

REGULAR MEETING OF THE COMMON COUNCIL

Tuesday, November 24, 2020

via Zoom – 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, November 10, 2020 at 6:30 p.m.”

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

ABSENT: None

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

5. COMMITTEE REPORTS AND UNFINISHED COUNCIL BUSINESS

Report from Strategic Planning Committee on PL #71-20, to amend the City of Olean Charter Article III, Division 4, to include Section 3.090 containing qualifications for the City Auditor. 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 #73-20: (Crawford) To authorize the sale of 1013 Washington Street to a private entity. *Referred to Regular Meeting Tuesday, November 24, 2020 for Resolution by Council President.*

PL #74-20: (Aiello) To authorize the Mayor to enter into an Intermunicipal Agreement with Cattaraugus County to allow the County to assume the responsibility and expense for the collection of the County tax payments. *Referred to Regular Meeting Tuesday, November 24, 2020 for Resolution by Council President.*

PL #75-20: (Aiello) To authorize free parking on West State Street and North Union Street, as well as in all City of Olean parking lots, on November 27, 2020 through January 1, 2021. *Referred to Regular Meeting Tuesday, November 24, 2020 for Resolution by Council President.*

PL #76-20: (Aiello) To authorize the transfer of \$1,322 from F06-8340.412 to A01-5110-412 for funding needed to pay for the Water Department's share of pavement openings. *Referred to Committee of the Whole Tuesday, November 24, 2020 by Council President.*

PL #77-20: (Robinson) To authorize the installation of a handicapped parking space and related signage on West State Street in the first parking spot on the northeast corner of its intersection with North 12th Street. *Referred to Committee of the Whole Tuesday, November 24, 2020 by Council President.*

PL #78-20: (Robinson) To authorize the installation of "Deaf Child Area" signs in the vicinity of the intersection of Henley Street and North 14th Street. *Referred to Public Safety Committee 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 \$990,450.52 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 #86-20

PL #68-20

By Alderman Witte, Seconded by Alderman Crawford

TO AMEND THE CITY OF OLEAN CODE OF ORDINANCES SECTION 24-81 TO INCLUDE A 20 MPH SPEED LIMIT ON A PORTION OF MAIN STREET AND HAMILTON AVENUE WHILE SCHOOL IS IN SESSION

RESOLVED, that the City of Olean Code of Ordinances Section 24-81 is hereby amended to include the following:

(d) The speed limit on the following streets is 20 miles per hour between the hours of 7:00 a.m. and 4:00 p.m. while school is in session, and signs to that effect are to be installed:

(1) Main Street from Genesee Street to the northern property line of 643 Main Street.

(2) Hamilton Avenue from Main Street to the eastern property line of 111 Hamilton Avenue.

RESOLVED, that this Resolution is hereby effective immediately.

RESOLUTION #87-20

PL #67-20

By Alderman Witte, Seconded by Alderman Dougherty

TO AUTHORIZE THE INSTALLATION OF SCHOOL ZONE, SPEED REDUCTION AND PEDESTRIAN CROSSING SIGNS ON MAIN STREET AND HAMILTON AVENUE IN THE VICINITY OF THE BOARDMANVILLE SCHOOL BUILDING

RESOLVED, that the Common Council authorizes the installation of school zone, speed reduction and pedestrian crossing signs on Main Street and Hamilton Avenue in the vicinity of the Boardmanville School building.

RESOLVED, that speed reduction signs shall be installed in accordance with boundaries described in Resolution #86-20.

RESOLVED, that this Resolution shall take effect immediately.

RESOLUTION #90-20

PL #73-20

By Alderman _____, Seconded by Alderman _____

TO AUTHORIZE THE SALE OF 1013 WASHINGTON STREET TO A PRIVATE ENTITY

WHEREAS, on October 25, 2016 the Olean Common Council enacted Local Law #01-2016, adopting a policy for the sale or franchise of City-owned property; and

WHEREAS, said Local Law authorizes the Common Council to authorize a private sale of City-owned property not needed for public or municipal purposes, if said sale is in the best interests of the City; and

WHEREAS, James J. Palumbo and Thomas E. Palumbo, owners of 1015 Washington Street (collectively, the "Owners"), have submitted to the Common Council a purchase offer for City-owned property ("City Property") located at 1013 Washington Street; and

