

REGULAR MEETING OF THE COMMON COUNCIL

Tuesday, December 11, 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, November 27, 2018 at 6:35 p.m.”

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

ABSENT: None

OFFICIALS: Mayor William Aiello; Lens Martial, City Clerk; Nicholas DiCerbo, Jr., City Attorney; Fred Saradin, City Auditor; Keri Kerper, Community Development Program Coordinator; Jeff Rowley, Police Chief, and Tiffany Taylor, Managerial Confidential Administrative Secretary.

5. COMMITTEE REPORTS AND UNFINISHED COUNCIL BUSINESS

Report from City Operations Committee on PL #119-18, to amend the City of Olean Code of Ordinances Chapter 5, Section 5-3 to designate the procedure for felines running at large, and to include Chapter 5, Article III, Feral Cats. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Finance Committee on PL #120-18, to amend the City of Olean Code of Ordinances Chapter 2, Article VI, to include Division 3, Audit and Compliance Reporting Policy. Committee recommends approval. Referred to City Attorney for Resolution.

- 6. COMMUNICATIONS FROM THE MAYOR**
- 7. MISCELLANEOUS COMMUNICATIONS**
- 8. CITY OFFICIAL REPORTS**
- 9. PROPOSED LEGISLATION & REFERRALS**
- 10. PUBLIC COMMENT / INPUT (5 MINUTE LIMIT PER SPEAKER)**

11. FINANCE / BILLS

12. RESOLUTIONS

RESOLUTION #119-18

PL#117-18

By Alderman _____, Seconded by Alderman _____

RESOLUTION DESIGNATING SAVARINO COMPANIES, LLC AS A “QUALIFIED AND ELIGIBLE SPONSOR”, APPROVING THE DEVELOPMENT AGREEMENT AND QUALIFYING THE DISPOSITION OF THE 107 NORTH UNION STREET PROPERTY

WHEREAS, in furtherance of the objectives of Article 15 and 15-A of the General Municipal Law of the State of New York (“GML”) and the recommendation of the Olean Urban Renewal Agency (OURA), the City of Olean has undertaken a program for reconstruction of its urban core area in a portion of the City’s downtown business district with respect to the parcels of real property located at 101 North Union Street, 107 North Union Street, 106-108 West State Street and 110-116 West State Street in accordance with an Urban Renewal Plan known as the Olean Urban Renewal Plan Update with a background as follows:

WHEREAS, the Agency acquired title to 107 North Union Street on October 22, 2007 from the City of Olean, and

WHEREAS, in August 2010 the governing body of the OURA purchased real property located at 101 North Union Street (formerly First National Bank Building), 106-108 West State Street, 110 West State Street and 116 West State Street (collectively the “OURA Development Site”); and

WHEREAS, in March of 2011 the OURA prepared and advertised a Request for Proposals for the redevelopment of the OURA Development Site consisting of 101 North Union Street, 107 North Union Street, 106-108 West State Street and 110-116 West State Street for which the OURA received two proposals and selected one such proposal as the preferred developer after scoring the proposals; and

WHEREAS, in December of 2011, the OURA recommended an amendment to the existing Urban Renewal Plan pertaining to the OURA Development Site which was duly adopted by the City on December 27, 2011; and

WHEREAS, in May 2013, the preferred developer selected withdrew from the project for various reasons and on June 19, 2014 the OURA accepted the notice to withdraw from the preferred developer; and

WHEREAS, on December 8, 2014 the OURA prepared and advertised a Request for Proposals for the redevelopment of the OURA Development Site consisting of 101 North Union Street, 107 North Union Street, 106-108 West State Street and 110-116 West State Street that resulted in no responses; and

WHEREAS, ON THREE OCCASIONS, December 8, 2014, August 15, 2015, and December 15, 2015 the OURA prepared and advertised a Request for Proposals for the redevelopment of the OURA Development Site that resulted in no responses; and

WHEREAS, in October of 2017 in response to its Request for Proposal for the redevelopment of 107 North Union Street, the OURA received one proposal which was rejected and it was decided the OURA would improve the language to the Request for Proposals and release it at a later date; and

WHEREAS, in July of 2018 in response to its Request for Proposals for the redevelopment of 107 North Union Street the OURA received one proposal, from Savarino Companies, LLC; and

WHEREAS, on August 15, 2018 Savarino Companies, LLC gave a presentation on the proposed project to OURA members and scoring was conducted by members based on the criteria outlined in the Request for Proposals; and

WHEREAS, on September 19, 2018, the Agency decided to pursue, subject to legal requirements, redevelopment of the Property by the Company by negotiated disposal process consistent with the Company's Redevelopment Proposal dated July 13, 2018 which constitutes the Company's proposal, and

WHEREAS, in order for the OURA and the Preferred Developer to enter into a Development Agreement for the disposition of 107 North Union Street, the Common Council pursuant to GML Section 507(2)(d) must: 1) permit the designation of the Preferred Developer as a "qualified and eligible sponsor"; and 2) approve the Development Agreement and qualify the disposition of the property, and

WHEREAS, the OURA has undertaken a coordinated review of this Project pursuant to the State Environmental Quality Review Act and has issued a Negative Declaration determining that the Project will have no significant adverse environmental impact, and

WHEREAS, the Common Council held a public hearing on Tuesday, December 11, 2018, the purpose of which was to provide the public with information on the Project and the Preferred Developer’s plan for redevelopment of the 107 North Union Street property.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council hereby designates Savarino Companies, LLC as a “qualified and eligible sponsor”, approves the Development Agreement (attached) and qualifies the disposition of 107 North Union Street.

RESOLVED, that this Resolution is effective immediately.

13. ADJOURNMENT