

REGULAR MEETING OF THE COMMON COUNCIL

Tuesday, October 22, 2019

Olean Municipal Building - Council Chambers – 6:35 p.m.

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, October 8, 2019 at 6:45 p.m.”

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

ABSENT: None

OFFICIALS: Mayor William Aiello; Lens Martial, City Clerk; Nicholas DiCerbo, Jr., City Attorney; Bob Ring, Director of Public Works; Bob Bell, Fire Chief; Jeff Rowley, Police Chief, and Tiffany Taylor, Managerial Confidential Administrative Secretary.

5. COMMITTEE REPORTS AND UNFINISHED COUNCIL BUSINESS

Report from Public Safety Committee on PL #75-19, to amend the City of Olean Code of Ordinances Chapter 14 to include Section 14-4, Tobacco- and Nicotine-free Policy for City of Olean Recreational Facilities. 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

PL #78-19: (Aiello) To authorize the Mayor to sign and submit an application to the New York State Department of Environmental Conservation under the Urban and Community Forestry Grants Program Round 15 in connection with the City of Olean Tree Inventory and Community Forestry Management Plan Project. *Referred to Committee of the Whole Tuesday, October 22, 2019 by Council President.*

PL #79-19: (Aiello) To approve the following Downton Olean Property Improvements Program (DPIP) application for financial assistance as recommended by the Revolving Loan Fund Committee: DPIP #70-03, in an amount not to exceed \$22,000. *Referred to Committee of the Whole Tuesday, October 22, 2019 by Council President.*

PL #80-19: (Aiello) To authorize the execution of a Host Community Agreement between the City of Olean and CDS Monarch, Inc. for the properties located at 422 East State Street and 115 Fulton Street. *Referred to Committee of the Whole Tuesday, October 22, 2019 by Council President.*

PL #81-19: (Aiello) To authorize a one year medical leave of absence for employee number 135008. *Referred to Regular Meeting Tuesday, October 22, 2019 for Resolution by Council President.*

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

11. FINANCE-BILLS

By Alderman _____ Seconded by Alderman _____

The Auditor has processed bills and claims against the City of Olean as per list submitted to each Alderman and recommends payment thereof.

WHEREAS, the Auditor has presented to the Common Council, bills and claims against the City of Olean totaling \$964,916.99 for the budget and recommends payment thereof.

NOW, THEREFORE, BE IT RESOLVED, that the same be and are hereby audited and allowed, and the Auditor is hereby authorized and directed to draw warrants for the payment thereof at the amounts set opposite each respective claim.

12. RESOLUTIONS

RESOLUTION #81-19

PL #78-19

By Alderman _____, Seconded by Alderman _____

TO AUTHORIZE THE MAYOR TO SIGN AND SUBMIT AN APPLICATION TO THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION FOR A REIMBURSEMENT PROJECT GRANT UNDER THE URBAN AND COMMUNITY FORESTRY PROGRAM ROUND 15 IN CONNECTION WITH THE CITY OF OLEAN TREE INVENTORY AND COMMUNITY FOREST MANAGEMENT PLAN PROJECT

WHEREAS, the New York State Department of Environmental Conservation (NYSDEC) has announced the availability of funding under the Environmental Protection Fund for tree inventory projects and community forest management plans; and

WHEREAS, communities with a population of less than 65,000 residents may apply for up to \$50,000 in grant funds under the Agency’s “Small Community Grants” program; and

WHEREAS, a requirement of the Urban and Community Forestry Program Round 15, the applicant must obtain the “approval/endorsement of the governing body of the municipality in which the project will be located”; and

WHEREAS, the City of Olean is desirous of applying for funding to conduct a comprehensive Geographic Information System based inventory of the territorial jurisdiction of the City of Olean’s maintained trees, planting sites and stumps located along public rights-of-way, public parks and City owned facilities detailing age, species, health, geographic distribution of our urban forest, etc.; and

WHEREAS, an Urban Forest Management Plan will be created by certified arborists and/or forester professionals so we may sustainably, holistically and efficiently manage our urban forest;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council authorizes the Mayor to sign and submit said application and sign any contracts or agreements between the City of Olean and NYSDEC necessary to secure \$50,000 in funding for a reimbursement based grant for the above-referenced project.

RESOLVED, that this Resolution is effective immediately.

RESOLUTION #82-19

PL #79-19

By Alderman _____, Seconded by Alderman _____

RESOLUTION APPROVING A DOWNTOWN PROPERTY IMPROVEMENT PROGRAM LOAN TO A LOCAL BUSINESSES

WHEREAS, the City of Olean has designed a Downtown Property Improvement Program (DPIP) that provides financial incentives for commercial property owners and businesses to rehabilitate their buildings, reduce downtown commercial vacancy rates, create employment opportunities, and preserve and expand the tax base of the City of Olean, and

WHEREAS, assistance to property owners and businesses will be in the form of low interest loans/grants for commercial/business improvement projects, and

WHEREAS, the Olean Revolving Loan Fund committee has reviewed an application for assistance and has recommended approval of;

DPIP #70-03, not to exceed \$22,000;

BE IT RESOLVED, that the Olean Common Council has approved said application for assistance under the Downtown Property Improvement Program.

IT IS FURTHER RESOLVED, that this Resolution will be effective immediately.

RESOLUTION #83-19

PL #80-19

By Alderman _____, Seconded by Alderman _____

TO AUTHORIZE THE EXECUTION OF A HOST COMMUNITY AGREEMENT BETWEEN THE CITY OF OLEAN AND CDS MONARCH, INC. FOR THE PROPERTIES LOCATED AT 422 EAST STATE STREET AND 115 FULTON STREET

WHEREAS, CDS Monarch, Inc. is a not-for-profit corporation formed under the laws of the State of New York is an agent for and on behalf of a to be formed not-for-profit housing development fund corporation to be formed under Article XI of the New York Private Housing Finance Law (the “HDFC”); and

WHEREAS, the HDFC is to be the legal title owner (the “Owner”) of certain parcels of real property within the City of Olean described as follows: 422 East State Street, Olean, s/b/l 94.065-6-7, and 115 Fulton Street, s/b/l 94.065-6-24; and

WHEREAS, the subject properties shall receive tax-exempt status as the owner is a not-for-profit corporation; and

WHEREAS, the Owner recognizes that the City provides services which benefit the owner, and the Owner desires to compensate the City for such services; and

WHEREAS, the Owner has agreed to pay directly to the City a Host Community Fee annually in an amount equal to the City’s real property tax that would have been payable if the Subject Property were not tax-exempt for so long as the Owner owns or controls the subject properties and otherwise during the term of a Host Community Agreement (for a period not to exceed forty years);

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Olean authorizes the Mayor to execute a Host Community Agreement between the City of Olean and CDS Monarch, Inc. for the properties located at 422 East State Street and 115 Fulton Street.

RESOLVED, that this Resolution is effective immediately.

RESOLUTION #84-19

PL #81-19

By Alderman _____, Seconded by Alderman _____

TO AUTHORIZE A ONE YEAR MEDICAL LEAVE OF ABSENCE FOR EMPLOYEE NUMBER 135008

RESOLVED, that upon review of the request received, the Common Council of the City of Olean authorizes a one year medical leave of absence for employee number 135008.

RESOLVED, that this Resolution is effective immediately.

13. ADJOURNMENT