

Journal of Proceedings

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

July 24, 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, July 24, 2018 at 6:45 p.m.

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

ABSENT: *None*

OFFICIALS: *Mayor William Aiello; Lens Martial, City Clerk; Fred Saradin, City Auditor; Bob Ring, Director of Public Works; Bob Bell, Fire 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 July 10, 2018 meeting was made by Alderman Andreano, seconded by Alderman Witte. Voice vote, ayes all. Motion carried.

COMMITTEE REPORTS & UNFINISHED COUNCIL BUSINESS

Report from City Operations Committee on PL #46-18, to order the demolition of the structure located at 305 North Seventh Street. Item postponed indefinitely.

Report from Committee of the Whole on PL #77-18, to approve, endorse, and authorize the Mayor to sign a grant application to the New York State Office of Community Renewal Community Development Block Grant Program for the City of Olean Water Main Replacement Washington Street Project. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #78-18, that the Common Council as Lead Agency concludes that the proposed Washington Street Waterline Replacement and Streetscape Improvements Project is a Type II Action and that after full review of the Environmental Assessment Form determines that the project will have no adverse environmental impact and thus issues a Negative Declaration. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #79-18, to authorize the transfer of \$70,025 from Capital Fund #123 to Sever Debt Service for use towards future debt payments in 2018-2019. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #80-18, that the Common Council as Lead Agency concludes that the proposed Stardust Pump Station Replacement Project is a Type II Action and that after full review of the Environmental Assessment Form determines that the project will have no adverse environmental impact thus issuing a Negative Declaration. Committee recommends approval. Referred to City Attorney for Resolution.

COMMUNICATIONS FROM THE MAYOR

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Special Citation for Austin Ring, Eagle Scout

Condolences to the family of John Hare, the Town of Allegany Supervisor, who passed away recently

MISCELLANEOUS COMMUNICATIONS

None

CITY OFFICIAL REPORTS

None

PROPOSED LEGISLATION AND REFERRALS

PL #74-18: (Aiello) To authorize the Mayor to sign an agreement between the City of Olean and the New York State Department of Transportation under the Accelerated Transit Capital Program in connection with the Olean Area Transit System for the purchase of one (1) Lot K Bus. Referred to Regular Meeting Tuesday, July 24, 2018 for Resolution by Council President.

PL #75-18: (Aiello) To authorize the Mayor to sign a five year lease agreement for the purchase of Emergency Medical Services Equipment. Referred to Regular Meeting Tuesday, July 24, 2018 for Resolution by Council President.

PL #76-18: (Crawford) To authorize the installation of a “No Left Turn” sign on the west side of North Seventh Street at its intersection with Wayne Street. Referred to Regular Meeting Tuesday, July 24, 2018 for Resolution by Council President.

PL #77-18: (Aiello) To approve, endorse and authorize the Mayor to sign a grant application to the New York State Office of Community Renewal Community Development Block Grant program for the City of Olean Water Main Replacement Washington Street Project. Referred to Committee of the Whole Tuesday, July 24, 2018 by Council President.

PL #78-18: (Aiello) That the Common Council as Lead Agency concludes that the proposed Washington Street Waterline Replacement and Streetscape Improvements Project is a Type II Action and that after full review of the Environmental Assessment Form determines that the project will have no adverse environmental impact and thus issues a Negative Declaration. Referred to Committee of the Whole Tuesday, July 24, 2018 by Council President.

PL #79-18: (Aiello) To authorize the transfer of \$70,025 from Capital Fund #123 to Sewer Debt Service for use towards future debt payments in 2018-2019. Referred to Committee of the Whole Tuesday, July 24, 2018 by Council President.

PL #80-18: (Aiello) That the Common Council as Lead Agency concludes that the proposed Stardust Pump Station Replacement Project is a Type II Action and that after full review of the Environmental Assessment Form determines that the project will have no adverse environmental impact thus issuing a Negative Declaration. Referred to Committee of the Whole Tuesday, July 24, 2018 by Council President.

PL #81-18: (Aiello) To authorize the acceptance of a grant offer from the New York State Department of Transportation (NYSDOT) for work at the Cattaraugus County – Olean Airport described as Removal and Installation of Perimeter Fencing, PIN

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5904.53. Referred to Regular Meeting Tuesday, July 24, 2018 for Resolution by Council President.

PUBLIC COMMENT/INPUT

Scott Paoletto of 318 North 11th Street expressed concern regarding the cost of maintaining the plantings on the North Union Streetscape, and asked why there are sections that look like they are not maintained at all. He also feels that a decreasing population should trigger a revised Ward system and fewer Aldermen.

Alderman Crawford stated that he feels that the Mayor's office and the Department of Public Works does a great job taking care of the streets.

Kevin Bartholomew of 737 Bishop Street stated that he is glad that the City received DRI funding, but he hopes that someone within the City oversees finances for the projects so that there is not an overrun like there was with the DRI projects.

