

Journal of Proceedings

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

June 12, 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, June 12, 2018 at 6:40 p.m.

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

ABSENT: *Aldermen Crawford and Dougherty*

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 May 22, 2018 meeting was made by Alderman Gonzalez, seconded by Alderman Andreano. Voice vote, ayes all. Motion carried.

COMMITTEE REPORTS & UNFINISHED COUNCIL BUSINESS

Report from City Operations Committee on PL #45-18, to order the removal of the structure located at 1210 Reed Street. Item postponed indefinitely.

Report from Committee of the Whole on PL #58-18, to authorize the Mayor to execute the Coordinating Partner Public Transportation System Funding Agreement for the OATS for the fiscal year June 1, 2018 through May 31, 2019. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #59-18, to authorize the Mayor to execute a Third Party Operator Agreement for the Olean Area Transit System (OATS) extending the existing contract between the City and First Transit, Inc. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #62-18, to amend Resolution #93-17 to extend the effective date from June 1, 2018 to September 1, 2018. Committee recommends approval. Referred to City Attorney for Resolution.

COMMUNICATIONS FROM THE MAYOR

Mayor's Scholarship Presentation – Lucas Chapman and Zackary Linderman

Notice of Resignation – Robert Moser, Zoning Board of Appeals

MISCELLANEOUS COMMUNICATIONS

Application for a Liquor License – New Oishi Sushi, LLC – 2234 West State Street

CITY OFFICIAL REPORTS

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None

PROPOSED LEGISLATION AND REFERRALS

PL #60-18: (Aiello) To authorize the City Auditor to bond for the Washington Street Project. Referred to Strategic Planning Committee by Council President.

PL #61-18: (Aiello) To authorize the Mayor to submit a grant application to the New York State Office of Community Renewal Community Development Block Grant Program for the Washington Street Project. Referred to Strategic Planning Committee by Council President.

PL #62-18: (Aiello) To amend Resolution #93-17 to extend the effective date from June 1, 2018 to September 1, 2018. Referred to Committee of the Whole Tuesday, June 12, 2018 by Council President.

PL #63-18: (Dougherty) To authorize the change of direction of the one way traffic on the 100 block of North Second Street from northbound to southbound. Referred to Public Safety Committee by Council President.

PUBLIC COMMENT/INPUT

Alderman Witte reminded residents to not blow their grass into the street, as it is not only illegal, but it can also damage the sewer systems that the City is working hard to repair and replace.

FINANCE / BILLS

None

RESOLUTIONS

Mayor Aiello stated that he visited the location where the proposed sign would be placed, and he feels that it will be past the driveway and people may become confused and still park at the corner. He suggests a second sign as well.

Alderman Gonzalez stated that he feels that the purpose of the legislation is to allow DPW to place signs, but it is up to them where exactly and how many to place. He stated that the Resolution could be approved and Mr. Ring could come back to the Council with an amendment, if necessary.

RESOLUTION #54-18

PL#44-18

By Alderman Crawford, Seconded by Alderman George

TO AMEND THE CITY OF OLEAN CODE OF ORDINANCES SECTION 24-135 TO PROHIBIT PARKING AND INSTALL “NO PARKING HERE TO CORNER” SIGNS ON THE EAST SIDE OF NORTH TENTH STREET FOR A DISTANCE OF APPROXIMATELY 55 FEET FROM ITS INTERSECTION WITH WAYNE STREET

RESOLVED, that the City of Olean Code of Ordinances Section 24-135, Prohibited from designated sign to corner, is amended to include the following:

Street	Side	Extent
Tenth Street, North	East	For a distance of 55 feet south from its intersection

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with Wayne Street

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #61-18

PL #58-18

By Alderman Witte, Seconded by Alderman George

TO AUTHORIZE THE MAYOR TO EXECUTE THE COORDINATING PARTNER PUBLIC TRANSPORTATION SYSTEM FUNDING AGREEMENT FOR THE OATS FOR THE FISCAL YEAR JUNE 1, 2018 THROUGH MAY 31, 2019

WHEREAS, the New York State Department of Transportation (NYSDOT) provides financial assistance to public transportation operations to enhance the mobility of all residents on New York State; and

WHEREAS, Federal law requires coordination between private, non-profit, and public transportation providers and other Federal programs for certain Federal Transit Administration funding programs; and

WHEREAS, there is recognition of the need to distribute the operating costs of coordinated transportation systems in a rational and fair manner among these coordinating partners; and

WHEREAS, allocations of operating data such as passenger utilization, miles of service or utilization of services attributed to partnering agencies may provide the basis for the distribution of operating costs among partners; and

WHEREAS, the financial contribution from coordinating partners for the operation of the Olean Area Transit System (OATS) service will be based on a review of projected system costs for the public transportation system operating year and assessed on the basis of coordinating transportation services to provide cost efficiency to the community; and

