor and the general rules prescribed by the City Council for the government of the Fire Department, the Fire Chief shall have supervision and control over the Fire Department of the City and the various members thereof. It shall be their duty to direct the operations of the Fire Department to prevent and stifle conflagrations. They shall maintain discipline and efficient organization in the fire-fighting force of the City, and they shall have the power to appoint, suspend from office and to remove from the force any fire-fighter or civilian employed in the Fire Department who is incompetent or guilty of neglect of duty or misconduct in office or who for other reason is a bar to the efficiency and discipline of the fire-fighting force, which removal shall be subject to civil service laws and under the regulations of the local Civil Service Commission.

Section 5.

In all provisions of the City Charter and the City Code of the City of Jamestown wherein reference is made to the term ‘Deputy Fire Chief,’ the term ‘Fire Chief’ is hereby substituted therefor.

Section 6.

In all provisions of the City Charter and the City Code of the City of Jamestown wherein reference is made to the term 'Chief of Police/Director of Public Safety,' the term 'Chief of Police' is hereby substituted therefor.

Section 7.

If any clause, sentence, paragraph, section or part of this Local Law shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder therefor, but shall be confined to its operation in said clause, sentence, paragraph, section, or part of this Local Law.

Section 8.

This Local Law shall become effective immediately in accordance with Municipal Home Rule Law.