

Journal of Proceedings

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

June 11, 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, June 11, 2019 at 6:55 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; Bob Ring, Director of Public Works; 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 28, 2019 meeting was made by Alderman Crawford, seconded by Alderman Gonzalez. Voice vote, ayes all. Motion carried.

COMMITTEE REPORTS & UNFINISHED COUNCIL BUSINESS

Report from Committee of the Whole on PL #49-19, to authorize the Mayor to enter into a contract between the County of Cattaraugus and the City of Olean for the Department of Aging Senior Wellness and Nutrition Program side. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #50-19, that the Common Council as Lead Agency declares the Well 18, Well 37/38 & Water Filtration Plant Improvements Project a Type II Action which is not subject to review under SEQRA, and it will not result in a significant impact on the environment. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #51-19, to authorize the Mayor to sign and submit grant applications to the Federal Aviation Administration (FAA) for grant funding associated with the Design portion of the Runway 4-22 Rehabilitation Project and the Design portion of the SRE Building Pavement Rehabilitation Project. Committee recommends approval. Referred to City Attorney for Resolution.

COMMUNICATIONS FROM THE MAYOR

None

MISCELLANEOUS COMMUNICATIONS

None

CITY OFFICIAL REPORTS

None

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PROPOSED LEGISLATION AND REFERRALS

PL #49-19: (Aiello) To authorize the Mayor to enter into a contract between the County of Cattaraugus and the City of Olean for the Department of Aging Senior Wellness and Nutrition Program site. Referred to Committee of the Whole Tuesday, June 11, 2019 by Council President.

PL #50-19: (Aiello) That the Common Council as Lead Agency declares the Well 18, Well 37/38 & Water Filtration Plant Improvements Project a Type II Action which is not subject to review under SEQRA, and it will not result in a significant impact on the environment. Referred to Committee of the Whole Tuesday, June 11, 2019 by Council President.

PL #51-19: (Aiello) To authorize the Mayor to sign and submit grant applications to the Federal Aviation Administration (FAA) for grant funding associated with the Design portion of the Runway 4-22 Rehabilitation Project and the Design portion of the SRE Building Pavement Rehabilitation Project. Referred to Committee of the Whole Tuesday, June 11, 2019 by Council President.

PL #52-19: (Aiello) To authorize the Mayor to enter into a Cable Franchise Agreement between the City of Olean and Time Warner Cable Northeast LLC, locally known as Charter Communications. Referred to Committee of the Whole Tuesday, June 25, 2019 by Council President.

PL #53-19: (Crawford) To amend the City of Olean Code of Ordinances Section 24-135 to prohibit parking and standing, and to authorize the installation of “No Parking or Standing Here to Corner” signs on the east side of North 8th Street for a distance of 20 feet north from the sidewalk at its intersection with West State Street. Referred to Regular Meeting Tuesday, June 25, 2019 for Resolution by Council President.

PL #54-19: (Aiello) To authorize the conveyance of an easement to the Olean Urban Renewal Agency for a strip of land upon which there is an existing basement exterior staircase located adjacent to the public sidewalk along West State Street on the south side of 101 North Union Street. Referred to Committee of the Whole Tuesday, June 25, 2019 by Council President.

PUBLIC COMMENT/INPUT

Kevin Bartholomew of 737 Bishop Street explained that the airport is a selling point for the area to get more manufacturers to move into Olean, and it should be promoted more. He also feels that the City should do more to bring in jobs, and questions who is doing this for the City.

Alderman Gonzalez responded that if anyone wants to serve as a public official, it behooves them know this information.

Alderman Smith explained that he knows that the airport is bleeding us, but that we have to look at the big picture. A small number of people use the airport in any community with one, but that does not make the airport unimportant. He explained that it is also a symbol of the prosperity of the area. He noted that the City is about to play chicken with the County over the airport, and we need to proceed with caution.

Alderman Crawford responded that Alderman Smith makes a good point, and that the fact that the City signs up for a twenty year commitment when it accepts grants forces the City and Council to make tough choices. He feels that a joint venture needs to be

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created to share services with the County.

FINANCE / BILLS

None

RESOLUTIONS

RESOLUTION #47-19

PL #48-19

By Alderman _____, Seconded by Alderman _____

TO AUTHORIZED THE REMOVAL OF A TREE LOCATED AT 1015 SENECA STREET BY THE PROPERTY OWNER, WITH THE CONDITION THAT THE PROPERTY OWNER ALSO REPAIR OR REPLACE THE SIDEWALK ABUTTING THE TREE

RESOLVED, that the Common Council authorizes the removal of a tree located at 1015 Seneca Street by the property owner, at the property owner's expense.

BE IT FURTHER RESOLVED, that the authorization for the removal of the tree is given with the condition that the property owner repair or replace the sidewalk abutting the tree after the removal of the tree is completed.

RESOLVED, that this Resolution is effective immediately.

A motion to postpone Resolution #47-19 indefinitely was made by Alderman Andreano, seconded by Alderman Crawford. Voice vote, ayes all. Motion carried.

RESOLUTION #49-19

PL #47-19

By Alderman Crawford, Seconded by Alderman Witte

TO AMEND THE CITY OF OLEAN CODE OF ORDINANCES SECTION 24-134 TO PROHIBIT PARKING AND STANDING ON THE NORTH SIDE OF EAST SPRING STREET FOR A DISTANCE OF 25 FEET EAST AND WEST FROM THE EXISTING CROSSWALK BY THE MAIN ENTRANCE TO EAST VIEW ELEMENTARY SCHOOL

RESOLVED, that Section 24-134 of the City of Olean Code of Ordinances is hereby amended to include the following:

Sec. 24-134 Prohibited at all times.