FINANCE / BILLS

By Alderman Crawford, Seconded by Alderman Andreano

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 \$988,823.47 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

A motion to suspend the rules was made by Alderman Crawford, seconded by Alderman Dougherty. Voice vote, ayes all. Motion carried.

A motion to amend the agenda to include Resolution #87-18 was made by Alderman Crawford, seconded by Alderman Andreano. Voice vote, ayes all. Motion carried.

RESOLUTION #80-18

PL #74-18

By Alderman Gonzalez, Seconded by Alderman George

TO AUTHORIZE THE MAYOR TO SIGN AN AGREEMENT BETWEEN THE CITY OF OLEAN AND THE STATE OF NEW YORK IN CONNECTION WITH ACCELERATED TRANSIT CAPITAL FUNDS FOR THE OLEAN AREA TRANSIT SYSTEM

WHEREAS, *the City of Olean submitted a request for Accelerated Transit Capital (ATC) grant funds to the New York State Department of Transportation (NYSDOT), for a project relating to public mass transportation service [purchase one Lot K bus; NYSDOT PIN 5824.66.001] for the Olean Area Transit System; and*

WHEREAS, *the City of Olean was awarded \$14,933 in said funding by NYSDOT; and*

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WHEREAS, the City of Olean and the State of New York are entering into a contract agreement which authorizes the undertaking of the project and acceptance of said grant funds.

***BE IT RESOLVED,** that the Mayor, City of Olean, is authorized to sign any contracts or agreements between the City of Olean, NYSDOT and any third party subcontractor and/or vendor necessary to complete the public transportation project, subject to the approval of the City of Olean Attorney.*

***BE IT FURTHER RESOLVED,** that this Resolution is effective immediately.*

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #81-18

PL #75-18

By Alderman Andreano, Seconded by Alderman Witte

TO AUTHORIZE THE MAYOR TO SIGN A FIVE YEAR LEASE AGREEMENT FOR THE PURCHASE OF EMERGENCY MEDICAL SERVICES EQUIPMENT

WHEREAS, Stryker Sales Corporation has presented the City of Olean with the option of purchasing various Emergency Medical Service Equipment to replace equipment currently owned by the City of Olean and requiring upgrading; and

WHEREAS, Flex Financial, a division of Stryker Sales Corporation, has presented the City with a proposed zero percent financing lease agreement for a five year term for the purchase of said equipment, upon the completion of will allow the City of Olean to purchase leased equipment outright for \$1;

RESOLVED, that the Common Council authorizes the Mayor to sign a five year lease agreement for the purchase of Emergency Medical Services Equipment for a total amount of \$180,028.20.

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #82-18

PL #76-18

By Alderman Crawford, Seconded by Alderman Andreano

TO AUTHORIZE THE INSTALLATION OF A “NO LEFT TURN” SIGN ON THE WEST SIDE OF NORTH SEVENTH STREET AT ITS INTERSECTION WITH WAYNE STREET

RESOLVED, that the Common Council authorizes the installation of a “No Left Turn” sign on the west side of North Seventh Street at its intersection with Wayne Street.

RESOLVED, that the sign is to be placed on the southwest corner of the intersection of North Seventh Street and Wayne Street, directly across North Seventh Street from a sign designating all traffic to stop on North Seventh Street at its intersection with Wayne Street before proceeding.

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

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RESOLUTION #83-18

PL #77-18

By Alderman Crawford, Seconded by Alderman George

TO APPROVE, ENDORSE, AND AUTHORIZE THE MAYOR TO SIGN A GRANT APPLICATION TO THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FOR THE CITY OF OLEAN WATER MAIN REPLACEMENT WASHINGTON STREET PROJECT

WHEREAS, the City of Olean is applying to the New York State Office of Community Renewal for a project grant under the Community Development Block Grant Community Planning Program to conduct a water main replacement project for the City of Olean Water System, a site located within the territorial jurisdiction of this City of Olean Common Council; and

WHEREAS, as a requirement of these programs, said City of Olean must obtain the “approval/endorsement of the governing body of the municipality in which the project will be located”,

NOW, THEREFORE, BE IT RESOLVED, that the City of Olean Common Council hereby does approve and endorse the application of the City of Olean for a grant under the Community Development Block Grant Program for a project known as the City of Olean Water Main Replacement Washington Street Project located within this community. This grant application request is \$750,000 for the contractual cost of the Water Main Replacement.

