

Journal of Proceedings

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

March 13, 2018

**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 10, 2018 at 6:40 p.m.

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

ABSENT: *None*

OFFICIALS: *Mayor William Aiello; Lens Martial, City Clerk; Nicholas DiCerbo, Jr., City Attorney; Fred Saradin, City Auditor; Keri Kerper, Community Development Program Coordinator; Bob Ring, 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 Andreano, 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 27, 2018 meeting was made by Alderman Crawford, seconded by Alderman Gonzalez. Voice vote, ayes all. Motion carried.

COMMITTEE REPORTS & UNFINISHED COUNCIL BUSINESS

Report from Committee of the Whole on PL #33-18, to authorize the transfer of \$1,400 from General Fund Contingency to Capital Fund #185 for pruning or removal of a tree located at 130 North 17th Street. Item postponed indefinitely.

Report from Committee of the Whole on PL #39-18, to declare that no trees shall be planted in the public right of way or on City owned property without the prior consent of the Common Council. Committee recommends approval. Referred to Regular Meeting for Resolution.

Report from Committee of the Whole on PL #40-18, budget 2018-2019. Committee recommends approval. Referred to Regular Meeting for Resolution.

COMMUNICATIONS FROM THE MAYOR

Special Citation and Certificate of Achievement – Zachary Nicholas Kruse, Eagle Scout

Special Proclamation for Fair Housing Month – April 2018

MISCELLANEOUS COMMUNICATIONS

None

CITY OFFICIAL REPORTS

None

PROPOSED LEGISLATION AND REFERRALS

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PL #39-18: (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 10, 2018 by Council President.

PL #40-18: (Aiello) Budget 2018-2019. Referred to Committee of the Whole Tuesday, April 10, 2018 by Council President.

PL# 41-18: (Aiello) To authorize the use of up to \$255,000 of project contingency funds for engineering amendments and additional projects at the wastewater treatment plant. Referred to Regular Meeting Tuesday, April 10, 2018 for Resolution by Council President.

PUBLIC COMMENT/INPUT

Alderman Smith stated that, regarding the Bartlett House and budget in general, on the revenue side, tax collection in Olean has flat lined, while expenses keep increasing. He cannot stress enough how tight the budget is and how much tighter it will be in the future.

Dave Hornburg, the former Olean Historical Society President, stated that Mr. Deckman has been wonderful. He is an unsung hero and is the glue that is keeping things together at the Bartlett House. It was a miracle when the house was acquired years ago, and it took many volunteers hundreds of hours of work and love to restore. The Historical Society stands by the City, and would like to help work with the City to allow the House to be fully utilized.

*Della Moore stated that people come from all over to see the House and to learn about history, both theirs and ours. She knows that the budget was cut to the bare bones, and thanks the benefactor for their generous donation. If a different organization cannot come in and take over, she recommends supports putting together pledges to try to keep the House running. *

Anne Walsh, the former City Historian and Director of the Bartlett House, stated that she is part of the team that originally put the house together. She is very grateful and thankful for the donation as well. Her remaining concern is that within the next year, we need to work on budget issues and find a solution. Everyone needs to work together. She feels that the Council needs to be more up front. History is far too important. She doesn't want to see this swept under the carpet until next year. We need to work on a long term solution now.

Paula Swier of 326 South Union Street stated that she was appalled to read that the budget for the House was being cut. She doesn't understand how it came up out of the blue. It is too amazing of an entity for our community. We have an awful lot of history in our town, and she is certain that there is still a lot there to preserve. If another entity wants to take on the Bartlett House, we should bring them on board. She feels that this was a horrible solution to the blight issue, to get rid of something so wonderful.

Melissa Knicks of Ischua thanked Mr. Deckman and his wife for their service to the history of Olean. His position and this House are worth preserving to perpetuate for younger people. We are all fortunate to have this beautiful home filled with a vast fountain of knowledge. She feels that the newspaper article regarding this cut left her with more questions than answers. She questions if there were any strings attached when the house was gifted to the City.

Scott Paoletto of 318 North 11th Street stated that people who are making meth are not only endangering themselves and those they sell and distribute to, they are also

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endangering emergency response personnel and the community. Other citizens deserve to not have to worry about whether their neighbor is cooking meth or not. He asked if a City Ordinance could be enacted that would force people out of the City after they are found guilty of such offenses. We need to find a way to get these people out of Olean. This is not just a problem in Olean, but we need to try to get a grip on it before it gets worse.

