

REGULAR MEETING OF THE COMMON COUNCIL

Tuesday, March 24, 2020

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

1. ROLL-CALL

2. INVOCATION

Dear Creator of all, we seek blessings on the task before us. Bless our efforts with clear insight, our deliberations with wisdom, our work with clarity and accuracy, and our decisions with impurity. Amen.

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, March 10, 2020 at 6:40 p.m.”

PRESENT: Aldermen Gonzalez, Witte, Panus, Dougherty, Crawford, Smith, and Anastasia

ABSENT: None

OFFICIALS: Mayor William Aiello; Lens Martial, City Clerk; Nicholas DiCerbo, Jr., City Attorney; Fred Saradin, City Auditor; Jeff Rowley, Police Chief; Tim Richardson, Fire Chief, and Tiffany Taylor, Managerial Confidential Administrative Secretary.

5. COMMITTEE REPORTS AND UNFINISHED COUNCIL BUSINESS

6. COMMUNICATIONS FROM THE MAYOR

7. MISCELLANEOUS COMMUNICATIONS

8. CITY OFFICIAL REPORTS

9. PROPOSED LEGISLATION & REFERRALS

PL #18-20: (Aiello) To authorize the implementation and funding in the first instance 100% of the federal-aid and State “Marchiselli” Program-aid eligible costs, of Walkable Olean – Phase III, a transportation federal-aid project, and appropriating funds therefore. *Referred to Committee of the Whole Tuesday, March 24, 2020 by Council President.*

PL #19-20: (Aiello) To authorize the Mayor to execute a Third Party Operator Agreement for the Olean Area Transit System between the City of Olean and First Transit, Inc. for services

for the period June 1, 2020 through May 31, 2021. *Referred to Committee of the Whole Tuesday, March 24, 2020 by Council President.*

PL #20-20: (Aiello) To award the bid for electrical energy services to Constellation NewEnergy, Inc. *Referred to Committee of the Whole Tuesday, March 24, 2020 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 \$719,237.98 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 #19-20

PL #17-20

By Alderman _____, Seconded by Alderman _____

TO AMEND THE CITY OF OLEAN CODE OF ORDINANCES SECTION 24-135 TO PROHIBIT PARKING ON THE SOUTH SIDE OF EAST OAK STREET FOR A DISTANCE OF 50 FEET FROM THE WEST CURBLINE OF WALNUT STREET

RESOLVED, that the City of Olean Code of Ordinances Section 24-135 is hereby amended to include the following:

Street	Side	Extent
Oak Street, East	South	50 feet from the west curbline of Walnut Street

RESOLVED, that this Resolution is hereby effective immediately.

RESOLUTION #20-20

PL #18-20

By Alderman _____, Seconded by Alderman _____

TO AUTHORIZE THE IMPLEMENTATION IN THE FIRST INSTANCE 100% OF THE FEDERAL-AID AND STATE “MARCHISELLI” PROGRAM-AID ELIGIBLE COSTS, OF WALKABLE OLEAN PHASE III, A TRANSPORTATION FEDERAL-AID PROJECT, AND APPROPRIATING FUNDS THEREFORE

WHEREAS, a project for Walkable Olean Phase III, P.I.N. 5762.36 (the “Project”) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs such program to be borne at the ratio of 100% Federal funds and 0% non-federal funds; and

WHEREAS, the Common Council of the City of Olean desires to advance the Project;

NOW, THEREFORE, the Common Council of the City of Olean, duly convened, does hereby

RESOLVE, that the Common Council hereby approves the above subject project; and it is hereby further

RESOLVED, that the Common Council hereby authorizes the City of Olean to pay in the first instance 100% of the federal and non-federal share of the cost of the Preliminary Engineering (Design I-VI), Right-of-Way Incidentals and Construction . Construction Inspection Phase for the Project or portions thereof; and it is further

RESOLVED, that the Common Council authorizes Supplemental Agreement #1 which supersedes the Original Agreement which had a total vale of \$176,000 by adding the Construction / Construction Inspection Phase, reducing the Right-of-Way Incidentals Phase and adding additional 100% Local Share; and

RESOLVED, that in the event that the full federal and non-federal share costs of the project exceeds the amount appropriated, the Common Council of the City of Olean shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the Director of Public Works thereof; and it is further

RESOLVED, that the Mayor of the City of Olean be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid and/or Marchiselli Aid on behalf of the City of Olean with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality’s first instance funding of project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible, and it is further

RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project, and it is further

RESOLVED, this Resolution shall take effect immediately.

RESOLUTION #21-20

PL #19=20

By Alderman _____, Seconded by Alderman _____

**TO AUTHORIZE THE MAYOR TO EXECUTE A THIRD PARTY OPERATOR
AGREEMENT FOR THE OLEAN AREA TRANSIT SYSTEM**

WHEREAS, the City of Olean’s contract with its current Third Party Operator for the Olean Area Transit System (OATS) expires on May 31, 2020, and

WHEREAS, the City of Olean solicited proposals to continue this public transportation service through a Request for Proposal (RFP) procurement process, and

WHEREAS, three proposals were received in response to the RFP by the Department of Community Development, and the OATS Selection Committee reviewed and scored the proposals, and

WHEREAS, upon review and analysis of the proposal by the OATS Selection Committee via the evaluation factors listed in the RFP, the committee recommends to the Common Council that First Transit, Inc. be awarded this contract, and

WHEREAS, the period of the services sought by the procurement shall be June 1, 2020 through May 31, 2021, with an option to renew the contract for up to three one year extensions.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is authorized to execute a Third Party Operator Agreement with First Transit, Inc. for the operation of the OATS, but the Mayor will not be authorized to approve the extension of such contract without prior Council approval.

BE IT FURTHER RESOLVED, that this Resolution is effective immediately.

RESOLUTION #22-20

PL #20-20

By Alderman _____, Seconded by Alderman _____

**TO AWARD THE BID FOR ELECTRICAL ENERGY SERVICES TO CONSTELLATION
NEWENERGY, INC.**

WHEREAS, the City of Olean has requested bids for electrical energy supply services for the City; and

WHEREAS, proposals were received and reviewed by the Department of Public Works for determination of the lowest qualified bid for electrical energy services; and

WHEREAS, upon review of the proposals received, it was determined that Constellation NewEnergy, Inc. is the lowest qualified bidder for electrical energy services, providing savings to the City of Olean in comparison to current energy supplier rates;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council authorizes the award of the bid for electrical energy services to Constellation New Energy, Inc.

RESOLVED, that the Common Council authorizes the Mayor of the City of Olean to execute all agreements and contracts in association with aforementioned bid award.

RESOLVED, that this Resolution is effective immediately.

13. ADJOURNMENT