

# Journal of Proceedings

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

February 11, 2020

**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 11, 2020 at 6:55 p.m.*

PRESENT: *Aldermen Gonzalez, Witte, Panus, Dougherty, Crawford, Smith, and Anastasia*

ABSENT: *None*

OFFICIALS: *Mayor William Aiello; Lens Martial, City Clerk; Nicholas DiCerbo, Jr., City Attorney; Fred Saradin, City Auditor; Keri Stephen, Community Development Program Coordinator; Bob Ring, Director of Public Works; Jeff Rowley, Police Chief; Tim Richardson, Fire Chief; Jeff Rowley, Police Chief, and Tiffany Taylor, Managerial Confidential Administrative Secretary*

*At this time a prayer was given by Alderman Dougherty, followed by a salute to the flag.*

**READING, CORRECTING, AND APPROVAL OF THE MINUTES OF THE  
PREVIOUS REGULAR MEETING**

*A motion to approve the minutes of the January 28, 2020 Regular Meeting was made by Alderman Gonzalez, seconded by Alderman Panus. Voice vote, ayes all. Motion carried.*

**COMMITTEE REPORTS & UNFINISHED COUNCIL BUSINESS**

*Report from Committee of the Whole on PL #07-20, that the Common Council has received a copy of the Disadvantaged Business Enterprise (DBE) Program and authorizes the Mayor to execute the DBE Program Agreement on behalf of the City of Olean. Committee recommends approval. Referred to City Attorney for Resolution.*

*Report from Committee of the Whole on PL #08-20, to authorize the Mayor to execute a Lump Sum Consultant Agreement with C&S Companies for the Design portion of the SRE Building Pavement Rehabilitation Project at the Cattaraugus County – Olean Airport. Committee recommends approval. Referred to City Attorney for Resolution.*

*Report from Committee of the Whole on PL #09-20, 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. Committee recommends approval. Referred to City Attorney for Resolution.*

*Report from Committee of the Whole on PL #11-20, that the Project Loan Committee recommends that the City subordinate its lien position for Olean Homeownership Assistance Program Application #144-04. Committee recommends approval. Referred to City Attorney for Resolution.*

**COMMUNICATIONS FROM THE MAYOR**

*Notice of Retirement – Patrick W. Zink, Olean Fire Department*

**MISCELLANEOUS COMMUNICATIONS**

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None

## **CITY OFFICIAL REPORTS**

*Monthly Report of the City Auditor – month ended January 2020*

## **PROPOSED LEGISLATION AND REFERRALS**

*PL #07-20: (Aiello) That the Common Council has received a copy of the Disadvantaged Business Enterprise (DBE) Program and authorizes the Mayor to execute the DBE Program Agreement on behalf of the City of Olean. Referred to Committee of the Whole Tuesday, February 11, 2020 by Council President.*

*PL #08-20: (Aiello) To authorize the Mayor to execute a Lump Sum Consultant Agreement with C&S Companies for the Design portion of the SRE Building Pavement Rehabilitation Project at the Cattaraugus County – Olean Airport. Referred to Committee of the Whole Tuesday, February 11, 2020 by Council President.*

*PL #09-20: (Aiello) 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. Referred to Committee of the Whole Tuesday, February 11, 2020 by Council President.*

*PL #10-20: (Panus) To amend the City of Olean Code of Ordinances Section 24-135 to prohibit parking on the north side of Bishop Street for a distance of 141 feet easterly from its intersection with Queen Street. Referred to Committee of the Whole Tuesday, February 25, 2020 by Council President.*

*PL #11-20: (Aiello) That the Project Loan Committee recommends that the City subordinate its lien position for Olean Homeownership Assistance Program Application #144-04. Referred to Committee of the Whole Tuesday, February 11, 2020 by Council President.*

## **PUBLIC COMMENT/INPUT**

*Alderman Crawford asked Mayor Aiello for an update on the structure fire on Buffalo Street. Mayor Aiello explained that it is his understanding that the bids have been received and are being reviewed. Alderman Crawford thanked the Mayor, explaining that he still gets calls about this property daily. Chief Richardson explained that his department put fencing up Wednesday due to the status of the structure and Code Enforcement concerns. Alderman Crawford thanked Chief Richardson, and explained that the biggest complaint that he gets is people trying to salvage from the property.*

## **FINANCE / BILLS**

None

## **RESOLUTIONS**

### **RESOLUTION #08-20**

### **PL #06-20**

*By Alderman Anastasia, Seconded by Alderman Witte*

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***TO AMEND THE CITY OF OLEAN CODE OF ORDINANCES SECTION 24-135 TO PROHIBIT PARKING ON THE SOUTH SIDE OF EAST OAK STREET FOR A DISTANCE OF 20 FEET FROM THE WEST CURBLINE OF WALNUT STREET***

