

# **REGULAR MEETING OF THE COMMON COUNCIL**

**Tuesday, June 12, 2018 – 6:35 p.m.**

**Olean Municipal Building - Council Chambers**

## **1. ROLL-CALL**

## **2. INVOCATION**

## **3. PLEDGE**

## **4. READING, CORRECTING, AND APPROVAL OF THE MINUTES OF THE PREVIOUS REGULAR MEETING:**

“The Regular Meeting of the Olean Common Council was held on Tuesday, May 22, 2018 at 7:15 p.m.”

PRESENT: Alderman Crawford, Witte, Andreano, Gonzalez, Dougherty, and George

ABSENT: Alderman Smith

OFFICIALS: Mayor William Aiello; Lens Martial, City Clerk; Nicholas DiCerbo, Jr., City Attorney; Fred Saradin, City Auditor; Bob Ring, Director of Public Works; Ed Jennings, Code Enforcement Supervisor; Bob Bell, Fire Chief; Jeff Rowley, Police Chief, and Michiko McElfresh, Mayor’s Secretary

## **5. COMMITTEE REPORTS AND UNFINISHED COUNCIL BUSINESS**

Report from City Operations Committee on PL #45-18, to order the removal of the structure located at 1210 Reed Street. Item postponed indefinitely.

## **6. COMMUNICATIONS FROM THE MAYOR**

Mayor’s Scholarship Presentation – Lucas Chapman and Zackary Linderman

## **7. MISCELLANEOUS COMMUNICATIONS**

Application for a Liquor License – New Oishi Sushi, LLC – 2234 West State Street

## **8. CITY OFFICIAL REPORTS**

## **9. PROPOSED LEGISLATION & REFERRALS**

PL #60-18: (Aiello) To authorize the City Auditor to bond for the Washington Street Project. *Referred to Strategic Planning Committee by Council President.*

PL #61-18: (Aiello) To authorize the Mayor to submit a grant application to the New York State Office of Community Renewal Community Development Block Grant Program for the Washington Street Project. *Referred to Strategic Planning Committee by Council President.*

PL #62-18: (Aiello) To amend Resolution #93-17 to extend the effective date from June 1, 2018 to September 1, 2018. *Referred to Committee of the Whole Tuesday, June 12, 2018 by Council President.*

PL #63-18: (Dougherty) To authorize the change of direction of the one way traffic on the 100 block of North Second Street from northbound to southbound. *Referred to Public Safety Committee by Council President.*

**10. PUBLIC COMMENT / INPUT (5 MINUTE LIMIT PER SPEAKER)**

**11. FINANCE / BILLS**

**12. RESOLUTIONS**

**RESOLUTION #54-18**

**PL#44-18**

By Alderman Crawford, Seconded by Alderman George

**TO AMEND THE CITY OF OLEAN CODE OF ORDINANCES SECTION 24-135 TO PROHIBIT PARKING AND INSTALL “NO PARKING HERE TO CORNER” SIGNS ON THE EAST SIDE OF NORTH TENTH STREET FOR A DISTANCE OF APPROXIMATELY 55 FEET FROM ITS INTERSECTION WITH WAYNE STREET**

**RESOLVED**, that the City of Olean Code of Ordinances Section 24-135, Prohibited from designated sign to corner, is amended to include the following:

<b>Street</b>	<b>Side</b>	<b>Extent</b>
Tenth Street, North	East	For a distance of 55 feet south from its intersection with Wayne Street

**RESOLVED**, that this Resolution is effective immediately.

**RESOLUTION #61-18**

**PL #58-18**

By Alderman \_\_\_\_\_, Seconded by Alderman \_\_\_\_\_

**TO AUTHORIZE THE MAYOR TO EXECUTE THE COORDINATING PARTNER PUBLIC  
TRANSPORTATION SYSTEM FUNDING AGREEMENT FOR THE OATS FOR THE FISCAL YEAR  
JUNE 1, 2018 THROUGH MAY 31, 2019**

**WHEREAS**, the New York State Department of Transportation (NYSDOT) provides financial assistance to public transportation operations to enhance the mobility of all residents on New York State; and

**WHEREAS**, Federal law requires coordination between private, non-profit, and public transportation providers and other Federal programs for certain Federal Transit Administration funding programs; and

**WHEREAS**, there is recognition of the need to distribute the operating costs of coordinated transportation systems in a rational and fair manner among these coordinating partners; and

**WHEREAS**, allocations of operating data such as passenger utilization, miles of service or utilization of services attributed to partnering agencies may provide the basis for the distribution of operating costs among partners; and

**WHEREAS**, the financial contribution from coordinating partners for the operation of the Olean Area Transit System (OATS) service will be based on a review of projected system costs for the public transportation system operating year and assessed on the basis of coordinating transportation services to provide cost efficiency to the community; and

