

REGULAR MEETING OF THE COMMON COUNCIL

**Tuesday, November 9, 2021
Olean Municipal Building – 6:05 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 26, 2021 at 6:45 p.m.”

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

ABSENT: None

OFFICIALS: Mayor William Aiello; Lens Martial, City Clerk; Fred Saradin, City Auditor; Bob Ring, Director of Public Works, and Tiffany Taylor, Managerial Confidential Administrative Secretary.

5. COMMITTEE REPORTS AND UNFINISHED COUNCIL BUSINESS

6. COMMUNICATIONS FROM THE MAYOR

The Annual Organizational Meeting and State of the City Address will be held on Monday, January 3, 2021 at 6:00 p.m.

Notice of Retirement – Fred Saradin, City Auditor – effective December 11, 2021

Notice of Retirement – Glenda Jester, Auditor’s Office – effective January 3, 2021

7. MISCELLANEOUS COMMUNICATIONS

8. CITY OFFICIAL REPORTS

Monthly Report of the City Auditor – month ended September 2021

9. PROPOSED LEGISLATION & REFERRALS

PL #72-21: (Aiello) That the Common Council as Lead Agency concludes that the proposed project for the City of Olean Water Filtration Plant Structural Improvements is a Type II Action and that after full review of the Environmental Assessment Form determines that the project

will have no adverse environmental impact and thus declares a Negative Declaration. *Referred to Regular Meeting Tuesday, November 9, 2021 for Resolution by Council President.*

PL #73-21: (Barnard) to amend the City of Olean Code of Ordinances Section 24-176 to authorize the installation of a “Do Not Block Driveway” sign between 516 West State Street and 518 West State Street. *Referred to Regular Meeting Tuesday, November 23, 2021 for Resolution by Council President.*

PL #74-21: (Aiello) To authorize the Mayor to apply for funding through the New York State Environmental Facilities Corporation (EFC) Water Infrastructure Improvements Act (WIIA) for the Water Filtration Plant Structural Improvements Project for structural improvements to a weight-bearing wall that is failing at the water filtration plant. *Referred to Regular Meeting Tuesday November 9, 2021 for Resolution by Council President.*

PL #75-21: (Aiello) To authorize the City Auditor to bond for the local match for the City of Olean Water Filtration Plant Structural Improvements Project. *Referred to Regular Meeting Tuesday, November 9, 2021 for Resolution by Council President.*

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

11. FINANCE-BILLS

12. RESOLUTIONS

RESOLUTION #83-21

PL #71-21

By Alderman Crawford, Seconded by Alderman Gonzalez

TO AMEND THE CITY OF OLEAN CODE OF ORDINANCES SECTION 24-135 TO PROHIBIT PARKING ON THE NORTH SIDE OF WASHINGTON STREET AT ITS EAST CORNER WITH WORDEN AVENUE AND AT ITS EAST CORNER WITH WINTERS AVENUE

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

Street	Side	Extent
Washington Street	North	20 feet from the sidewalk at its intersection with of Worden Avenue
Washington Street	North	20 feet from the sidewalk at its intersection with of Winters Avenue

RESOLVED, that this Resolution is hereby effective immediately.

RESOLUTION #84-21

PL #52-21

By Alderman Witte, Seconded by Alderman Gonzalez

TO ADOPT THE CITY OF OLEAN EMPLOYEE SOCIAL MEDIA POLICY

WHEREAS, the City of Olean desires to address personal use of social media by employees during and after working hours; and

WHEREAS, the City of Olean respects the legal rights of its employees to use their own devices and time to express their opinions through social media but must also clarify that responsibilities of municipal employees do not always end with their work day; and

WHEREAS, employees' use of social media can pose risks to the City's confidential and proprietary information and reputation, can expose the City to discrimination and harassment claims, and can jeopardize the City's compliance with other applicable laws; and

WHEREAS, to minimize these risks, to avoid loss of productivity and distraction from employees' job performance, and to ensure that the City's information technology resources and communication systems are used appropriately, the City desires to require its employees to adhere to guidelines and rules regarding social media use; and

WHEREAS, the Common Council has reviewed the proposed Social Media Use Policy and agree that it is in the best interest of the City of Olean to institute the policy for its employees;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Olean hereby adopts the City of Olean Employee Social Media Policy.

RESOLVED, that this Resolution is effective immediately.

