

Journal of Proceedings

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

August 13, 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, August 13, 2019 at 6:45 p.m.

PRESENT: Aldermen Witte, Andreano, Gonzalez, Dougherty, Crawford, Smith, and George

ABSENT: Alderman Crawford

OFFICIALS: Lens Martial, City Clerk; Nicholas DiCerbo, Jr., City Attorney; Fred Saradin, City Auditor; Keri Stephen, 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 July 23, 2019 meeting was made by Alderman Gonzalez, seconded by Alderman Dougherty. Voice vote, ayes all. Motion carried.

COMMITTEE REPORTS & UNFINISHED COUNCIL BUSINESS

Report from Finance Committee on PL #02-19, to amend the City of Olean Code of Ordinances Chapter 2, Article VI, Division 3, Audit and Compliance Committee Reporting Policy. Committee recommends approval. Referred to City Attorney for Resolution.

COMMUNICATIONS FROM THE MAYOR

None

MISCELLANEOUS COMMUNICATIONS

Liquor License Renewal – St. Stephen’s Club, Inc. – 1117-1119 North Union Street, Olean

Liquor License Renewal – Olean American Legion Post 530 – 307 East State Street, Olean

CITY OFFICIAL REPORTS

Monthly Report of the City Auditor – month ended July 2019

PROPOSED LEGISLATION AND REFERRALS

PL #65-19: (Aiello) To authorize the transfer of \$85,000 from Sewer Fund to line item G-07-5-8120.301 for additional sewer lining. Referred to Regular Meeting Tuesday, August 13, 2019 for Resolution by Council President.

PUBLIC COMMENT/INPUT

Journal of Proceedings

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

August 13, 2019

Paul Sungenis of 309 North 5th Street encouraged the Council to approve the additional funding for sewer lining, He explained that the water and sewer infrastructure are past their expiration, and this is a necessary expenditure. He explained that it is better to bite the bullet and spend the money now than it would be to have to spend the money for replacement down the road if there is a failure in the system.

Kevin Bartholomew of 737 Bishop Street asked for the status of the changes being made at the intersection of Independence Drive and West State Street, and explained that without additional signs and arrows that it is a dangerous intersection. He also noted that it seems that there should be a backup plan when a pump station fails to reduce the amount of sewage that ends up in the river.

FINANCE / BILLS

None

RESOLUTIONS

RESOLUTION #68-19

PL #02-19

By Alderman Crawford, Seconded by Alderman Dougherty

TO AMEND THE CITY OF OLEAN CODE OF ORDINANCES CHAPTER 2, ARTICLE VI, DIVISION 3, AUDIT AND COMPLIANCE COMMITTEE REPORTING POLICY

RESOLVED, that the City of Olean Code of Ordinances Chapter 2, Article VI, Division 3 is hereby amended to include the following:

Section 2-174 Change Order Policy

A change order is work that is added to or deleted from the original scope of work of a contract, which alters the original contract amount and/or completion date.

The change order process is established to provide approval authority for the various types of change orders and monetary amounts for capital improvement projects.

All change orders are to be documented on a form by the responsible department head. All change orders must be within the approved project funding and the original scope of the project as authorized by the Common Council. The responsible project manager will notify the mayor, common council and city auditor of any change order execution via email or written notice.

The authorization levels for change orders are described as follows:

A. *The department head has final Change Order authority if the following amounts are not exceeded:*

- *A single change order, whether cost or credit, up to \$10,000.*
- *A single contract pay item with a cost or credit up to \$10,000.*
- *An extension of time up to fifteen (15) working days.*

B. *The mayor has final Change Order authority if the following amounts are not exceeded:*

- *A single change order, whether cost or credit, up to \$25,000.*
- *A single contract pay item with a cost or credit up to \$25,000.*
- *An extension of time exceeding fifteen (15) working days.*

C. *Any levels that exceed a cost or credit, over \$25,000 must receive mayoral and Common Council approval.*

Journal of Proceedings

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

August 13, 2019

The final/approved change-order value shall also include: 15% contingency, 5% field change allowance and the associated administrative fees.

Change orders authorized by the Mayor will be placed on the Common Council Finance Committee's Agenda subsequent to the approval and the nature of such expenditures must be disclosed and the needs specified by the responsible department head.

After change(s) are approved, financing options (if required) will be discussed and secured by the Mayor, Common Council, department head and the City Auditor.

Section 2-175 Capital Project Update Policy

The reporting of ongoing capital projects will include a project summary, schedule and timeline of all projects in process (in excess of \$50,000) – which will be provided to the Common Council on a monthly basis.

The project financial report will include the following: project budget, approved changes, and actual/incurred costs. Additionally, there will be a reconciliation of project funding received/acquired to total project cost to ensure enough funding for project completion and highlighting any funding shortfalls.

If any project is underfunded, the Mayor and Common Council will be notified immediately and a corrective action plan will be provided.

RESOLVED, that this Resolution will be effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #69-19

PL #65-19

By Alderman Dougherty, Seconded by Alderman Witte

TO AUTHORIZE THE TRANSFER OF \$85,000 FROM SEWER FUND TO LINE ITEM G-07-5-8120.301 FOR ADDITIONAL SEWER LINING

RESOLVED, that the following transfer be authorized:

Account #	Description- General	Amount Transferred	Transferred to
G-07-5-9955.550	Sewer Fund	\$85,000	G-07-5-8120.301
	Total Transfer to G-07-5-8120.301, Capital Outlay	\$85,000	

BE IT FURTHER RESOLVED, that this Resolution shall be effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

ADJOURNMENT

Motion to adjourn in memory of Captain Connelly was made by Alderman Witte, seconded by Alderman George. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 7:00 p.m.

Lens Martial, City Clerk

Journal of Proceedings

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

August 13, 2019

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