Kevin Bartholomew of 737 Bishop Street stated that what Mr. Paoletto said is a sad reality. He also stated that now that the Bartlett House is taken care of for the next year, the City should look into a foundation to run the house. Anyone who wants to contribute could, and it could alleviate a lot of stress that the City has regarding funding the House. His concern is that we can't keep kicking the can down the road, because we will eventually end up in an alley and won't be able to move any further.

FINANCE / BILLS

None

RESOLUTIONS

RESOLUTION #39-18 **PL #39-18**

By Alderman Crawford, 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).

<i>Title and Name</i>	<i>Standard Work Day 315.4(b)(i)</i>	<i>Term Begin/End 315.4(b)(ii)</i>	<i>Time Keep 315.4(b)(iii)</i>	<i>Days/Mths based on record 315.4(b)(iv)</i>
<i>Elected Officials</i>				
<i>John Crawford, Council President</i>	6	1/1/18-12/31/18	N	5.01
<i>Appointed Officials</i>				
<i>Michiko McElfresh, Secretary to Mayor</i>	7	1/1/18-12/31/21	Y	
<i>Darryl Bloom, Zoning Board</i>	6	1/1/17-12/31/24	N	.17
<i>Shayne Certo, Zoning Board</i>	6	1/1/16-12/31-23	N	.71
<i>Nicholas DiCerbo, City Attorney</i>	6	1/1/18-12/31/21	N	N/A
<i>Michael Padlo, Zoning Board</i>	6	1/1/18-12/31/18	N	.51
<i>Lens Martial, City Clerk</i>	8	1/1/18	Y	

RESOLVED, that this resolution will be effective immediately.

ROLL CALL, AYES ALL EXCEPT ALDERMAN CRAWFORD, WHO ABSTAINED. MOTION CARRIED.

Mayor Aiello questioned, if the budget is passed tonight, if we will need to pass an amended budget when the donation is received. Mr. Saradin stated that he has spoken

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with the City's Auditors and they have advised that we will need to pass a Resolution increasing revenues by \$30,000 and increasing the Historian line items by \$30,000. An entire revised budget will not need to be passed.

RESOLUTION #40-18

PL #40-18

By Alderman Crawford, Seconded by Alderman Gonzalez

2018-2019 BUDGET

RESOLVED, that the 2018-2019 Budget as submitted be accepted and that the total amount of said budget be reduced in writing and entered on the minutes of the proceedings of this meeting, to wit: The total Budget for the fiscal year 2018-2019 shall be \$24,598,194 inclusive of the **General, Water, Sewer, and Debt Service Funds**, subject to legal opinion.

RESOLVED, that this resolution will be effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #41-18

PL #41-18

By Alderman Gonzalez, Seconded by Alderman Dougherty

TO AUTHORIZE THE USE OF UP TO \$255,000 OF PROJECT CONTINGENCY FUNDS FOR THE WASTEWATER TREATMENT PLANT UPGRADES PROJECT FOR COSTS ASSOCIATED WITH ENGINEERING AMENDMENTS AND ADDITIONAL PROJECTS AT THE PLANT

WHEREAS, the City of Olean Common Council approved a Bond Resolution on October 9, 2012 for the Wastewater Treatment Plant Upgrades Project, which was amended and restated on January 14, 2014 and again on June 23, 2015; and

WHEREAS, various projects including, but not limited to, piping replacements and concrete work, have been found upon further inspection and the City is desirous to complete additional work prior to the end of the Project; and

WHEREAS, no additional funding from the City is required for the project at this time, only consent to use contingency built into the original project funding;

BE IT RESOLVED, that the Common Council authorizes the use of up to \$255,000 of project contingency funds for the Wastewater Treatment Plant Upgrades Project for costs associated with engineering amendments and additional projects at the plant.

RESOLVED, if additional funding is necessary for said project, either from project contingency or other sources, O'Brien and Gere, the consultants hired for the project will be required to approach the Council for additional discussion.

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

ADJOURNMENT

Motion to adjourn was made by Alderman Crawford, seconded by Alderman Andreano. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 7:20 p.m.

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Lens Martial, City Clerk

Mayor William J. Aiello

John Crawford, Council President

I hereby approve the foregoing minutes

Dated: ____/____/____

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

I, Lens Martial, 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.

Lens Martial, City Clerk