

Journal of Proceedings

OF THE COMMON COUNCIL OF THE CITY OF OLEAN, N.Y.

March 28, 2017

**COMMON COUNCIL CHAMBERS
COUNTY OF CATTARAUGUS
STATE OF NEW YORK**

A Regular Meeting of the Olean Common Council of the City of Olean was held on Tuesday, March 28, 2017 at 6:40 p.m.

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

ABSENT: *None*

OFFICIALS: *Mayor William Aiello; Al Utecht, City Clerk; Nicholas DiCerbo, Jr., City Attorney; Fred Saradin, City Auditor; Mary George, Community Development Program Coordinator; Tom Windus, Director of Public Works; Bob Bell, Fire Chief; Jeff Rowley, Police Chief, and Tiffany Taylor, Managerial Confidential Administrative Secretary.*

At this time a prayer was given by Alderman Smith, followed by a salute to the flag.

**READING, CORRECTING & APPROVAL OF THE MINUTES OF THE
PREVIOUS REGULAR MEETING**

A motion to approve the minutes of the March 14, 2017 meeting was made by Alderman Gonzalez, seconded by Alderman Crawford. Voice vote, ayes all. Motion carried.

COMMITTEE REPORTS & UNFINISHED COUNCIL BUSINESS

Report from Public Safety Committee on PL #19-17, to amend the City of Olean Code of Ordinances Section 24-134, Prohibited at all times, to prohibit parking on the north half of South Sixth Street on the west side. Committee recommends approval. Referred to City Attorney for Resolution.

Report from City Operations Committee on PL #22-17, to authorize the City of Olean to deed an abandoned portion of Maple Street to SolEpoxy, Inc. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #21-17, to approve the following Revolving Loan Fund (RLF) Program application: RLF #19-06, in an amount not to exceed \$30,000. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #24-17, to approve the following Olean Homeownership Assistance Program (OHAP) application: OHAP #184-06, in an amount not to exceed \$10,000. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #28-17, to authorize the Mayor to sign and submit the 2018-2022 Airport Capital Improvement Program to the Federal Aviation Administration. Committee recommends approval. Referred to City Attorney for Resolution.

COMMUNICATIONS FROM THE MAYOR

Special Proclamation for Team AKT Members earning spots on Team USA

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Notice of Award – North Union Street awarded the American Public Works Association – New York Chapter’s Transportation Project of the Year

Notice of Award – New York State Home Local Program awarded the City of Olean \$400,000 to aid first time homebuyers

MISCELLANEOUS COMMUNICATIONS

None

CITY OFFICIAL REPORTS

Monthly Report of the City Auditor – month ended February, 2017

Quarterly Report of the City Auditor – three months ended February 28, 2017

PROPOSED LEGISLATION AND REFERRALS

PL #26-17: (Aiello) To confirm the Mayoral appointment of Jim Griffin to the ethics board. Referred to Regular Meeting Tuesday, March 28, 2017 for Resolution by Council President.

PL #27-17: (Aiello) To authorize the Mayor to sign a continuing agreement between the City of Olean and the State of New York in connection with consolidated Section 5311 Program Appalachian Development Public Transportation Assistance Program, Supportive Employment Services, and Operation Capital Assistance Projects for the Olean Area Transit System. Referred to Committee of the Whole Tuesday, April 11, 2017 by Council President.

PL #28-17: (Aiello) To authorize the Mayor to sign and submit the 2018-2022 Airport Capital Improvement Program to the Federal Aviation Administration. Referred to Committee of the Whole Tuesday, March 28, 2017 by Council President.

PUBLIC COMMENT/INPUT

Gordon Baldwin of 414 Prospect Avenue stated that he has been hearing rumors that the hotel will not be going into the brownfield project, and he sees that no work is being done. He asked the City to find out what is going on and to keep residents in the loop.

Rick McFall of 330 South Barry Street expressed displeasure that the City would not become engrossed in a dispute between neighbors. He threatened to take matters into his own hands to deal with the problem.

Scott Paoletto of 318 North 11th Street encouraged the Council to compare costs versus revenue for the ice rink to see if it is worth the City continuing the service. He continued in stating that he believes that the old water and sewer lines are causing issues with potholes, and that he hopes when we redid the brick street (North 2nd Street) that we redid the water and sewer lines as well.

FINANCE / BILLS

By Alderman Gonzalez, Seconded by Alderman Crawford

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*

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against the City of Olean totaling \$1,260,240.53 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.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTIONS

RESOLUTION #23-17

PL #22-17

By Alderman Smith, Seconded by Alderman George

TO AUTHORIZE THE CITY OF OLEAN TO DEED AN ABANDONED PORTION OF MAPLE STREET TO SOLEPOXY, INC.

