

Journal of Proceedings

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

April 25, 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, April 25, 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; 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 Witte, 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 April 11, 2017 meeting was made by Alderman Gonzalez, seconded by Alderman Crawford. Voice vote, ayes all. Motion carried.

COMMITTEE REPORTS & UNFINISHED COUNCIL BUSINESS

Report from Committee of the Whole on PL #31-17, to establish the Standard Work Days pursuant to New York State and Local Retirement System Regulation 315.4. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #32-17, to establish the Standard Work Days pursuant to New York State and Local Retirement System Regulation 315.4 for an Appointed Official. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #35-17, to authorize the Mayor to enter into a contract between Cattaraugus County and the City of Olean for mosquito spraying services for the term May 1, 2017 through December 31, 2017. Committee recommends approval. Referred to City Attorney for Resolution.

COMMUNICATIONS FROM THE MAYOR

Special Proclamation for Arbor Day – April 28, 2017, and Tree City USA Award

Mayor Aiello stated that Mr. Windus will be leaving us, and his last day is this Friday. He thanked him for his years of service and stated that he will be greatly missed.

MISCELLANEOUS COMMUNICATIONS

None

CITY OFFICIAL REPORTS

Monthly Report of the City Auditor – month ended March 2017

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PROPOSED LEGISLATION AND REFERRALS

PL #31-17: (Aiello) To establish the Standard Work Days pursuant to New York State and Local Retirement System Regulation 315.4. Referred to Committee of the Whole Tuesday, April 25, 2017 by Council President.

PL #32-17: (Aiello) To establish the Standard Work Days pursuant to New York State and Local Retirement System Regulation 315.4 for an Appointed Official. Referred to Committee of the Whole Tuesday, April 25, 2017 by Council President.

PL #33-17: (Aiello) To approve the following Olean Homeownership Assistance Program (OHAP) applications: OHAP #185-04, in an amount not to exceed \$10,000; OHAP #186-04, in an amount not to exceed \$5,400; and OHAP #187-04, in an amount not to exceed \$10,000. Referred to Committee of the Whole Tuesday, May 9, 2017 by Council President.

PL #34-17: (Gonzalez) To authorize the encumbrance of \$103,428.46 from line item 3650.447, Demolition of Unsafe Buildings, from the 2016-2017 budget. Referred to Finance Committee by Council President.

PL #35-17: (Aiello) To authorize the Mayor to enter into a contract between Cattaraugus County and the City of Olean for mosquito spraying services for the term May 1, 2017 through December 31, 2017. Referred to Committee of the Whole Tuesday, April 25, 2017 by Council President.

PL #36-17: (Aiello) To authorize the Mayor to enter into a Cost Plus Fixed Fee Consultant Agreement with C&S Engineers, Inc. for Construction Observation & Administration services for the Cattaraugus County – Olean Airport Perimeter Fence Replacement – Phase II, subject to funding award for the project. Referred to City Operations Committee by Council President.

PL #37-17: (Witte) To authorize the encumbrance of funds from various line items of the 2016-2017 budget for the replacement of the Senior Center floor. Referred to Finance Committee by Council President.

PL #38-17: (Aiello) To authorize the transfer of up to \$75,000 from General Fund Contingency to the Vehicle Replacement Fund for the purchase of two police cars. Referred to Finance Committee by Council President.

PL #39-17: (Aiello) To authorize the Mayor to sign an amendment to a Remote Net Metering Credit and Operations and Maintenance Agreement with Homeridae LLC. Referred to City Operations Committee by Council President.

PL #40-17: (Aiello) To amend the City of Olean Code of Ordinances Section 28-108 to amend fines for contractors for failure to obtain permits as follows: First offense: \$100 fine (plus doubling permit fee); Second offense: up to \$250 fine (plus doubling permit fee), and Third or more offense: up to \$1,000 fine (plus doubling permit fee). Referred to City Operations Committee by Council President.

PUBLIC COMMENT/INPUT

Alderman Witte reminded everyone that tomorrow is the first day of lawn pickup.

Alderman Crawford questioned when hot patching will start, and Mr. Windus replied that it will begin next week.

Alderman Gonzalez reminded everyone that putting their yard waste on the street is a no go and can result in a ticket. Grass and other yard waste in the streets washes

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into the sewer drains causing clogs and other issues.

