

# **Journal of Proceedings**

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

August 8, 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, August 8, 2017 at 6:45 p.m.*

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

**ABSENT:** *Aldermen George*

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

*At this time a prayer was given by Rev. Carrie Wolfe of Christ United Methodist Church, 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 July 25, 2017 meeting was made by Alderman Gonzalez, seconded by Alderman Dougherty. Voice vote, ayes all. Motion carried.*

**COMMITTEE REPORTS & UNFINISHED COUNCIL BUSINESS**

*Report from Committee of the Whole on PL #71-17, to amend Resolution #17-17 to authorize the Mayor to sign and submit the State and Municipalities Facilities Program Grant Agreement between the City of Olean and DASNY for funding for the construction of a downtown farmers' market in the amount of \$600,000. Committee recommends approval. Referred to City Attorney for Resolution.*

*Report from Committee of the Whole on PL #72-17, that the Common Council classifies the Downtown Olean Farmers' Market project an Unlisted Action under the New York State Environmental Quality Review Act and determines that the Project has no significant impact on the environment. Committee recommends approval. Referred to City Attorney for Resolution.*

*Report from Committee of the Whole on PL #73-17, to confirm the Mayoral appointment of members of the task force for empowering neighborhoods and encouraging proactive change as established by Resolution #431-17. Committee recommends approval. Referred to City Attorney for Resolution.*

*Report from Committee of the Whole on PL #74-17, to authorize the completion of an Eagle Scout Project for improvements on the Veterans Memorial on East Riverside Drive and South Union Streets. Committee recommends approval. Referred to City Attorney for Resolution.*

**COMMUNICATIONS FROM THE MAYOR**

*None*

**MISCELLANEOUS COMMUNICATIONS**

*Renewal of a Liquor License – Napoli Pizza of Olean LLC – 671 East State Street, Olean*

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*Renewal of a Liquor License – Olean American Legion, Post 530 – 307 East State Street, Olean*

## **CITY OFFICIAL REPORTS**

*Monthly Report of the City Auditor – month ended July 2017*

## **PROPOSED LEGISLATION AND REFERRALS**

*PL #71-17: (Aiello) To amend Resolution #71-17 to authorize the Mayor to sign and submit the State and Municipalities Facilities Program Grant Agreement between the City of Olean and DASNY for funding for the construction of a downtown farmers' market in the amount of \$600,000. Referred to Committee of the Whole Tuesday, August 8, 2017 by Council President.*

*PL #72-17: (Aiello) That the Common Council Classifies the Downtown Olean Farmers' Market project an Unlisted Action under the New York State Environmental Quality Review Act and determines that the Project has no significant impact on the environment. Referred to Committee of the Whole Tuesday, August 8, 2017 by Council President.*

*PL #73-17: (Aiello) To confirm the Mayoral appointment of members of the task force for empowering neighborhoods and encouraging proactive change as established by Resolution #31-17. Referred to Committee of the Whole Tuesday, August 8, 2017 by Council President.*

*PL #74-17: (Aiello) To authorize the completion of an Eagle Scout Project for improvements on the Veterans Memorial on East Riverside Drive and South Union Streets. Referred to Committee of the Whole Tuesday, August 8, 2017 by Council President.*

## **PUBLIC COMMENT/INPUT**

*Alderman Witte thanked everyone who agreed to be on the Neighborhood Task Force. She is anxious to get started and happy to be working with everyone.*

*Scott Paoletto of 318 North 11<sup>th</sup> Street stated that although the airport fence is not costing us any money, the airport costs us money each year and entering into the grant agreement probably requires the City to own the airport for a certain number of years going forward. We need to consider if we want to keep the airport. He also stated that he feels that public comment at meetings is handled unfairly and the Council should look at their policy and ensure that all speakers adhere to it.*

## **FINANCE / BILLS**

*None*

## **RESOLUTIONS**

### **RESOLUTION #69-17**

#### **PL #72-17**

*By Alderman Gonzalez, Seconded by Alderman Crawford*

***THAT THE COMMON COUNCIL DECLARES THE DOWNTOWN FARMERS' MARKET PROJECT AN UNLISTED ACTION AND DETERMINES THE PROJECT WILL HAVE NO SIGNIFICANT IMPACT ON THE ENVIRONMENT***

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*WHEREAS, the Downtown Farmers' Market project has received grant funding from the Dormitory Authority of the State of New York (DASNY), Empire State Development and Cattaraugus County; and*

*WHEREAS, in accordance with the New York State Environmental Quality Review Act (SEQRA) regulations the Common Council has been determined that this project is an Unlisted Action;*

