

Journal of Proceedings

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

June 22, 2021

**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 22, 2021 at 7:25 p.m.

PRESENT: Aldermen Crawford, Witte, Panus, Gonzalez, Barnard, Robinson, and Anastasia

ABSENT: None

OFFICIALS: Mayor William Aiello; Lens Martial, City Clerk; Bob Ring, Director of Public Works; Keri Kerper, Community Development Program Coordinator, and Tiffany Taylor, Managerial Confidential Administrative Secretary.

At this time a prayer was given by Lens Martial, 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 June 8, 2021 meeting was made by Alderman Crawford, seconded by Alderman Anastasia. Voice vote, ayes all. Motion carried.

COMMITTEE REPORTS & UNFINISHED COUNCIL BUSINESS

Report from Committee of the Whole on PL #34-21, to authorize the Mayor to sign and submit an application to Health Resources, Inc. through their Walkability Action Institute (WAI) Community Implementation for costs associated with the purchase of high resolution / reflective paint to advance Complete Streets Implementation in an amount not to exceed \$15,000. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #36-21, to authorize the transfer of \$20,000 from Sewer Fund Balance to Sewer Fund line item 8120.412 for costs associated with drainage work in the vicinity of 702 North Union Street. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #37-21, to amend the City of Olean Code of Ordinances Section 24-135 to prohibit parking on North Union Street at its intersection with Water Street for a distance of 20 feet from the northeast corner of the intersection and 20 feet from the southeast corner of the intersection, as well as to prohibit parking on East Water Street at its intersection with North Union Street for a distance of 20 feet from the northeast corner of the intersection and 20 feet from the southeast corner of the intersection. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #39-21, to authorize the Mayor to sign and submit an application to the U.S. Department of Transportation through the Rebuilding America Infrastructure Sustainability and Equity (RAISE) Discretionary Grant program for the Connecting Communities: A Multi-modal Vision for West State Street, Olean, NY Project. Committee recommends approval. Referred to City Attorney for Resolution.

COMMUNICATIONS FROM THE MAYOR

Special Proclamation for Juneteenth

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Special Proclamation for Pride Month

MISCELLANEOUS COMMUNICATIONS

None

CITY OFFICIAL REPORTS

None

PROPOSED LEGISLATION AND REFERRALS

PL #34-21: (Aiello) To authorize the Mayor to sign and submit an application to Health Resources, Inc. through their Walkability Action Institute (WAI) Community Implementation for costs associated with the purchase of high resolution/reflective paint to advance Complete Streets Implementation in an amount not to exceed \$15,000. *Referred to Committee of the Whole Tuesday, June 22, 2021 by Council President.*

PL #35-21: (Aiello) To authorize the Mayor to sign and submit a Grant Application to New York State under the Consolidated Funding Application process to secure funding for the City of Olean Comprehensive Development Plan Project. *Referred to Regular Meeting Tuesday, June 22, 2021 for Resolution by Council President.*

PL #36-21: (Anastasia) To authorize the transfer of \$20,000 from Sewer Fund Balance to Sewer Fund line item 8120.412 for costs associated with drainage work in the vicinity of 702 North Union Street. *Referred to Committee of the Whole Tuesday, June 22, 2021 by Council President.*

PL #37-21: (Anastasia) To amend the City of Olean Code of Ordinances Section 24-135 to prohibit parking on North Union Street at its intersection with Water Street for a distance of 20 feet from the northeast corner of the intersection and 20 feet from the southeast corner of the intersection, as well as to prohibit parking on East Water Street at its intersection with North Union Street for a distance of 20 feet from the northeast corner of the intersection and 20 feet from the southeast corner of the intersection. *Referred to Committee of the Whole Tuesday, June 22, 2021 by Council President.*

PL #38-21: (Crawford) To authorize the transfer of \$10,000 from General Fund Contingency to Capital Fund #150, Sidewalk Program. *Referred to Regular Meeting Tuesday, June 22, 2021 for Resolution by Council President.*

PL #39-21: (Aiello) To authorize the Mayor to sign and submit an application to the U.S. Department of Transportation through the Rebuilding America Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant program for the Connecting Communities: A Multi-modal Vision for West State Street, Olean, NY Project. *Referred to Committee of the Whole Tuesday, June 22, 2021 by Council President.*

PL #40-21: (Aiello) To authorize the expenditure of \$215,000 of remaining unallocated borrowed funds for the Washington Street Project. *Referred to Regular Meeting Tuesday, June 22, 2021 for Resolution by Council President.*

PUBLIC COMMENT/INPUT

Alderman Witte explained that a couple of residents in Ward 1 would like to thank the Council, Mayor's Office, and DPW for bringing back the sidewalk program. Alderman Witte also congratulated Della Moore on the Proclamation for Juneteenth, as well as for Juneteenth becoming a Federal holiday. Alderman Witte thanked the

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Diversity and Inclusion Committee for working to make Olean more diverse and inclusive. Alderman Witte explained that she saw in the paper that the County will be receiving \$14 million in COVID relief and she knows that it will take some time for the money to be received but she feels that we need to remind our County legislators of what Olean needs.