WHEREAS, the City Property is located adjacent to the property of the owners;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council declares that the City Property identified as 1013 Washington Street (s/b/1 94.064-7-2) as property that is no longer needed for public or municipal purposes; and

BE IT FURTHER RESOLVED, that the Common Council determines that the sale of the property to James J. Palumbo and Thomas E. Palumbo with the condition that the property be maintained in accordance with the City of Olean Code of Ordinances by the Owners is in the best interests of the City; and

BE IT FURTHER RESOLVED, that the City will sell and convey its rights, title and interest in and to the real property identified as 1013 Washington Street (s/b/1 94.064-7-2) to James J. Palumbo and Thomas E. Palumbo for \$2,000 and the cost of the conveyance; and

RESOLVED, that the deed conveying title to the property shall contain the following restrictive and reversionary language which is intended to run with the land: the owners will be responsible to maintain the lot in accordance with requirements set forth within the City of Olean Code of Ordinances.

RESOLVED, that the deed shall not be executed and delivered to the Grantee until the time period specified in Local Law 01-2016, for the filing of a petition demanding a public referendum on the proposed sale, has expired.

RESOLVED, that this Resolution is effective immediately.

RESOLUITON #91-20

PL #74-20

By Alderman _____, Seconded by Alderman _____

**TO AUTHORIZE THE MAYOR TO ENTER INTO AN INTERMUNICIPAL AGREEMENT WITH
CATTARAUGUS COUNTY TO ALLOW THE COUNTY TO ASSUME THE RESPONSIBILITY AND
EXPENSE FOR THE COLLECTION OF THE COUNTY TAX PAYMENTS**

WHEREAS, the County and City desire to jointly and concurrently enter into a municipal cooperation agreement pursuant to Article 5-G of the General Municipal Law, assigning the County to undertake responsibility for receiving payments of the County taxes from the residents of the City, as authorized by NYS Real Property Tax Law section 578 (2) (a), and 578 (2) (b); and

WHEREAS, the County and the City have determined that it would be mutually beneficial to engage in an agreement for the City to designate the County to collect County taxes from Residents;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council authorizes the Mayor of the City of Olean to enter into an Intermunicipal Agreement with Cattaraugus County to allow the County to assume the responsibility and expense for the collection of the County tax payments.

RESOLVED, that the parties agree that the County shall be responsible for collecting the payments of County Taxes, including any interest and/or penalties that may be owed, on behalf of the City, from residents in compliance with all applicable law, rules and regulations;

RESOLVED, that the County will produce, print, and mail the tax bills, at the County's expense, and in consideration of the County assuming the responsibility and expense for the collection of the County tax payments from residents, the County will retain all interest and penalties.

RESOLVED, that this Resolution shall take effect immediately, and the County will assume all preparation, printing, and mailing of tax bills in regards to the tax bill warrant that begins January 1, 2020.

RESOLUTION #92-20

PL #75-20

By Alderman _____, Seconded by Alderman _____

RESOLUTION AUTHORIZING FREE PARKING ON WEST STATE STREET AND NORTH UNION STREET, AS WELL AS IN ALL CITY OF OLEAN PARKING LOTS, ON NOVEMBER 27, 2020 THROUGH JANUARY 1, 2021

IT IS RESOLVED, that there shall be free parking on West State Street and North Union Street, as well as in all City of Olean parking lots, on November 27, 2020 through January 1, 2021.

RESOLUTION #93-20

PL #76-20

By Alderman _____, Seconded by Alderman _____

RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM LINE ITEM F06-8340.412 TO A01-5110.412 FOR FUNDING NEEDED TO PAY FOR THE WATER DEPARTMENT'S SHARE OF PAVEMENT OPENINGS

RESOLVED, that the following transfer be authorized for costs associated with the replacement of Dispatch computers:

<i>Account #</i>	<i>Description – General</i>	<i>Transferred From</i>	<i>Transferred to</i>
<i>F-06-5-8340.412</i>	<i>Water Transmission and Distribution - Street Materials</i>	<i>\$1,322.00</i>	
<i>A-01-5-5110.412</i>	<i>Maintenance of Streets – Resurfacing & Street Materials</i>		<i>\$1,322.00</i>

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

13. ADJOURNMENT