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #84-18

PL #78-18

By Alderman Crawford, Seconded by Alderman Dougherty

THAT THE COMMON COUNCIL AS LEAD AGENCY CONCLUDES THAT THE PROPOSED PROJECT FOR THE WASHINGTON STREET WATERLINE REPLACEMENT AND STREETScape IMPROVEMENTS IS A TYPE II ACTION AND THAT AFTER FULL REVIEW OF THE ENVIRONMENTAL ASSESSMENT FORM DETERMINES THAT THE PROJECT WILL HAVE NO ADVERSE ENVIRONMENTAL IMPACT AND THUS DECLARES A NEGATIVE DECLARATION

WHEREAS, the Common Council of the City of Olean is desirous of undertaking a project for waterline replacement and streetscape improvements on Washington Street; and

WHEREAS, such project requires SEQOR review prior to formal consideration by the Common Council; and

WHEREAS, said project qualifies as a Type II Action under SEQORA regulations; and

WHEREAS, the Common Council, in its capacity as Lead Agency, has caused to be prepared an environmental assessment of the significance of an potential environmental impact of the action described above; and

WHEREAS, it has been determined through findings of the EA that the proposed project will have no significant impact(s) on the environment;

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NOW, THEREFORE, BE IT RESOLVED, that the City of Olean Common Council declares itself Lead Agency for this project and for the purposes of SEQRA.

BE IT FURTHER RESOLVED, that the Common Council, as Lead Agency, concludes that the proposed project for waterline replacement and streetscape improvements on Washington Street is a Type II Action and that after full review of the Environmental Assessment Form determines that the project will have no adverse environmental impact and thus issues a Negative Declaration.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #85-18

PL #79-18

By Alderman Witte, Seconded by Alderman George

TO AUTHORIZE THE TRANSFER OF \$70,025 FROM CAPITAL FUND #123 TO SEWER DEBT SERVICE FOR USE TOWARDS FUTURE DEBT PAYMENTS IN 2018-2019

RESOLVED, that the Common Council of the City of Olean hereby authorizes the transfer of \$70,025 from Account No. H01-1.200.000 Capital Fund #123 (Improvements to Sewer System / DEC) to Sewer Fund Debt Service (Account No. G01 1-200.000) for use towards future debt service payments.

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #86-18

PL #80-18

By Alderman Witte, Seconded by Alderman Crawford

THAT THE COMMON COUNCIL AS LEAD AGENCY CONCLUDES THAT THE PROPOSED PROJECT FOR THE STARDUST PUMP STATION REPLACEMENT IS A TYPE II ACTION AND THAT AFTER FULL REVIEW OF THE ENVIRONMENTAL ASSESSMENT FORM DETERMINES THAT THE PROJECT WILL HAVE NO ADVERSE ENVIRONMENTAL IMPACT AND THUS DECLARES A NEGATIVE DECLARATION

WHEREAS, the Common Council of the City of Olean is desirous of undertaking a project for a pump station replacement on Stardust Lane; and

WHEREAS, such project requires SEQRA review prior to formal consideration by the Common Council; and

WHEREAS, said project qualifies as a Type II Action under SEQRA regulations; and

WHEREAS, the Common Council, in its capacity as Lead Agency, has caused to be prepared an environmental assessment of the significance of a potential environmental impact of the action described above; and

WHEREAS, it has been determined through findings of the EA that the proposed project will have no significant impact(s) on the environment;

NOW, THEREFORE, BE IT RESOLVED, that the City of Olean Common Council declares itself Lead Agency for this project and for the purposes of SEQRA.

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BE IT FURTHER RESOLVED, that the Common Council, as Lead Agency, concludes that the proposed project for pump station replacement on Stardust Lane is a Type II Action and that after full review of the Environmental Assessment Form determines that the project will have no adverse environmental impact and thus issues a Negative Declaration.

ROLL CALL, AYES ALL. MOTION CARRIED.

Alderman Crawford asked the Council to remember that as we move forward, we need to work hard with the Mayor's office to come up with a long term plan for the sustainability of the airport. Every time funds are received for the airport, it extends our commitment to the airport for a greater amount of time,

RESOLUTION #87-18

PL #81-18

By Alderman George, Seconded by Alderman Smith

TO AUTHORIZE THE ACCEPTANCE OF A GRANT OFFER FROM THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION (NYSDOT) FOR WORK AT THE CATTARAUGUS COUNTY – OLEAN AIRPORT DESCRIBED AS REMOVAL AND INSTALLATION OF PERIMETER FENCE, PIN 5904.53

WHEREAS, the New York State Department of Transportation has offered a matching grant to federal grant 3-36-0091-023-2017; and

WHEREAS, the Common Council of the City of Olean desires to advance the Project by committing funds for the local match, the funding shares being: Federal (FAA) \$269,055; State \$14,948; Local \$14,947; and Total \$298,950; and

WHEREAS, if the Common Council of the City of Olean and/or the FAA notifies the NYSDOT that the City of Olean has requested and received an increase in Federal funding for the Project based on increased eligible costs, the State share noted above shall be increased proportionately up to a maximum increase of 15%;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council hereby approves the above subject Project.

BE IT FURTHER RESOLVED, that the Mayor of the City of Olean be and is hereby authorized to execute all necessary Agreements with NYSDOT on behalf of the City in connection with the Project.

IT IS FURTHER RESOLVED, that a Certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project.

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 7:10 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, 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.

Lens Martial, City Clerk