CITY OPERATIONS

Thursday, April 9, 2015 – 6:00 p.m.
Police Training Room – Olean Municipal Building

Present: Chairman Gonzalez, Vice Chair leFeber, Alderman Smith (via teleconference),
Alderman Jester. Others: Alderman Andreano; Alderman Barnard; Mayor William Aiello;
Nicholas DiCerbo, Jr., City Attorney; Fred Saradin, City Auditor; Tom Windus, Director of Public
Works; Bob Bell, Fire Chief; Jeff Rowley, Police Chief; Tiffany Lyman, Managerial Confidential
Administrative Secretary, and Chris Michel, Olean Times Herald.

1. Roll Call

Chairman Gonzalez called the meeting to order at 6:00 p.m. and asked that the record show
that all members were present except Alderman Smith, who joined the meeting via
teleconference, and Alderman Tertinek.

2. Adoption of Agenda

   a. A motion to amend the agenda to include PL #32-15 under item 5 was made by
      Alderman Gonzalez, seconded by Alderman Jester. Voice vote, ayes all. Motion
carried.

   b. A motion to adopt the agenda was made by Alderman Gonzalez, seconded by
      Alderman Jester. Voice vote, ayes all. Motion carried.

3. Approval of Minutes of the Previous Meeting (Tuesday, March 3, 2015)

A motion to approve the Tuesday, March 3, 2015 City Operations minutes was made by
Alderman Gonzalez, seconded by Alderman Jester. Voice vote, ayes all. Motion carried.

4. Unfinished Business

   a. PL #09-15: (leFeber) To implement Water / Sewer billing policies and procedures.

Mr. DiCerbo began by stating that he had provided everyone with a legislative rough draft. It
included the legal “mumbo jumbo” associated with the policy, as there is no current code
section to address water / sewer billing policies and procedures. Alderman leFeber stated that
if we are all in agreement, we can refer this to Mr. DiCerbo to draft the legislation so that the
Council can vote on it April 28th. He also stated that the Council has been presented with a
single page which details the changes between the old and new “policies”.
Mayor Aiello expressed that he had concerns with rates. Mr. Windus stated that they had addressed the issues by taking the current rate structure with the step system based on water usage, dividing by three, and using the results as the new rate structure. Alderman Smith expressed that he had concerns with the removal of the step system, but was pleased that it was reimplemented into the new policy.

Alderman Smith continued in stating that there were two goals of the committee: the first was to remedy the issue of the lack of a clear cut policy, and the second was to adjust the rates to deal with growing debt service payments. He stated that these were two very big things to be done at once. Mr. Windus stated that the goal now is first to implement a policy, and then down the road we will fiddle with the rates.

Mr. Windus stated that there was an item added to the policy to address frozen laterals. He stated that there was really not an issue until the current year regarding frozen laterals, so it was not thought of before to address them in the policy.

Alderman Gonzalez asked about the landlord / tenant changes that are being implemented. Mr. Windus stated that a lot of the changes have already been implemented because of issues that have arisen in the water department. He stated that basically everything needs to be done in writing, and both the landlord and tenant need to sign off if the water is to be placed in the tenant’s name. He stated that the new policy provides more protection for all three entities involved – the landlord, the tenant, and the City.

Mr. DiCerbo added that we will not be following past practice, where we negotiate a payment schedule with the tenant. If there are payment arrangements to be made, the landlord and tenant must come to an agreement between themselves. Mr. Windus added that if someone does not own the property, they will not be able to have a water bill in their name for more than one residence.

Alderman leFeber reiterated that the policy is tentative to be voted on April 28th, and Mr. DiCerbo added that it will take effect June 1st.

A motion to refer PL #09-15 to the April 28, 2015 Regular Meeting for Resolution was made by Alderman Gonzalez, seconded by Alderman Jester. Voice vote, ayes all. Motion carried.

5. New Referrals for Consideration

   a. PL #25-15: (Aiello) To authorize the City of Olean to extend the contract with Casella Resource Solutions for a three-year period of June 1, 2015 through May 31, 2018, pursuant to contract agreement.
Mayor Aiello began by stating that we have a current contract with Casella, and Mr. Windus has recommended that we proceed with a three year extension that had been built into a provision of the contract. Mr. Windus stated that the company has the right to adjust rates because of the CPI, and we have only had one rate increase. They are not looking to increase rates now. They have done a good job for the City.

