

Journal of Proceedings

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

August 14, 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, August 14, 2018 at 7:10 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 Bell, Fire Chief; Jeff Rowley, Police Chief, and Tiffany Taylor, Managerial Confidential Administrative Secretary*

At this time a prayer was given by Reverend Suzanne Block 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 24, 2018 meeting was made by Alderman Crawford, seconded by Alderman Dougherty. Voice vote, ayes all. Motion carried.

COMMITTEE REPORTS & UNFINISHED COUNCIL BUSINESS

Report from Committee of the Whole on PL #82-18, to authorize the Mayor to sign and submit a grant application to Kaboom under the Build It Yourself / Build It With Kaboom Program, sponsored by the Ralph C. Wilson, Jr. Foundation for the King Street Park Project. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #83-18, that the Common Council as Lead Agency concludes that the proposed Walkable Olean – Phase III East State Street Complete Street 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 #84-18, to authorize the Mayor to apply for grant funding through the New York State Department of Transportation (NYSDOT) Transportation Alternatives Program (TAP) for the East State Street Complete Street Project, including streetscape improvements and a multi use path. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #85-18, to authorize the Mayor to apply for grant funding through the New York State Environmental Facilities Corporation (EFC) Water Infrastructure Improvement Act (WIIA) for the Stardust Pump Station Replacement Project to build an above-ground pump house structure including new infrastructure. Committee recommends approval. Referred to City Attorney for Resolution.

COMMUNICATIONS FROM THE MAYOR

Congratulations to Chief Bob Bell and Don Bearfield, who were each recognized during the City Cup for their contributions to softball.

Jimmer Borden, a 1971 graduate of Olean High School, will be performing with his

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group “Angel City Chorale” on the semifinals on America’s Got Talent.

MISCELLANEOUS COMMUNICATIONS

None

CITY OFFICIAL REPORTS

None

PROPOSED LEGISLATION AND REFERRALS

PL #82-18: (Aiello) To authorize the Mayor to sign and submit a grant application to Kaboom under the Build It Yourself / Build It With Kaboom Program, supported by the Ralph C. Wilson, Jr. Foundation, for the King Street Park Project. Referred to Committee of the Whole Tuesday, August 14, 2018 by Council President.

PL #83-18: (Aiello) That the Common Council as Lead Agency concludes that the proposed Walkable Olean – Phase III East State Street Complete Street 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, August 14, 2018 by Council President.

PL #84-18: (Aiello) To authorize the Mayor to apply for grant funding through the New York State Department of Transportation (NYSDOT) Transportation Alternatives Program (TAP) for the East State Street Complete Street Project, including streetscape improvements and a multi use path. Referred to Committee of the Whole Tuesday, August 14, 2018 by Council President.

PL #85-18: (Aiello) To authorize the Mayor to apply for grant funding through the New York State Environmental Facilities Corporation (EFC) Water Infrastructure Improvement Act (WIIA) for the Stardust Pump Station Replacement Project to build an above-ground pump house structure including new infrastructure. Referred to Committee of the Whole Tuesday, August 14, 2018 by Council President.

PL #86-18: (Dougherty) To enact a local ordinance pursuant to the City of Olean Charter Section 2.044 (a) to increase the Council Salary to \$5,500. Referred to Strategic Planning Committee by Council President.

PL #87-18: (Dougherty) To enact a local ordinance pursuant to the City of Olean Charter Section 2.044 (b) to increase the Council President stipend to \$1,000 per annum. Referred to Strategic Planning Committee by Council President.

PL #88-18: (Dougherty) To enact a local ordinance pursuant to the City of Olean Charter Section 2.022 to increase the Mayor’s salary to \$80,000. Referred to Strategic Planning Committee by Council President.

PL #89-18: (Crawford) To amend and replace the City of Olean Code of Ordinances Chapter 27, Article 5, Plumbing. Referred to City Operations Committee by Council President.

PUBLIC COMMENT/INPUT

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Alderman Witte thanked Alderman Crawford for putting together the blight presentation given earlier in the night. She feels that blight should be talked about more.