Alderman Crawford explained that he and Mayor Aiello have been dealing with a lot of cat problems, and with COVID a lot of the TNVR programs had shut down. He explained that essentially there was an entire year off so the population has blown up in Olean, and there are some real hotspots of cat activity. He explained that he met with the Mayor and he will reach out to the SPCA to get some of the hotspots taken care of. He explained that he wants the public to be aware that we are working on this. Mayor Aiello explained that Catnippers is back at it but it is at a slow go, and we are trying to get a meeting set up with the SPCA. He noted that the deer population in East Olean is also blowing up and he has reached out to Ryan Rockefeller with the DEC to see about this issue as well.

Rev. Gary Harvey of 408 East State Street Floor 2 explained that we discussed Olean being progressive tonight while discussing grant applications, yet he feels that we are archaic in our approach. He feels that we do not have the courage for what we get praised for because when we have to hold businesses accountable, we start backtracking. He explained that it is frustrating to sit on a committee and see things presented but no action taking place. He explained that the Police Reform Committee took forever to get started and still nothing substantial has come of it. He explained that it is easy to be excited about something that may or may not come to pass. He would like to meet the 70 percent of people who don't want to get rid of the roundabouts. He explained that when there are opportunities for the City to do things, courage disappears. We play the game when it sounds good but when it comes time to put teeth to the bone, it's not there. He explained that it is unfortunate that Olean is moving in this direction.

An anonymous Olean resident explained that the Council spoke about courage, but every time he looks at the Council he sees a lack of courage. He explained that he gave copies of sample legislation for the Police Oversight Committee to the Aldermen but he has not heard back. He explained that there is no reason for any more stalling and public safety should be a priority. He explained that anyone can steer a ship when the sea is calm, but real leaders are made during a storm. He explained that we need to seize the opportunity to improve for the better. The Council needs to follow them or move out of the way because we have been playing games for more than a year. Change is hard but not inevitable. He explained that after the March 28, 2021 incident, the information given to the public is still insufficient. He explained that as leaders, if the Council does not have answers for people, then they need to get them.

Dan Gayton of 794 North Union Street explained that he appreciates what Paul said about the roundabouts and he feels that Ms. Kerper and Mr. Ring do thankless work. He explained that the City will benefit from their work but that the City still lacks transparency. He explained that in the last year COVID was a beautiful thing because it allowed us to go online and people could get involved that weren't before. He explained that the Police Reform Committee and Diversity Committee are no longer on YouTube. No one can comment online or call in, because the Council didn't like what they were hearing. He explained that he is not saying that the officer did anything right or wrong but we can't talk about transparency if we don't know the stakes., He doesn't understand why we have to go to the Mayor's office if we have issues and why everything seems signed, sealed and delivered before coming online. He explained that he found it interesting that there would be a public comment session and after an Alderman would make a comment, and it would be two more weeks before the public could speak again. He explained that a question and answer session only happens when the Council wants it to happen. He explained that there are a lot of skeletons in

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everyone's closets and that the investigation is not a slandering game. The Council took transparency away because they didn't like what they heard.

FINANCE / BILLS

By Alderman Anastasia, 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 \$3,052,403.44 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

RESOLUTION #42-21

PL #34-21

By Alderman Witte, Seconded by Alderman Robinson

TO AUTHORIZE THE MAYOR TO SIGN AND SUBMIT AN APPLICATION TO HEALTH RESEARCH, INC. THROUGH THEIR WALKABILITY ACTION INSTITUTE COMMUNITY IMPLEMENTATION FOR COSTS ASSOCIATED WITH THE PURCHASE OF HIGH RESOLUTION / REFLECTIVE PAINT TO ADVANCE COMPLETE STREETS IMPLEMENTATION IN AN AMOUNT NOT TO EXCEED \$15,000