Mayor Aiello stated, in response to a previous comment from the public, that he understands that the company is in the business to make money and he is not considering asking them to pick up recycling without garbage and a paid sticker. Mr. Windus added that he has no issues with the current contract and he does not find it necessary to take the time to go out to bid again at this point.

A motion to refer PL #25-15 to the April 14, 2015 Regular Meeting for Resolution was made by Alderman Gonzalez, seconded by Alderman leFeber. Voice vote, ayes all. Motion carried.

b.  PL #26-15: (Aiello) To authorize the Mayor to enter into an agreement with UR Company for utility review services.

A motion to postpone PL #26-15 to the next City Operations meeting was made by Alderman Gonzalez, seconded by Alderman Jester. Voice vote, ayes all. Motion carried.

c.  PL #27-15: (Aiello) To authorize the Mayor to enter into an extension of a PILOT agreement with Cattaraugus County for the Olean Airport for the term February 1, 2014 through January 31, 2016.

Mayor Aiello stated that for the past several years we have had an agreement with Cattaraugus County for the PILOT at the airport, and it is now expired. He stated that there was a revaluation done at the airport, and it has come in lower than what it was. We want to renegotiate the PILOT agreement, and extend the current agreement for the time being until that is done.

Mr. DiCerbo stated that we also pay the Town of Ischua and the Hinsdale School District PILOTS for the airport property. Mayor Aiello stated that we are attempting to renegotiate with all three entities.

A motion to refer PL #27-15 to the April 14, 2015 Regular Meeting for Resolution was made by Alderman Gonzalez, seconded by Alderman leFeber. Voice vote, ayes all. Motion carried.

d.  PL #28-15: (Aiello) To authorize the Mayor to enter into an agreement with KHEOPS Architecture, Engineering & Survey, DPC to provide sampling and analysis of groundwater and surface water samples for the Ischua Landfill for the period 2015 through 2017 for a cost not to exceed $65,700.
Mr. Windus stated that the agreement we had with KHEOPS (in the past, known as TVGA) had recently expired. They handle the sampling, testing, and reporting at the Ischua landfill, and they have always done a great job.

In response to a question, Mr. Windus stated that approximately 50-60 years ago, the City decided to use a vacant property next to the airport to dig a hole and allow industries to bury their waste. They buried chemicals, potentially hazardous materials, and anything else that needed disposed of. There is a consent order by the DEC from back in the 90’s for the City to build a treatment facility for the hazardous waste. At the current time, the wetlands on the hill “filter” the waste before it hits water, and nature is taking care of the treatment. However, in the future, we will more likely than not need to build a facility.

He continued in stating that KHEOPS samples the water to ensure that what is leaving our property is not contaminated. The cost of $65,700 is for six semiannual samplings.

A motion to refer PL #28-15 to the April 14, 2015 Regular Meeting for Resolution was made by Alderman leFeber, seconded by Alderman Jester. Voice vote, ayes all. Motion carried.

   e. PL #32-15: (Aiello) To transfer $50,000 from the General Fund Contingency (01-1990.590) to Capital Fund #165 to fund cement repair and replacement at Bradner Stadium.

Mayor Aiello stated that this is an item that was discussed at Tuesday, April 7th meeting. It is a safety and liability issue. It encompasses the area on the East State side of the stadium, at the top of the walkway. Mr. Windus stated that they had known of the issues on the west side of the press box, but the past winter has ruined the rest. He stated that the baseball and football seasons are beginning at the end of June, with the Bradner Bash on May 29. It is best to get this work done now.

In response to a question from Alderman Smith, Mr. Windus stated that this project will not need to be bid out, as we have Richard Peck Construction who has already gotten the concrete repair bid for this year [throughout the entire City].

A motion to refer PL #32-15 to the April 14, 2015 Regular Meeting for Resolution was made by Alderman Gonzalez, seconded by Alderman leFeber. Voice vote, ayes all. Motion carried.

   6. Approval of Committee Reports

A motion to approve Committee Reports was made by Alderman Gonzalez, seconded by Alderman Jester. Voice vote, ayes all. Motion carried.
Alderman Smith questioned if the Casella contract included the emptying of the garbage cans used for litter control. Mr. Windus stated that this is their responsibility. Alderman Smith stated that he isn’t a huge fan of that. Although he does not have a problem with litter control, it seems that the garbage cans are often turned over, in disrepair, or overflowing. He stated that they might want to think if there is a different way that we can address litter control.

7. Adjournment

A motion to adjourn was made by Alderman Gonzalez, seconded by Alderman Jester. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 7:00 p.m.