

Journal of Proceedings

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

December 11, 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, December 11, 2018 at 6:35 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; Bob Ring, Director of Public Works; Keri Kerper, Community Development Program Coordinator; Jeff Rowley, Police Chief; 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 November 27, 2018 meeting was made by Alderman Andreano, seconded by Alderman Crawford. Voice vote, ayes all. Motion carried.

COMMITTEE REPORTS & UNFINISHED COUNCIL BUSINESS

Report from Committee of the Whole on PL #117-18, to designate Savarino Companies, LLC as a "Qualified and Eligible Sponsor", to approve the Development Agreement and qualifying the disposition of the 107 North Union Street property. Committee recommends approval. Referred to City Attorney for Resolution.

COMMUNICATIONS FROM THE MAYOR

None

MISCELLANEOUS COMMUNICATIONS

None

CITY OFFICIAL REPORTS

None

PROPOSED LEGISLATION AND REFERRALS

None

PUBLIC COMMENT/INPUT

Alderman Witte expressed that she is excited to see the blighted houses on South 12th and 13th Streets coming down. She explained that about ten blight homes in the City have been demolished in 2018. She thanked the Mayor, Council President, Code Enforcement, and County Land Bank for making this possible.

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Alderman Crawford congratulated the City on the award received from KaBoom! For the King Street park.

Rick Smith of 209 North 13th Street thanked the Council for their support of the Southern Tier Anesthesiologists, as well as businesses and other community members. Alderman Crawford added that this is a topic that has touched many people, and it is admirable the way that the community came together in support of a local business.

FINANCE / BILLS

None

RESOLUTIONS

RESOLUTION #119-18

PL#117-18

By Alderman Crawford, Seconded by Alderman Witte

RESOLUTION DESIGNATING SAVARINO COMPANIES, LLC AS A “QUALIFIED AND ELIGIBLE SPONSOR”, APPROVING THE DEVELOPMENT AGREEMENT AND QUALIFYING THE DISPOSITION OF THE 107 NORTH UNION STREET PROPERTY

WHEREAS, in furtherance of the objectives of Article 15 and 15-A of the General Municipal Law of the State of New York (“GML”) and the recommendation of the Olean Urban Renewal Agency (OURA), the City of Olean has undertaken a program for reconstruction of its urban core area in a portion of the City’s downtown business district with respect to the parcels of real property located at 101 North Union Street, 107 North Union Street, 106-108 West State Street and 110-116 West State Street in accordance with an Urban Renewal Plan known as the Olean Urban Renewal Plan Update with a background as follows:

WHEREAS, the Agency acquired title to 107 North Union Street on October 22, 2007 from the City of Olean, and

WHEREAS, in August 2010 the governing body of the OURA purchased real property located at 101 North Union Street (formerly First National Bank Building), 106-108 West State Street, 110 West State Street and 116 West State Street (collectively the “OURA Development Site”); and

WHEREAS, in March of 2011 the OURA prepared and advertised a Request for Proposals for the redevelopment of the OURA Development Site consisting of 101 North Union Street, 107 North Union Street, 106-108 West State Street and 110-116 West State Street for which the OURA received two proposals and selected one such proposal as the preferred developer after scoring the proposals; and

WHEREAS, in December of 2011, the OURA recommended an amendment to the existing Urban Renewal Plan pertaining to the OURA Development Site which was duly adopted by the City on December 27, 2011; and

WHEREAS, in May 2013, the preferred developer selected withdrew from the project for various reasons and on June 19, 2014 the OURA accepted the notice to withdraw from the

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preferred developer; and

WHEREAS, on December 8, 2014 the OURA prepared and advertised a Request for Proposals for the redevelopment of the OURA Development Site consisting of 101 North Union Street, 107 North Union Street, 106-108 West State Street and 110-116 West State Street that resulted in no responses; and

WHEREAS, ON THREE OCCASIONS, December 8, 2014, August 15, 2015, and December 15, 2015 the OURA prepared and advertised a Request for Proposals for the redevelopment of the OURA Development Site that resulted in no responses; and

WHEREAS, in October of 2017 in response to its Request for Proposal for the redevelopment of 107 North Union Street, the OURA received one proposal which was rejected and it was decided the OURA would improve the language to the Request for Proposals and release it at a later date; and

WHEREAS, in July of 2018 in response to its Request for Proposals for the redevelopment of 107 North Union Street the OURA received one proposal, from Savarino Companies, LLC; and

WHEREAS, on August 15, 2018 Savarino Companies, LLC gave a presentation on the proposed project to OURA members and scoring was conducted by members based on the criteria outlined in the Request for Proposals; and

WHEREAS, on September 19, 2018, the Agency decided to pursue, subject to legal requirements, redevelopment of the Property by the Company by negotiated disposal process consistent with the Company's Redevelopment Proposal dated July 13, 2018 which constitutes the Company's proposal, and

WHEREAS, in order for the OURA and the Preferred Developer to enter into a Development Agreement for the disposition of 107 North Union Street, the Common Council pursuant to GML Section 507(2)(d) must: 1) permit the designation of the Preferred Developer as a "qualified and eligible sponsor"; and 2) approve the Development Agreement and qualify the disposition of the property, and

WHEREAS, the OURA has undertaken a coordinated review of this Project pursuant to the State Environmental Quality Review Act and has issued a Negative Declaration determining that the Project will have no significant adverse environmental impact, and

WHEREAS, the Common Council held a public hearing on Tuesday, December 11, 2018, the purpose of which was to provide the public with information on the Project and the Preferred Developer's plan for redevelopment of the 107 North Union Street property.

NOW, THEREFORE, BE IT RESOLVED, that the Common Council hereby designates Savarino Companies, LLC as a "qualified and eligible sponsor", approves the Development Agreement (attached) and qualifies the disposition of 107 North Union Street.

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

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ADJOURNMENT

Motion to adjourn was made by Alderman Crawford, seconded by Alderman Andreano. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 6:50 p.m.

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