*NOW, THEREFORE, BE IT RESOLVED, that, upon review of the Environmental Assessment Form prepared for the project the Common Council determines that the project will have no significant impact on the environment and thus issues a Negative Declaration.*

*BE IT FURTHER RESOLVED, that this Resolution takes effect immediately.*

**ROLL CALL, AYES ALL. MOTION CARRIED.**

## **RESOLUTION #17-17**

### **PL #16-17**

By Alderman Witte, Seconded by Alderman Andreano

**THAT THE COMMON COUNCIL AUTHORIZES THE MAYOR TO SIGN AND SUBMIT THE STATE AND MUNICIPAL FACILITIES PROGRAM GRANT AGREEMENT BETWEEN THE CITY OF OLEAN AND DASNY FOR FUNDING FOR THE CONSTRUCTION OF A DOWNTOWN FARMERS' MARKET IN THE AMOUNT OF \$600,000**

*WHEREAS, the Dormitory Authority State of New York (DASNY) has funding available under the State and Municipal (SAM) Facilities Program for various economic and community development program activities; and*

*WHEREAS, the City of Olean was awarded \$600,000 from DASNY to assist in the construction of a downtown farmers' market;*

*NOW, THEREFORE, BE IT RESOLVED, by the City of Olean Common Council that the Mayor, as the representative designated to act on behalf of the City of Olean in all matters related to State assistance for these projects, is authorized to sign and submit said application, execute the Grant Agreement, request State advances and reimbursements, subject project documentation, and otherwise act for the applicant in all matters related to project funding and to State assistance.*

*RESOLVED, that this Resolution is effective immediately.*

**ROLL CALL, AYES ALL. MOTION CARRIED.**

## **RESOLUTION #70-17**

### **PL #73-17**

By Alderman Andreano, Seconded by Alderman Witte

**TO CONFIRM THE MAYORAL APPOINTMENT OF MEMBERS OF THE TASK FORCE FOR EMPOWERING NEIGHBORHOODS AND ENCOURAGING PROACTIVE CHANGE AS ESTABLISHED BY RESOLUTION #31-17**

*RESOLVED, that pursuant to Resolution #31-17, the Common Council hereby confirms the Mayoral appointment of the following to the task force for empowering neighborhoods and encouraging proactive change:*

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*Steve Balcerzak*  
*Chris Barnes*  
*Mike Barnes*  
*Kelsey Boudin*  
*Larry Povlock*

*Sheila Gugino*  
*Gordon Baldwin*  
*Stephanie Searles*  
*Fred Eade*  
*Jim Knight*

***RESOLVED***, that this Resolution is effective immediately.  
***ROLL CALL, AYES ALL. MOTION CARRIED.***

## **RESOLUTION #71-17**

### **PL #74-17**

By Alderman Gonzalez, Seconded by Alderman Witte

#### ***TO AUTHORIZE THE COMPLETION OF AN EAGLE SCOUT PROJECT FOR IMPROVEMENTS ON THE VETERANS MEMORIAL ON EAST RIVERSIDE DRIVE AND SOUTH UNION STREETS***

***WHEREAS***, the City of Olean has been approached by an Eagle Scout Candidate who has proposed his Eagle Scout Project to include upgrades and improvements to the Veterans Memorial on East Riverside Drive and South Union Streets; and

***WHEREAS***, the Common Council supports said individual in his efforts to obtain the Eagle Scout honor as well as the proposed improvements to the Memorial;

***RESOLVED***, that the Common Council authorizes the completion of an Eagle Scout Project for improvements on the Veterans Memorial on East Riverside Drive and South Union Streets.

***RESOLVED***, that this Resolution is effective immediately.  
***ROLL CALL, AYES ALL. MOTION CARRIED.***

#### **EXECUTIVE SESSION**

*A motion to enter into Executive Session to discuss pending litigation involving an Article 7 Tax Proceeding was made by Alderman Gonzalez, seconded by Alderman Dougherty. Voice vote, ayes all. Motion carried. Executive Session entered into at approximately 7:00 p.m.*

*A motion to adjourn from Executive Session was made by Alderman Gonzalez, seconded by Alderman Smith. Voice vote, ayes all. Motion carried. Executive Session adjourned at approximately 7:40 p.m.*

#### **ADJOURNMENT**

*Motion to adjourn was made by Alderman Gonzalez, seconded by Alderman Smith. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 7:40 p.m.*

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*Alexander Utecht, City Clerk*

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*Mayor William J. Aiello*

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\_\_\_\_\_  
*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*