**WHEREAS**, the estimated financial contribution will be budgeted and made available by the governing entity of the coordinating partner prior to the beginning of the public transportation system operating year; and

**WHEREAS**, the financial contribution from partnering agencies will be reviewed, at least, semi-annually during the public transportation system operating year to consider actual operating data and projected costs to continue or to change the transportation services provided associated with this agreement; and

**WHEREAS**, the calculated share of system costs associated with passenger utilization or total service miles may be reduced by the availability of financial commitments from other partner agencies to the operation of the OATS; and

**WHEREAS**, such cost savings may result in a reduction to the financial contribution by a partner to the cost of shared services during fiscal year June 1, 2018 through May 31, 2019; and

**WHEREAS**, the operation of the OATS, including the incorporation of certain public transportation services associated with St. Bonaventure University, and system wide administration costs, are estimated to cost \$756,641.07 during fiscal year June 1, 2018 through May 31, 2019; and

**WHEREAS**, the City of Olean has agreed to assume the responsibility to sponsor the operation of the OATS and has assumed the responsibility to make application and accept operating and capital grant assistance from the New York State Department of Transportation for such purpose; and

**WHEREAS**, after review of operating projections and partner share proposals, the partners to the operation of the OATS agree to contribute the following partner shares to the operation of said system:

**WHEREAS**, the Cattaraugus County Department of Social Services (CCDSS) et al will contribute \$14,774.02 to the operation of the OATS in fiscal year ending May 31, 2019;

**WHEREAS**, the NYSARC Inc., Cattaraugus County Chapter, will contribute \$38,921.66 to the operation of the OATS in fiscal year ending May 31, 2019;

**WHEREAS**, the Seneca Nation of Indians will contribute \$25,965.39 to the operation of the OATS system in fiscal year ending May 31, 2019;

**WHEREAS**, the St. Bonaventure University will contribute \$48,230.15, including an estimated additional amount of \$3,874.64 for the operation of a second late night service bus for 56 hours on 14 Friday and Saturday nights in January, February, and March 2019, to the operation of the OATS in fiscal year ending May 31, 2019; and

Whereas, the actual amount that SBU will pay for the operation of the second late night bus will be determined by the actual service provided on such Friday and Saturday nights; and

**WHEREAS**, it is agreed that CCDSS, the NYSARC Inc., Cattaraugus County Chapter, the Seneca Nation of Indians and St. Bonaventure University agree to provide financial contributions to the OATS during fiscal year June 1, 2018 through May 31, 2019;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor is authorized to execute a Coordinating Partner-Public Transportation System Funding Agreement between the County of Cattaraugus, NYSARC, Inc. Cattaraugus County Chapter, St. Bonaventure University and the Seneca Nation of Indians for OATS bus service reimbursement for the fiscal year 2018-2019.

**RESOLVED**, that this Resolution is effective immediately.

**RESOLUTION #62-18**

**PL #59-18**

By Alderman \_\_\_\_\_, Seconded by Alderman \_\_\_\_\_

**TO AUTHORIZE THE MAYOR TO EXECUTE A THIRD PARTY OPERATOR AGREEMENT FOR THE OLEAN AREA TRANSIT SYSTEM (OATS) EXTENDING THE EXISTING CONTRACT BETWEEN THE CITY AND FIRST TRANSIT, INC.**

**WHEREAS**, in February 2016, the City solicited proposals to continue the public transportation service known as the Olean Area Transit System (OATS) through a formal Request for Proposals procurement process for services for the period 06/01/2016 – 05/31/2017 with an option to renew for up to three one year extensions; and

**WHEREAS**, after recommendation by City staff, on April 12, 2016, the Common Council via Resolution #23-16 authorized the Mayor to execute a Third Party Operator Agreement with First Transit, Inc. for the operation of the OATS; and

**WHEREAS**, said Resolution states that the Mayor will not be authorized to approve an extension of the contract without prior Council approval; and

**WHEREAS**, First Transit, Inc., has provided the required and necessary public transportation service as outlined in the City’s original procurement process;

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council authorizes the Mayor to execute a Third Party Operator Agreement exercising the one year option extending the existing contract between the City and First Transit, Inc. for the period 06/01/2018 – 05/31/2019.

**RESOLUTION #67-18**

**PL #62-18**

By Alderman \_\_\_\_\_, Seconded by Alderman \_\_\_\_\_

**TO AMEND RESOLUTION #93-17 TO EXTEND THE EFFECTIVE DATE FROM JUNE 1, 2018 TO  
SEPTEMBER 1, 2018**

**WHEREAS**, on December 12, 2017, the Common Council passed Resolution #93-17 amending and replacing the City of Olean Code of Ordinances Chapter 12 in its entirety; and

**WHEREAS**, technological and labor changes and requirements have necessitated an extension to the effective date;

**RESOLVED**, that Resolution #93-17 is hereby amended to reflect an effective date of September 1, 2018.

**13. ADJOURNMENT**