When signs are erected giving notice thereof, it shall be unlawful for any person to park a vehicle at any time upon the following streets:

Street	Side	Extent
Spring Street, East and	North	No parking or standing for a distance of 25 feet east west from the existing crosswalk by the main entrance to East View Elementary School

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL EXCEPT ALDERMAN ANDREANO, WHO ABSTAINED. MOTION CARRIED.

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RESOLUTION #50-19

PL #49-19

By Alderman Witte, Seconded by Alderman Andreano

RESOLUTION TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT BETWEEN THE COUNTY OF CATTARAUGUS AND THE CITY OF OLEAN FOR THE DEPARTMENT OF AGING SENIOR WELLNESS AND NUTRITION PROGRAM SITE

WHEREAS, the County, through its Department of Aging, is the sponsor of the Title III-C Senior Wellness and Nutrition Program in Cattaraugus County, designed to provide hot, balanced meals in a congregate setting to persons aged 60 and over, and

WHEREAS, the City has a facility suitable for a congregate dining center which is available for use by the Senior Wellness and Nutrition Program,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to enter into a contract between the County of Cattaraugus and the City of Olean for the Department of Aging Senior Wellness and Nutrition Program Site to make the John J. Ash Community Center available for the Senior Wellness and Nutrition Program for area seniors Monday through Friday from 8:30 a.m. until 2:00 p.m.

RESOLVED, that his contract shall be in effect from June 1, 2019 through May 31, 2021.

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

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #51-19

PL #50-19

By Alderman Witte, Seconded by Alderman George

THAT THE COMMON COUNCIL AS LEAD AGENCY DECLARES THAT THE WELL 18, WELL 37/38 & WATER FILTRATION PLANT IMPROVEMENTS PROJECT IS A TYPE II ACTION WHICH IS NOT SUBJECT TO REVIEW UNDER SEQRA, AND IT WILL NOT RESULT IN A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT

WHEREAS, the City of Olean (hereinafter the "City") is desirous of undertaking a project for improvements to the fluoride rooms and equipment at the Water Filtration Plant and Well House 18, and construction of a chlorine and fluoride addition and driveway modifications at Well House 37/38; and

WHEREAS, in accordance with the State Environmental Quality Review Act ("SEQRA"), the City is required to assess impacts to the environment in compliance with SEQRA regulations included in 6 NYCRR Part 617 (Title 6 of the New York Code of Rules and Regulations); and

WHEREAS, the City is the appropriate agency to be the lead agency to undertake the project review under SEQRA; and

WHEREAS, 6 NYCRR §617.5 under SEQRA provides that certain actions identified in subdivision (c) of that section are Type II Actions and not subject to environmental review under SEQRA and that such activities include construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, from 617.5(c)(9); and

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WHEREAS, the proposed improvement consists solely of improvements including installation of a new fluoride storage tank and appurtenances thereof to replace the existing bulk fluoride storage tank at the Water Treatment Plant site, improvements to the bulk storage and appurtenances thereof to replace existing bulk fluoride storage tank, installation of a fluoride injection system, storage, and appurtenances thereof at an expanded Well 37-38 well house and abandonment of the fluoride chemical injection system at the Well 13 site; and

WHEREAS, the City, 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 environmental assessment that the proposed project will have no significant impact(s) on the environment;

NOW, THEREFORE, based on such review and consideration, **BE IT RESOLVED** by the City of Olean Common Council that:

1. The City of Olean Common Council is the lead agency for the SEQRA review of the proposed project.
2. The proposed project is a Type II Action which is not subject to review under SEQRA, and it will not result in a significant adverse impact on the environment.
3. The City of Olean Common Council is hereby authorized to sign and file, or have filed, on behalf of the City of Olean all documents necessary to comply with SEQRA.
4. This Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #52-19

PL #51-19

By Alderman Dougherty, Seconded by Alderman George

TO AUTHORIZE THE MAYOR TO SIGN AND SUBMIT GRANT APPLICATIONS TO THE FEDERAL AVIATION ADMINISTRATION (FAA) FOR GRANT FUNDING ASSOCIATED WITH THE DESIGN PORTION OF THE RUNWAY 4-22 REHABILITATION PROJECT AND THE DESIGN PORTION OF THE SRE BUILDING PAVEMENT REHABILITATION PROJECT

WHEREAS, the City of Olean is desirous of partaking in projects for the rehabilitation of runway 4-22 and the rehabilitation of SRE building pavement; and

WHEREAS, the Federal Aviation Administration (FAA) has grant funding available for the design portions of said projects with local matches of \$14,750 and \$2,250, respectively, after all Federal and State funding has been appropriated;

RESOLVED, that the Mayor is authorized to sign and submit grant applications to the Federal Aviation Administration (FAA) for grant funding associated with the Design portion of the Runway 4-22 Rehabilitation Project and the Design portion of the SRE Building Pavement Rehabilitation Project.

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL EXCEPT ALDERMAN CRAWFORD, WHO VOTED NAY. MOTION CARRIED.

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ADJOURNMENT

Mayor Aiello announced that the Special Olympics team will be leaving for competition this Friday, June 14, 2019 at 9 a.m., and wished the team the best of luck.

Motion to adjourn was made by Alderman Crawford, seconded by Alderman Gonzalez. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 7:15 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