WHEREAS, in 2002, the City of Olean Common Council determined that a certain unopened street in the City of Olean referred to as Maple Street abutting west Connell Street and Franklin Street served no municipal purpose and that it was in the best interest of the City of Olean to discontinue and/or abandon that portion of Maple Street; and

WHEREAS, upon abandoning said portion of roadway, it was discovered that abutting properties did not extend into the street and therefore left the property in the possession of the City of Olean; and

WHEREAS, SolEpoxy, Inc. has approached the City of Olean with interests to acquire the abandoned portion of Maple Street in exchange for a park located along Franklin Street currently leased to the City; and

WHEREAS, the Common Council, upon review of said proposal and with satisfaction of the conditions presented, has come to an agreement to release said property to SolEpoxy, Inc;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council authorizes the City of Olean to deed an abandoned portion of Maple Street to SolEpoxy, Inc.

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL EXCEPT ALDERMAN ANDREANO, WHO VOTED NO. MOTION CARRIED.

RESOLUTION #24-17

PL #21-17

By Alderman Andreano, Seconded by Alderman Witte

RESOLUTION TO APPROVE REVOLVING LOAN NUMBER 17-06 TO A LOCAL BUSINESS ESTABLISHMENT

WHEREAS, the City of Olean has established a Revolving Loan Fund Program to assist business development and expansion, to increase employment, and to improve the tax base of the City by offering low interest financing, and

WHEREAS, the following application for financial assistance has been submitted to the Community Development office:

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RLF #19-06, in an amount not to exceed \$30,000

WHEREAS, said application has been reviewed and approved by the City of Olean Revolving Loan Fund Committee,

NOW, THEREFORE, BE IT RESOLVED, that the Common Council approves the above-identified loan to this local business establishment.

*IT IS FURTHER RESOLVED, that this Resolution will be effective immediately.
ROLL CALL, AYES ALL. MOTION CARRIED.*

RESOLUTION #25-17
PL #24-17

By Alderman Witte, Seconded by Alderman George

AUTHORIZING THE RELEASE OF OLEAN HOMEOWNERSHIP ASSISTANCE PROGRAM GRANT FUNDS TO A QUALIFIED FIRST TIME HOMEBUYER

WHEREAS, the City of Olean has been awarded \$400,000 in grant funds from the Empire State Community Development Corporation under the Small Cities Community Development Block Grant program, and

WHEREAS, these funds have been designated to assist low- and moderate-income first time homebuyers seeking to purchase homes in the City of Olean with down payment and closing cost fees, along with housing rehabilitation assistance, and

WHEREAS, the City of Olean has received an application from an individual who has been determined eligible to participate in this program, and

WHEREAS, the City of Olean's Project Loan Committee has reviewed the application for assistance and has approved the grant to the following applicant:

OHAP #184-04, not to exceed \$10,000,

NOW, THEREFORE, BE IT RESOLVED, that the City of Olean approves the above-identified grant to a first time homebuyer which will be leveraged with loans from private and public lending institutions to assist this applicant to make improvements on his home in the City of Olean.

BE IT FURTHER RESOLVED, that the City Auditor is authorized to release the funds to the qualified individuals according to the rules and regulations of the funding source.

*IT IS FURTHER RESOLVED, that this Resolution will be effective immediately.
ROLL CALL, AYES ALL. MOTION CARRIED.*

RESOLUTION #26-17
PL # 26-17

By Alderman Gonzalez, Seconded by Alderman George

***RESOLUTION CONFIRMING THE MAYORAL APPOINTMENT
OF JIM GRIFFIN TO THE ETHICS BOARD***

RESOLVED, that Jim Griffin shall serve on the Ethics Board.

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

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ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #27-17

PL #28-17

By Alderman Witte, Seconded by Alderman Smith

TO AUTHORIZE THE MAYOR TO SIGN AND SUBMIT THE 2018-2022 AIRPORT CAPITAL IMPROVEMENT PROGRAM TO THE FEDERAL AVIATION ADMINISTRATION

WHEREAS, C&S Companies, as an engineering consultant for the Cattaraugus County – Olean Airport has prepared an Airport Capital Improvement Program (ACIP) for FY 2018-2022; and

WHEREAS, the City of Olean Department of Public Works has reviewed the proposed Capital Plan and, upon agreement, has presented said Plan to the Council for review and approval; and

WHEREAS, the ACIP package is due to the Federal Aviation Administration by April 1, 2017;

RESOLVED, that the Common Council authorizes the Mayor to sign and submit the 2018-2022 Airport Capital Improvement Program to the Federal Aviation Administration.

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

ADJOURNMENT

Motion to adjourn was made by Alderman Gonzalez, seconded by Alderman George. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 7:00 p.m.

Alexander Utecht, City Clerk

Mayor William J. Aiello

Paul Gonzalez, Council President

I hereby approve the foregoing minutes

Dated: ____/____/____

**STATE OF NEW YORK
COUNTY OF CATTARAUGUS
CITY OF OLEAN**

I, Alexander Utecht, City Clerk of the City of Olean, do hereby certify that the foregoing minutes of the Common Council of the City of Olean is the true and correct copy of the whole thereof.

Alexander Utecht, City Clerk