Kevin Bartholomew of 737 Bishop Street expressed that he believes other locations should be considered for the Olean Farmer's Market, as he feels there is a lot of concern regarding placing it in Lincoln Park. He also feels that the City should sign off on all projects, rather than a consultant, so we do not run into similar issues that we had with North Union Street.

Alderman Gonzalez explained that he feels that there are a lot of misconceptions out there regarding the Farmer's Market, and he invites anyone with questions to do their research on the proposal and visit the Mayor's office to view the model that was prepared.

Faith Boyce of 139 South Union Street expressed that she has mixed feelings about the Farmer's Market. She would like to see stakes placed in the park to measure out where the structure will be located to give residents a better idea of what is going to happen. She does agree that bathrooms are needed in the park but is unsure if the entire structure is needed. She is also concerned that this will create parking issues.

Scott Paoletto of 318 North 11th Street suggested placing the Farmer's Market behind the mall in the area of parking lot that isn't used. He also suggests using those who are required to do community service hours to work in the downtown on weeding and watering the gardens. He feels that the Forest Homes Subdivision Request and Project should be approved.

Clifford Lucas of 133 North 18th Street explained that he was born on Grossman Avenue in 1935, and left the area in 1974 for career reasons and returned in 2013. He thanked everyone who has served the Olean City while he was gone. He also thanked the Mayor for meeting with him to discuss the proposed Farmer's Market. He would like the City to look at alternatives to the plan currently in place.

George Carlson of 112 North 19th Street expressed that he doesn't know how the City can expect people to take care of their properties if the City does not take care of the gardens on North Union Street. He also feels that the Farmer's Market should be moved to War Vets Park, and that Code Enforcement should be doing more to handle the blight issues in the City.

Eric Biscaro of Batavia, New York explained that he received 38 comments in response to his ads in the paper for the homes he proposes in the Forest Hills Subdivision, which are mostly, if not all, favorable. He feels that there is a need for a development such as this. The buildings meet the R1 district Code requirements, and are all handicapped accessible. It is upper end non subsidized senior housing. He will comply with the DEC requirements in the SEQ. The project will benefit both the community and citizens.

Lillian Cole of 10314 Prospect Avenue explained that she thinks that the Forest Hills subdivision would be a good idea for the community. The Council really ought to think about the proposal, as this is needed in this area.

Steve McClain of 1 Inwood Drive explained that a great way to keep property owners in a blighted City accountable is for property owners in a neighborhood to ban together and create covenants which will prevent blighted properties before they are bought or built. The covenants originally vacated by the developer for the Forest Hills Subdivision have since been upheld by the State Supreme Court. The age of residents for the development, as well as the rental costs, were not listed in

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the ad, so her does not feel that the responses received by the developer can be considered relevant. Also, there is a lot of environmental concerns, and questions are not being answered.

FINANCE / BILLS

None

RESOLUTIONS

RESOLUTION #88-18

PL #82-18

By Alderman Andreano, Seconded by Alderman Crawford

TO AUTHORIZE THE MAYOR TO SIGN AND SUBMIT A GRANT APPLICATION TO KABOOM! UNDER THE BUILD IT YOURSELF / BUILD IT WITH KABOOM! PROGRAM, SUPPORTED BY THE RALPH C. WILSON, JR. FOUNDATION, FOR THE KING STREET PARK PROJECT

WHEREAS, the City of Olean Common Council is desirous of undertaking a project to update the playground equipment located at the City-owned King Street Park; and

WHEREAS, the Ralph C. Wilson, Jr. Foundation supports the KaBOOM Build It Yourself / Build it with KaBOOM!, a grant opportunity for up to \$15,000 in funding toward the purchase of playground equipment using the community-build model to plan and build the playground; and

WHEREAS, said grant has potential opportunity for funding for organizations who have made a commitment to funding playground equipment; and

WHEREAS, on May 22, 2018, through Resolution #58-18, the Common Council authorized a transfer of \$25,050 to Capital Fund #187 (Playground Reserve) as a commitment of funding for said Project;

NOW, THEREFORE, BE IT RESOLVED, that the City of Olean Common Council hereby authorizes the Mayor, as the representative designated to act on behalf of the City of Olean in all matters related to KaBOOM! Under the Build it Yourself / Build it with KaBOOM! Program, supported by the Ralph C. Wilson, Jr. Foundation, to sign and submit an application for funding up to \$15,000 for the purchase of playground equipment for the King Street Park Project.