WHEREAS, Health Research, Inc. has been awarded a grant/contract from the Center Disease Control Prevention for a project partially involving the Walkability Action Institute (WAI) Community Implementation; and

WHEREAS, the purpose of the New York Walkability Action Institute is to prepare interdisciplinary teams to pursue policy, systems, and environmental supports for walking and walkability; and

WHEREAS, the City of Olean will utilize funding granted by Health Research, Inc. through the WAI Community Implementation to advance Complete Streets implementation by improving bike-ability and safety through the implementation of bike lane markings or sharrows its new walkable/rollable/bikeable Olean streetscape plan; and

WHEREAS, high resolution/reflective paint is needed to create shared use bike lanes among six miles of the new walkable Olean streetscapes and these new markings along primary City streets will allow for all forms of traffic to safely use the shared road space; and

WHEREAS, the cost of high resolution/reflective paint to be used for new markings along primary City streets to allow for a safer shared use road space and to ultimately advance the Complete Streets initiative is an eligible expense under the WAI Community Implementation;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Olean hereby authorizes the Mayor to sign and submit a grant application to Health Research, Inc. through their Walkability Action Institute Community Implementation for costs

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associated with the purchase of high resolution/reflective paint to advance Complete Streets implementation in an amount not to exceed \$15,000.

BE IT RESOLVED, that the Mayor is hereby authorized to execute any and all contracts, documents, and agreements related to aforementioned funding applications and awards.

BE IT RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

Alderman Crawford explained that this has been discussed in Committee, and Ms. Kerper gave an excellent presentation on the process. He explained that the plan is critical to the City's development.

RESOLUTION #43-21

PL #35-21

By Alderman Crawford, Seconded by Alderman Panus

TO AUTHORIZE THE MAYOR TO SIGN AND SUBMIT A GRANT APPLICATION TO NEW YORK STATE UNDER THE CONSOLIDATED FUNDING APPLICATION PROCESS TO SECURE FUNDING FOR THE CITY OF OLEAN COMPREHENSIVE DEVELOPMENT PLAN PROJECT

WHEREAS, as part of a transformative plan to improve the State's economic development model, the New York State Consolidated Funding Application (CFA) process has been created to streamline and expedite the grant application process, making a fundamental shift in the way state resources are allocated, ensuring less bureaucracy and greater efficiency to fulfill local economic development needs; and

WHEREAS, the Western New York Regional Economic Development Council (WNYREDC) announced Round 11 of the New York State Consolidated Funding Application (CFA) including funding from over 30 state programs participating in the CFA, representing a combined pool of grant funds, tax credits and low-cost financing totaling over \$525 million; and

WHEREAS, the City of Olean has identified the Comprehensive Development Plan Project as an eligible expense under two of these State funded programs; and

WHEREAS, Empire State Development's (ESD) Urban and Community Development Program promotes economic development in the State of New York by encouraging economic and employment opportunities and stimulating development of communities and urban areas and has funding available for the preparation and development of strategic plans; and

WHEREAS, the Department of State's (DOS) Environmental Protection Fund Smart Growth Program has funding available to advance the preparation of municipal comprehensive plans to establish land use policies which support smart growth and clean energy principles for the community; and

WHEREAS, the Common Council desires to apply for financial assistance and commits to providing the local matching funds to financially support this project with a projected cost not to exceed \$100,000 to be comprised of \$50,000 ESD funds, \$40,000 DOS funds, and \$10,000 local funds;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Olean authorizes the Mayor, as the representative designated to act on behalf of the City of Olean in all matters related to State assistance for this project, is authorized to sign and submit a Grant Application to New York State under the Consolidated Funding Application process to secure funding for the City of Olean Comprehensive Development Plan Project through Empire State Development's Urban Community Development Program and the

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Department of State's Environmental Protection Fund Smart Growth Program in amounts of \$50,000 and \$40,000, respectively.

BE IT RESOLVED, that the Mayor is hereby authorized to execute any and all contracts, documents, and agreements related to aforementioned funding applications and awards.