Alderman Smith stated that being a Tree City is an honor, but it also has an added cost on residents. Trees are costly to maintain and can wreak havoc underground on water and sewer lines, as well as on streets and sidewalks. He reminded everyone that as a City, we should be vigilant about what and where we are planting.

Kevin Bartholomew of 737 Bishop Street stated that he fears that corruption on the State level is harming smaller towns and cities, and urged City officials to review the contributions that they make to the retirement system to ensure that we are not being cheated out of valuable funding.

FINANCE / BILLS

By Alderman Gonzalez, Seconded by Alderman George

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 \$1,192,677.57 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 EXCEPT ALDERMAN SMITH, WHO ABSTAINED. MOTION CARRIED.

RESOLUTIONS

RESOLUTION #32-17 **PL #31-17**

By Alderman Witte, Seconded by Alderman Crawford

RESOLUTION ESTABLISHING THE STANDARD WORK DAYS PURSUANT TO NEW YORK STATE AND LOCAL RETIREMENT SYSTEM REGULATION 315.4

***BE IT RESOLVED**, that the City of Olean, Location Code 20039, hereby establishes the following as standard work days for its employees and will report days worked to the New York State and Local Employees' Retirement System based on the time keeping system or the record of activities maintained and submitted by these members to the clerk of the body:*

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Title	Standard Work Day (Hrs/day)	Title	Standard Work Day (Hrs/day)
Alderman	6	Senior Emergency Services Dispatcher	7
Assessors Aide	8	Plumbing Board	6
Assessor	7	Fire Captain A-EMT	8
Account Clerk	8	Fire Captain Critical Care	8
Auditor	7	Fire Captain Paramedic	8
City Clerk	8	Fire Captain EMT	8
Deputy Registrar of Vital Records	8	Fire Lieutenant EMT	8
Parking Attendant PT	6	Fire Lieutenant A-EMT	8
Senior Accountant	7 / 8	Fire Lieutenant Critical Care	8
Community Development Program Coordinator	7 / 8	Fire Lieutenant Paramedic	8
Typist/Keyboard Specialist	7 / 8	Fire Chief	8
Network Specialist	8	Firefighter A-EMT	8
Data Processing Coordinator	8	Firefighter Critical Care	8
Dept. of Public Works Office Supervisor	7 / 8	Firefighter Paramedic	8
Garage Supervisor	8	Firefighter EMT	8
Janitor	8	Plumbing Inspector PT	6
Junior Civil Engineer	8	City Forester PT	6
Auto Mechanic Helper	8	Bartlett Director PT	6
Principal Account Clerk	7 / 8	City Attorney	6
Senior Account Clerk Typist	7 / 8	Sr. City Engineer	8
Civil Engineer	8	Secretary to Mayor	7
Summer Laborer PT	8	Mayor	7
Supervisor of Operations	8	Parking Lot Attendant	6
Director of Public Works	7	Senior Parks Maintainer	8
Cleaner PT	6	Parks Maintainer II/Pesticide	8
Construction Worker	8	Planning Board	6
City Electrician	8	Police Captain	8
Electrician Assistant	8	Police Chief	8
Street & Sewer Maintainer III	8	Police Lieutenant	8
Senior Wastewater Treatment Plant Operator	8	Police Matron	7
Wastewater Treatment Plant Operator Trainee	8	Police Sergeant	8
Wastewater Treatment Plant Worker	8	Police Officer	8
Wastewater Treatment Plant Operator	8	School Crossing Guard	6
Chief Wastewater Treatment Plant Operator	8	Court Security	6
Senior Street & Sewer Maintainer	8	Court Attendant	6
Motor Equipment Mechanic	8	Bingo Inspector	6
Keyboard Specialist PT	6	Police Officer/DARE	8
Heavy Equipment Operator	8	Captain in Charge	8
Street & Sewer Maintainer	8	Assistant Manager	6
Senior Water Plant Lab Director	8	Youth Court Coordinator	6
Senior Water Maintainer	8	Building Attendant	6
Water Maintenance Supervisor	8	Lifeguard	6
Water Maintenance Specialist	8	Office Manager	8
Water Treatment Plant Mechanic I	8	Recreation Leader	6
Water Treatment Plant Operator	8	Recreation Specialist	6
Water Treatment Plant Operator Trainee	8	Recreation Attendant	6