RESOLUTION #85-21

PL #72-21u

By Alderman _____, Seconded by Alderman _____

THAT THE COMMON COUNCIL AS LEAD AGENCY CONCLUDES THAT THE PROPOSED PROJECT FOR THE CITY OF OLEAN WATER FILTRATION PLANT STRUCTURAL IMPROVEMENTS IS A TYPE II ACTION AND THAT AFTER FULL REVIEW OF THE ENVIRONMENTAL ASSESSMENT FORM DETERMINES THAT THE PROJECT WILL HAVE NO ADVERSE ENVIRONMENTAL IMPACT AND THUS ISSUES A NEGATIVE DECLARATION

WHEREAS, the City of Olean is desirous of undertaking a project for structural improvements at the water filtration plant; and

WHEREAS, such project requires SEQR review prior to formal consideration by the Common Council; and

WHEREAS, in accordance with 6 NYCRR Part 615.7, subsection (C), the following are representative of the Water Filtration Plan Structural Improvements Project and thus qualifies said project at a Type II Action under SEQRA regulations:

617.5 (C.1) maintenance or repair involving no substantial changes in an existing structure or facility;

615 (C.2) replacement, rehabilitation, or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building, energy, or fire codes unless such action meets or exceeds any of the thresholds in section 317.4 of this part; and

WHEREAS, the Common Council, in its capacity as Lead Agency, has caused to be prepared an environmental assessment of the significance of a potential environmental impact of the action described above; and

WHEREAS, it has been determined through findings of the Environmental Assessment Form that the proposed project will have no significant impact(s) on the environment;

NOW, THEREFORE, BE IT RESOLVED, that the City of Olean Common Council declares itself Lead Agency for this project and for the purposes of SEQRA.

BE IT FURTHER RESOLVED, that the Common Council, as Lead Agency, concludes that the proposed Water Filtration Plant Structural Improvements is a Type II Action and that after full review of the Environmental Assessment Form determines that the project will have no adverse environmental impact and thus issues a Negative Declaration.

RESOLVED, that this Resolution is effective immediately.

RESOLUTION #86-21

PL #74-21

By Alderman _____, Seconded by Alderman _____

TO AUTHORIZE THE MAYOR TO APPLY FOR GRANT FUNDING THROUGH THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION (EFC) WATER INFRASTRUCTURE IMPROVEMENTS ACT (WIIA) FOR THE WATER FILTRATION PLANT STRUCTURAL IMPROVEMENTS PROJECT FOR STRUCTURAL IMPROVEMENTS TO A WEIGHT-BEARING WALL THAT IS FAILING AT THE WATER FILTRATION PLANT

WHEREAS, the City of Olean is desirous of undertaking a project involving improvements at the water filtration plant, including to a weight-bearing wall that is failing with an estimated maximum cost of \$1,560,800; and

WHEREAS, the New York State Environmental Facilities Corporation has funding available for such projects through a Water Infrastructure Improvements Act (WIIA) Grant; and

WHEREAS, the City of Olean is seeking financial assistance through the 2021 EFC WIIA Program; and

WHEREAS, if awarded, said grant will fund up to 60% of eligible project costs for a maximum of \$936,480; and

WHEREAS, the local share is estimated to \$624,320 (40% of the total project cost) and the Common Council authorizes the appropriation of such funds associated with the local match for said project; and

NOW, THEREFORE, BE IT RESOLVED, that the Common Council authorizes the Mayor to apply for grant funding through the New York State Environmental Facilities Corporation Water Infrastructure Improvements Act for the Water Filtration Plant Structural Improvements Project; and

BE IT RESOLVED, that the Common Council of the City of Olean authorizes the Mayor to execute a Grant Agreement with the New York State Environmental Facilities Corporation and any and all other contracts, documents, and instruments necessary to bring about the Project and to fulfill the City of Olean's obligations under the Water Infrastructure Improvements Act Grant Agreement; and

RESOLVED, that the Mayor is authorized to execute expenditures for the City of Olean's Water Filtration Plant Structural Improvements Project under the New York State Environmental Facilities Corporation Water Infrastructure Improvement Act Program on behalf of the City of Olean.

RESOLVED, that this Resolution is effective immediately.

RESOLUTION #87-21

PL #75-21

By Alderman _____, Seconded by Alderman _____

RESOLUTION AUTHORIZING THE CITY AUDITOR TO BOND FOR THE LOCAL MATCH FOR THE CITY OF OLEAN WATER FILTRATION PLANT STRUCTURAL IMPROVEMENTS PROJECT

WHEREAS, the City of Olean is applying to the New York State Environmental Facilities Corporation through the Water Infrastructure Improvements Act for the City of Olean Water Filtration Plant Structural Improvements Project; and

WHEREAS, as a requirement of the program, the Common Council must approve a bond resolution for the financing of the local match on said project, with the understanding that the money does not need to be borrowed in the event that the Common Council appropriates funding from existing budget line items;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council hereby authorizes and directs the City Auditor to bond for an amount up to \$624,320 for the Water Filtration Plant Structural Improvements Project.

RESOLVED, that this Resolution is effective immediately.

13. ADJOURNMENT