***RESOLVED***, that the City of Olean Code of Ordinances Section 24-135 is hereby amended to include the following:

<b><i>Street</i></b>	<b><i>Side</i></b>	<b><i>Extent</i></b>
<i>Oak Street, East</i>	<i>South</i>	<i>20 feet from the west curbline of Walnut Street</i>

***RESOLVED***, that this Resolution is hereby effective immediately.

***ROLL CALL, AYES ALL. MOTION CARRIED.***

**RESOLUTION #09-20**

**PL #07-20**

By Alderman Dougherty, Seconded by Alderman Witte

***THAT THE COMMON COUNCIL HAS RECEIVED A COPY OF THE DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM AND AUTHORIZES THE MAYOR TO EXECUTE THE DBE PROGRAM AGREEMENT ON BEHALF OF THE CITY OF OLEAN***

***WHEREAS***, the City of Olean, as owner of the Cattaraugus – Olean Municipal Airport (the “Airport”), has established a Disadvantaged Business Enterprise (DBE) Program in accordance with the regulations of the U.S. Department of Transportation (DOT), 49 CFR Part 26; and

***WHEREAS***, the airport has received Federal financial assistance from the Department of Transportation, and as a condition of receiving this assistance, is required to sign an assurance that it will comply with 49 CFR Part 26; and

***WHEREAS***, it is the policy of the Airport to ensure that DBEs as defined in Part 26 have an equal opportunity to receive and participate in DPT-assisted contracts; and

***WHEREAS***, Keri Stephen, Community Development Program Coordinator; has been delegated as the DBE Liaison Officer for the Airport, and in that capacity, is responsible for implementing all aspects of the DBE program;

***NOW, THEREFORE, BE IT RESOLVED***, that the Common Council has received a copy of the Disadvantaged Business Enterprise (DBE) Program and authorizes the Mayor to execute the DBE Program Agreement on behalf of the City of Olean.

***RESOLVED***, that this Resolution is effective immediately.

***ROLL CALL, AYES ALL. MOTION CARRIED.***

**RESOLUTION #10-20**

**PL #08-20**

By Alderman Dougherty, Seconded by Alderman Smith

***TO AUTHORIZE THE MAYOR TO EXECUTE A LUMP SUM CONSULTANT AGREEMENT WITH C&S COMPANIES FOR THE DESIGN PORTION OF THE SRE BUILDING PAVEMENT REHABILITATION PROJECT AT THE CATTARAUGUS COUNTY – OLEAN AIRPORT***

***WHEREAS***, C&S Companies has presented a proposal for required services to design the Runway 4-22 Rehabilitation project to be performed and constructed with grant assistance from the Federal Aviation Administration (FAA) airport Improvement Program (AIP) and the New York State Department of Transportation (NYSDOT); and

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*WHEREAS, the proposal includes the design for the full depth reconstruction of approximately 10,000 SF of pavement directly in front of the SRE building including the removal of existing pavement and subbase and replacement of a crushed stone base course with bituminous concrete, as well as affected drainage replacement, as necessary;*

*NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Olean authorizes the Mayor to execute a Lump Sum Consultant Agreement with C&S Companies for the Design portion of the SRE Building Pavement Rehabilitation Project at the Cattaraugus County – Olean Airport.*

*RESOLVED, that this Resolution is effective immediately.*

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

## **RESOLUTION #11-20**

### **PL #09-20**

*By Alderman Witte, Seconded by Alderman Crawford*

#### ***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 at an estimated project cost of \$689,290; 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, as awarded, said grant will fund up to 60% of eligible project costs for a maximum of \$413,574;*

*WHEREAS, the local share is estimated to be \$275,716 (40% of the total project cost) and is to be funded from budget sewer operating funds;*

*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; and*

*BE IT 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; and.*

*BE IT RESOLVED that the Common Council authorizes the use of water operating funds to cover the local share of the project; and.*

*BE IT RESOLVED that this Resolution be effective immediately.*

**ROLL CALL, AYES ALL. MOTION CARRIED.**

## **RESOLUTION #12-20**

### **PL #11-20**

*By Alderman Gonzalez, Seconded by Alderman Anastasia*

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***THAT THE PROJECT LOAN COMMITTEE RECOMMENDS THAT THE CITY SUBORDINATE ITS LIEN POSITION FOR OLEAN HOMEOWNERSHIP ASSISTANCE PROGRAM APPLICATION #144-04***

*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 Assistance Program; and*

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

*OHAP #144-04;*

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

***ROLL CALL, AYES ALL. MOTION CARRIED.***

***ADJOURNMENT***

*Motion to adjourn was made by Alderman Gonzalez, seconded by Alderman Dougherty. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 7:05 p.m.*

\_\_\_\_\_  
*Lens Martial, City Clerk*

\_\_\_\_\_  
*Mayor William J. Aiello*

\_\_\_\_\_  
*Paul Gonzalez, 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*