BE IT FURTHER RESOLVED, that the Council authorizes the Mayor to execute all agreements and documents in connection with said grant funding, including, but not limited to, the Grant Agreement, request advances and reimbursements, submit project documentation, and otherwise act for the applicant in all matters related to project funding, subject to approval of the City of Olean Attorney.

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #89-18

PL #83-18

By Alderman Witte, Seconded by Alderman Crawford

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THAT THE COMMON COUNCIL AS LEAD AGENCY CONCLUDES THAT THE PROPOSED WALKABLE OLEAN PHASE III – EAST STATE STREET COMPLETE STREET 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

WHEREAS, the Common Council of the City of Olean is desirous of undertaking a project for Walkable Olean Phase III – East State Street Complete Street; and

WHEREAS, such project requires SEQR 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 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;

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 Walkable Olean Phase III – East State Street Complete 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 #90-18

PL #84-18

By Alderman George, Seconded by Alderman Gonzalez

TO AUTHORIZE THE MAYOR TO APPLY FOR GRANT FUNDING THROUGH THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION (NYSDOT) TRANSPORTATION ALTERNATIVES PROGRAM (TAP) FOR THE EAST STATE STREET COMPLETE STREET PROJECT TO INCLUDE STREETScape IMPROVEMENTS AND A MULTI USE PATH

WHEREAS, the City of Olean has been awarded \$1.2 million in funding through the Downtown Revitalization Initiative for the Walkable Olean Phase III, East State Street Project; and

WHEREAS, the City of Olean is desirous of securing gap funding to enable a Complete Street Project; and

WHEREAS, the New York State Department of Transportation (NYSDOT), through the Transportation Alternatives Program (TAP) has funding available for non-motorized transportation-related projects; and

WHEREAS, the NYSDOT's TAP awards funding for up to 80% of eligible projects with a 20% local match;

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NOW, THEREFORE, BE IT RESOLVED, that the Common Council authorizes the Mayor to apply for grant funding through the NYSDOT TAP for the East State Street Complete Street Project to include streetscape improvements and a multi use path.

BE IT FURTHER RESOLVED, that the Common Council authorizes the Mayor to execute all necessary Agreements, certifications or reimbursement requests on behalf of the City of Olean with the New York State Department of Transportation in connection with the East State Street Complete Street Project.

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #91-18

PL #85-18

By Alderman Witte, Seconded by Alderman Smith

TO AUTHORIZE THE MAYOR TO APPLY FOR GRANT FUNDING THROUGH THE NEW YORK STATE ENVIRONMENTAL FACILITIES CORPORATION (EFC) WATER INFRASTRUCTURE IMPROVEMENTS ACT (WIIA) FOR THE STARDUST PUMP STATION REPLACEMENT PROJECT TO BUILD AN ABOVE-GROUND PUMP HOUSE STRUCTURE INCLUDING NEW INFRASTRUCTURE

WHEREAS, the City of Olean is desirous of undertaking project involving the replacement of the Stardust Pump Station; and

WHEREAS, the New York State Environmental Facilities Corporation has funding available for such projects through a Water Infrastructure Improvement Act (WIIA) Grant; and

WHEREAS, if awarded, said grant will fund up to 60% of eligible project costs;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council authorizes the Mayor to apply for grant funding through the New York State Environmental Facilities Corporation (EFC) Water Infrastructure Improvements Act (WIIA) for the Stardust Pump Station Replacement Project to build an above-ground pump house structure including new infrastructure.

BE IT FURTHER RESOLVED, that the Common Council authorizes the Mayor to execute all necessary Agreements, certifications or reimbursement requests on behalf of the City of Olean with the New York State Environmental Facilities Corporation in connection with the Stardust Pump Station Replacement 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 Gonzalez. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 7:20 p.m.

Lens Martial, City Clerk

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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