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Water Superintendent	8	Skate Guard	6
Emergency Services Dispatcher	7	Snack Bar Worker	6
Emergency Services Dispatcher PT	6	Sr. Life Guard	6
Zoning Board	6	Youth Bureau & Recreation Program Coordinator	8
Building Maintainer	8	Construction Worker	8
St. & Swr Maintainer I	8	Parks Maintainer I	8
Airport Maintainer	8	Auto Mechanic Helper	8
Rec. Center Assistant	6	Bldg. Maintainer/Pool Operator	8
Administrative Secretary	8	Parks Maintainer II	8
St. & Swr. Maintainer II	8	WWTP Maint. Worker	8
Water Maintainer	8	Construction Worker/Sewer Maintainer	8
Construction Worker/Street Division	8	Heavy Equip. Operator	8
Hvy Equip. Oper./Water Maint.	8	St & Swr Maintainer III	8
St. & Swr. Maintainer I (nite)	8	Water Meter Specialist	8
Parks Maint II/Pest. App.	8	St. & Swr. Maint II/Pest App	8
Dpy. Reg. Vital Statistics	7 / 8	Engineering Aide	7 / 8
WWTPO / Mt. Mech I	8	WTPO/Mt. Mech I	8
Rec. Center Supervisor	8	Rec. Center Senior Assistant	8
Senior Clerk	7 / 8	Rec. Center Operator	8
Payroll Clerk	8	Asst. St./Swr. Supervisor	8
Sr. Water Mtr. Spec.	8	Sr. Water Maintainer	8
Sr. Parks Maintainer	8	WWTPO/Maint. Mech II	8
Code Enforcement Officer	8	Snack Bar Manager PT	6
Parking Meter Attendant PT	6	WTPO/Maint. Mech. II	8
Sr. WTPO/Lab Director	8	Sr. WWTPO	8
Sr. Airport Maintainer PT	6	Garage Shop Supervisor	8
St. / Swr. Supervisor	8	Parks Supervisor	8
Chief WTPO	8	Water Maint. Supervisor	8
Wtr. Meter Svs. Supervisor	8	Water Superintendent	8
Deputy Registrar of Vital Records PT	6	Network Coordinator	8
Account Clerk Typist	8	Senior Account Clerk Typist	8
Senior Account Clerk Stenographer	7/8	Senior Street & Sewer Maintainer	8

RESOLVED, that this resolution will be effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #33-17

PL #32-17

By Alderman Dougherty, Seconded by Alderman Witte

RESOLUTION ESTABLISHING THE STANDARD WORK DAYS PURSUANT TO NEW YORK STATE AND LOCAL RETIREMENT SYSTEM REGULATION 315.4 FOR AN APPOINTED OFFICIAL

***BE IT RESOLVED**, that the City of Olean / Location code 20039 hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body. This information is pursuant to Regulation 315.4(b).*

Title and Name	Standard Work	Term Begin/End	Time Keep	Days/Mths based
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	Day 315.4(b)(i)	315.4(b)(ii)	315.4(b)(iii)	on record 315.4(b)(iv)
Elected Officials				
Appointed Officials				
Shayne Certo Zoning Board	6	1/1/2016- 12/31/2023	N	.66

RESOLVED, that this resolution will be effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #34-17

PL #35-17

By Alderman George, Seconded by Alderman Witte

TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT BETWEEN THE COUNTY OF CATTARAUGUS AND THE CITY OF OLEAN FOR MOSQUITO SPRAYING SERVICES FOR THE TERM MAY 1, 2017 THROUGH DECEMBER 31, 2017

WHEREAS, the County of Cattaraugus and the City of Olean have historically entered a contract to spray for mosquitoes; and

WHEREAS, the contract is beneficial to the City because of the health risks that mosquitoes may cause;

BE IT RESOLVED, that the Mayor is authorized to enter into and execute a contract between the County of Cattaraugus and the City of Olean for mosquito spraying services for the term May 1, 2017 through December 31, 2017.

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 Andreano. 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

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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