

Journal of Proceedings

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

February 26, 2019

***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, February 26, 2019 at 6:40 p.m.

PRESENT: *Aldermen Crawford, Witte, Andreano, Gonzalez, Dougherty, Crawford, 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; 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 February 12, 2019 meeting was made by Alderman Crawford, seconded by Alderman Dougherty. Voice vote, ayes all. Motion carried.

COMMITTEE REPORTS & UNFINISHED COUNCIL BUSINESS

Report from Strategic Planning Committee on PL #20-19, to declare the City of Olean a Charter for Compassion City. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #22-19, to authorize the Mayor to sign and submit an application for grant funding to the Local Initiatives Support Corporation through the "Zombie" and Vacant Properties Remediation and Prevention Initiative – Round 2 also called "Zombies 2.0". Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #23-19, that the Project Loan Committee recommends that the City subordinate its lien position for Olean Homeownership Assistance Program Application #148-04. Committee recommends approval. Referred to City Attorney for Resolution.

COMMUNICATIONS FROM THE MAYOR

None

MISCELLANEOUS COMMUNICATIONS

None

CITY OFFICIAL REPORTS

Monthly Report of the City Auditor –month ended January 2019

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PROPOSED LEGISLATION AND REFERRALS

PL #22-19: (Aiello) To authorize the Mayor to sign and submit an application for grant funding to the Local Initiatives Support Corporation through the “Zombie” and Vacant Properties Remediation and Prevention Initiative – Round 2 also called “Zombies 2.0”. Referred to Committee of the Whole Tuesday, February 26, 2019 by Council President.

PL #23-19: (Aiello) That the Project Loan Committee recommends that the City subordinate its lien position for Olean Homeownership Assistance Program Application #148-04. Referred to Committee of the Whole Tuesday, February 26, 2019 by Council President.

PUBLIC COMMENT/INPUT

Alderman Andreano explained that Icar Simon, a student attending the meeting from the Olean High School, recently made it to States in wrestling. She congratulated him on behalf of the Council.

Nate Smith sends his condolences to the family of Mark Clark, his classmate and a 1993 graduate of Archbishop Walsh High School, who recently passed away.

Rob Walk thanked the Council for bringing forth a resolution to make Olean a Charter for Compassion City. He explained that he feels that this will be a good thing for the City.

Kevin Bartholomew of 737 Bishop Street expressed that he doesn't feel that the City will be prosperous until industries are brought in that create jobs.

FINANCE / BILLS

By Alderman Crawford, Seconded by Alderman Witte

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 \$1,932,129.14 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 Gonzalez. Voice vote, ayes all. Motion carried.

A motion to amend the agenda to include Resolution #23-19 was made by Alderman Crawford, seconded by Alderman Dougherty. Voice vote, ayes all. Motion carried.

RESOLUTION #13-19

PL #16-19

By Alderman Dougherty, Seconded by Alderman Witte

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TO AMEND THE CITY OF OLEAN CODE OF ORDINANCES CHAPTER 12 TO INCLUDE ARTICLE VI, SECTION 12-126, PROPERTY MAINTENANCE CODE (IPMC) OF THE NEW YORK STATE UNIFORM FIRE PREVENTION AND BUILDING CODE BY REFERENCE

RESOLVED, that Chapter 12 of the Code of Ordinances of the City of Olean, New York is hereby amended to include the following:

Article VI IPMC.

Sec. 12-126. Property Maintenance Code (IPMC) of the New York State Uniform Fire Prevention and Building Code by reference

The provisions of the Property Maintenance Code (IPMC) of the New York State Uniform Fire Prevention and Building Code are adopted by reference.

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

Alderman Crawford explained that he feels that declaring Olean a Charter for Compassion City is a great thing.

Alderman Smith explained that he was not present last week for the discussion regarding this. He explained that he is not comfortable supporting this, and that he does not feel that the City has anything to prove. He feels that Olean is a compassionate City, and that we have always been, and Olean does not need to declare this or prove it to anybody. He reminded the Council that they are voting on this behalf of their constituents, not as an individual. Alderman Smith explained that he has visited their website, which does contain some political things, although it is not the entire website. He does not feel that the City should join or endorse this group by resolution, especially since there are so many other “do good” groups out there that the City does not endorse.

Alderman Crawford responded that being “Tree City USA” does not prevent people from cutting down trees, and reminded that the Rotary Club was given permission by the City to build its silent policeman in Lincoln Park. He understands and respects the slippery slope that Alderman Smith is talking about, but he still feels that it is not a bad thing to ask people to be compassionate. Alderman Witte echoed his statement.

Alderman Smith responded that their website contains handbooks on Islamophobia and Social Justice. He feels that they have pretty political philosophies, and that whatever the group endorses, if the Council passes the resolution, the Council will then endorse.