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

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #44-21

PL #36-21

By Alderman Anastasia, Seconded by Alderman Crawford

RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM D SEWER FUND BALANCE TO SEWER MAINTENANCE

RESOLVED, that the following transfer be authorized for costs associated with drainage work in the vicinity of 702 North Union Street:

<i>Account #</i>	<i>Description – General</i>	<i>Transferred From</i>	<i>Transferred to</i>
<i>G-07-3-909.000</i>	<i>Sewer Fund Balance</i>	<i>\$20,000</i>	
<i>G-07-3-8120.412</i>	<i>Sewer Maintenance – Resurfacing – Street Materials</i>		<i>\$20,000</i>

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

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #45-21

PL #38-21

By Alderman Witte, Seconded by Alderman Barnard

RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM GENERAL FUND CONTINGENCY TO CAPITAL FUND #150

RESOLVED, that the following transfer be authorized to replenish the Sidewalk Program fund:

<i>Account #</i>	<i>Description – General</i>	<i>Transferred From</i>	<i>Transferred to</i>
<i>A-01-5-1990.590</i>	<i>General Fund Contingency</i>	<i>\$10,000</i>	
<i>Capital Fund #150</i>	<i>Sidewalk Program</i>		<i>\$10,000</i>

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

ROLL CALL, AYES ALL. MOTION CARRIED.

A motion to suspend the rules was made by Alderman Crawford, seconded by Alderman Panus. Voice vote, ayes all. Motion carried.

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A motion to amend Resolution #46-21 to remove the amount applied for to allow for an application in a greater amount, and to include that SolEpoxy is donating consulting fees associated with the grant application, was made by Alderman Crawford, seconded by Alderman Gonzalez. Voice vote, ayes all. Motion carried.

RESOLUTION #46-21

PL #39-21

By Alderman Gonzalez, Seconded by Alderman Witte

TO AUTHORIZE THE MAYOR TO SIGN AND SUBMIT AN APPLICATION TO THE U.S. DEPARTMENT OF TRANSPORTATION THROUGH THE REBUILDING AMERICAN INFRASTRUCTURE WITH SUSTAINABILITY AND EQUITY (RAISE) DISCRETIONARY GRANT PROGRAM FOR THE CONNECTING COMMUNITIES: A MULTI-MODAL VISION FOR WEST STATE STREET, OLEAN, NY PROJECT

WHEREAS, the U.S. Department of Transportation's Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant program provides a unique opportunity for the DOT to invest in projects that promise to achieve national objectives; and

WHEREAS, Congress has dedicated nearly \$8.9 billion since 2009 for twelve rounds of National Infrastructure Investments through RAISE, BUILD, and TIGER grants to projects that have a significant local or regional impact; and

WHEREAS, the U.S. Department of Transportation published a Notice of Funding Opportunity to apply for \$1 billion discretionary grant funding through the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant; and

WHEREAS, the Common Council desires to apply for no-match funding through the RAISE grant program for West State Street improvements designated the "Connecting Communities: A Multi-modal Vision for West State Street, Olean, NY Project"; and

WHEREAS, consulting fees associated with said grant application are being donated to the City of Olean by SolEpoxy, Inc.;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Olean hereby authorizes the Mayor to sign and submit an application to the U.S. Department of Transportation through the Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant program for the Connecting Communities: A Multi-modal Vision for West State Street, Olean, NY Project.

BE IT RESOLVED, that the Mayor is hereby authorized to execute any and all contracts, documents, and agreements related to aforementioned funding applications and awards.

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

ROLL CALL, AYES ALL. MOTION CARRIED.

Alderman Crawford explained that the Council previously verbally authorized additional improvements associated with the Washington Street Project, but there was not resolution. He explained that we have \$239,000 remaining in funding so we will not need to borrow more.

RESOLUTION #47-21

PL #40-21

By Alderman Crawford, Seconded by Alderman Robinson

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**TO AUTHORIZE THE EXPENDITURE OF \$215,000 OF ADDITIONAL EXISTING FUNDS FOR
THE WASHINGTON STREET PROJECT**

WHEREAS, the City of Olean Washington Street Waterline Project has remaining unallocated borrowed funds of \$239,454; and

WHEREAS, the Common Council previously verbally approved Washington Street, North 4th Street, and Laurens Street intersection improvements in the amount of \$74,488.49; and

WHEREAS, the Common Council desires to undertake additional streetscape improvements in conjunction with the project including the addition of a bike boulevard and striping changes, the addition of signage, intersection improvements, and tree plantings and removals for a total cost of \$140,000;

BE IT RESOLVED, that the Common Council authorizes the expenditure of \$215,000 of remaining unallocated borrowed funds for the Washington Street Waterline Project in order to complete additional intersection improvements, street update / bike boulevard / crossing improvements, striping / signage improvements, and tree planting and removals.

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

ADJOURNMENT

Motion to adjourn was made by Alderman Crawford, seconded by Alderman Robinson. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 8:15 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