WHEREAS, the estimated financial contribution will be budgeted and made available by the governing entity of the coordinating partner prior to the beginning of the public transportation system operating year; and

WHEREAS, the financial contribution from partnering agencies will be reviewed, at least, semi-annually during the public transportation system operating year to consider actual operating data and projected costs to continue or to change the transportation services provided associated with this agreement; and

WHEREAS, the calculated share of system costs associated with passenger utilization or total service miles may be reduced by the availability of financial commitments from other partner agencies to the operation of the OATS; and

WHEREAS, such cost savings may result in a reduction to the financial contribution by a partner to the cost of shared services during fiscal year June 1, 2018 through May 31, 2019; and

WHEREAS, the operation of the OATS, including the incorporation of certain public transportation services associated with St. Bonaventure University, and system wide administration costs, are estimated to cost \$756,641.07 during fiscal year June 1, 2018 through May 31, 2019; and

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WHEREAS, the City of Olean has agreed to assume the responsibility to sponsor the operation of the OATS and has assumed the responsibility to make application and accept operating and capital grant assistance from the New York State Department of Transportation for such purpose; and

WHEREAS, after review of operating projections and partner share proposals, the partners to the operation of the OATS agree to contribute the following partner shares to the operation of said system:

WHEREAS, the Cattaraugus County Department of Social Services (CCDSS) et al will contribute \$14,774.02 to the operation of the OATS in fiscal year ending May 31, 2019;

WHEREAS, the NYSARC Inc., Cattaraugus County Chapter, will contribute \$38,921.66 to the operation of the OATS in fiscal year ending May 31, 2019;

WHEREAS, the Seneca Nation of Indians will contribute \$25,965.39 to the operation of the OATS system in fiscal year ending May 31, 2019;

WHEREAS, the St. Bonaventure University will contribute \$48,230.15, including an estimated additional amount of \$3,874.64 for the operation of a second late night service bus for 56 hours on 14 Friday and Saturday nights in January, February, and March 2019, to the operation of the OATS in fiscal year ending May 31, 2019; and

Whereas, the actual amount that SBU will pay for the operation of the second late night bus will be determined by the actual service provided on such Friday and Saturday nights; and

WHEREAS, it is agreed that CCDSS, the NYSARC Inc., Cattaraugus County Chapter, the Seneca Nation of Indians and St. Bonaventure University agree to provide financial contributions to the OATS during fiscal year June 1, 2018 through May 31, 2019;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is authorized to execute a Coordinating Partner-Public Transportation System Funding Agreement between the County of Cattaraugus, NYSARC, Inc. Cattaraugus County Chapter, St. Bonaventure University and the Seneca Nation of Indians for OATS bus service reimbursement for the fiscal year 2018-2019.

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #62-18

PL #59-18

By Alderman Andreano, Seconded by Alderman Witte

TO AUTHORIZE THE MAYOR TO EXECUTE A THIRD PARTY OPERATOR AGREEMENT FOR THE OLEAN AREA TRANSIT SYSTEM (OATS) EXTENDING THE EXISTING CONTRACT BETWEEN THE CITY AND FIRST TRANSIT, INC.

WHEREAS, in February 2016, the City solicited proposals to continue the public transportation service known as the Olean Area Transit System (OATS) through a formal Request for Proposals procurement process for services for the period 06/01/2016 – 05/31/2017 with an option to renew for up to three one year extensions; and

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WHEREAS, after recommendation by City staff, on April 12, 2016, the Common Council via Resolution #23-16 authorized the Mayor to execute a Third Party Operator Agreement with First Transit, Inc. for the operation of the OATS; and

WHEREAS, said Resolution states that the Mayor will not be authorized to approve an extension of the contract without prior Council approval; and

WHEREAS, First Transit, Inc., has provided the required and necessary public transportation service as outlined in the City's original procurement process;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council authorizes the Mayor to execute a Third Party Operator Agreement exercising the one year option extending the existing contract between the City and First Transit, Inc. for the period 06/01/2018 – 05/31/2019.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #67-18

PL #62-18

By Alderman Gonzalez, Seconded by Alderman Witte

TO AMEND RESOLUTION #93-17 TO EXTEND THE EFFECTIVE DATE FROM JUNE 1, 2018 TO SEPTEMBER 1, 2018

WHEREAS, on December 12, 2017, the Common Council passed Resolution #93-17 amending and replacing the City of Olean Code of Ordinances Chapter 12 in its entirety; and

WHEREAS, technological and labor changes and requirements have necessitated an extension to the effective date;

RESOLVED, that Resolution #93-17 is hereby amended to reflect an effective date of September 1, 2018.

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 6:55 p.m.

Lens Martial, City Clerk

Mayor William J. Aiello

John Crawford, Council President

I hereby approve the foregoing minutes

Dated: ____/____/____

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**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