RESOLUTION #19-19

PL #20-19

By Alderman Crawford, Seconded by Alderman Witte

TO DESIGNATE THE CITY OF OLEAN A CHARTER FOR COMPASSION CITY

WHEREAS, it is evident that Olean is a community that values compassion, and living by the “Golden Rule”, as demonstrated by numerous agencies that provide food, shelter, medical care, spiritual support, and other kinds of assistance to those in need; and

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WHEREAS, Olean promotes the nurturance of a healthy environment as a means of maintaining a healthy quality of life for all our citizens, as evidenced by our River Trail, Walkable Olean, beautification of our downtown and parks, etc.; and

WHEREAS, in hundreds of communities that have endorsed the Charter for Compassion, there has been increased focus on improving quality of life, reducing crime, drug addiction, homelessness and most importantly, maximizing “human capitol” by increasing levels of volunteerism and community involvement; and

WHEREAS, over 1,000 area individuals, and over 40 local organizations, have signed the Charter for Compassion, indicating their desire to live in a community wherein “compassion” and “living by the Golden Rule” are viewed as central core values, and many of these individuals have also indicated a willingness to put their belief into action by offering to help with the initiative; and

WHEREAS, the Charter for Compassion’s Sustainable Development Goals are highly compatible with the City of Olean’s “Comprehensive Development Plan 2005-2025”,

NOW, THEREFORE, BE IT RESOLVED by the Olean Common Council that the Olean Common Council supports the designation of Olean as a “Charter for Compassion City” and applauds the mission of the Charter to promote volunteerism and positive community involvement aimed at improving the quality of life for all our citizens, especially those most in need.

ROLL CALL, AYES ALL EXCEPT ALDERMAN DOUGHERTY AND ALDERMAN SMITH, WHO VOTED NAY. MOTION CARRIED.

Alderman Crawford invited those in the audience from the Charter for Compassion group to join the Council for a photo.

RESOLUTION #21-19

PL #22-19

By Alderman Gonzalez, Seconded by Alderman Dougherty

TO AUTHORIZE THE MAYOR TO SIGN AND SUBMIT AN APPLICATION FOR GRANT FUNDING TO THE LOCAL INITIATIVES SUPPORT CORPORATION THROUGH THE “ZOMBIE” AND VACANT PROPERTIES REMEDIATION AND PREVENTION INITIATIVE – ROUND 2 ALSO CALLED “ZOMBIES 2.0”

WHEREAS, the Local Initiatives Support Corporation (“LISC”) has introduces Zombies 2.0, the second round of the Zombie and Vacant Properties Remediation and Prevention Initiative to be administered by Enterprise Community Partners; and

WHEREAS, said grant program will provide \$9 million to help municipal leaders across New York State support programs addressing housing vacancy remediation and prevention and homeowners retention and enforcement of the “Abandoned Property Neighborhood Relief Act of 2016”, known as the “Zombie Law”; and

WHEREAS, the City of Olean is eligible to apply for a grant of up to \$100,000 to enable the City to partner with New York State to ensure continued implementation of, and compliance with, the Zombie Law, and to support the effort of the City to prevent future “zombie houses”, as well as to support City programs that address issues related to housing vacancy and distress; and

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WHEREAS, the City is desirous of using said funds to continue address blight issues throughout the City; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to sign and submit an application for grant funding to the Local Initiatives Support Corporation through the “Zombie” and Vacant Properties Remediation and Prevention Initiative – Round 2, also called “Zombies 2.0” for funding to support City programs that address issues related to housing vacancy and distress.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to execute any contracts, documents and instruments associated with the aforementioned Program.

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #22-19

PL #23-19

By Alderman Witte, Seconded by Alderman Andreano

THAT THE PROJECT LOAN COMMITTEE RECOMMENDS THAT THE CITY SUBORDINATE ITS LIEN POSITION FOR THE OLEAN HOMEOWNERSHIP ASSISTANCE PROGRAM APPLICATION #148-04

WHEREAS, the Department of Community Development received a request from one first-time homebuyer to subordinate the City’s lien positions with respect to the grant/loan funds provided to the applicant under the Olean Homeownership Assistant Program; and

WHEREAS, the City of Olean’s Project Loan Committee has received said request and recommends approval of the following application:

OHAP #148-04;

NOW, THEREFORE, BE IT RESOLVED, that the City of Olean approves the above-identified request and authorizes the Mayor to execute the respective subordination agreements pending the City Attorney’s review and approval.

IT IS FURTHER RESOLVED, that this Resolution will be effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #23-19

PL #NONE

By Alderman Dougherty, Seconded by Alderman George

TO CONFIRM THE MAYORAL APPOINTMENT OF PAUL PEZZIMENTI TO THE BOARD OF ASSESSMENT REVIEW

RESOLVED, that the Olean Common Council confirms the appointment of Paul Pezzimenti to the Board of Assessment Review for a term of five years that is effective October 1, 2018 and expires September 30, 2023.

ROLL CALL, AYES ALL. MOTION CARRIED.

ADJOURNMENT

Motion to adjourn was made by Alderman Crawford, seconded by Alderman Andreano.

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Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 7:10 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, 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