

# Journal of Proceedings

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

July 13, 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, July 13, 2021 at 6:50 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; Ron Richardson, Police Chief, and Tiffany Taylor, Managerial Confidential Administrative Secretary

*At this time a prayer was given by Mr. Martial, 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 June 22, 2021 Regular Meeting was made by Alderman Crawford, seconded by Alderman Witte. Voice vote, ayes all. Motion carried.*

**COMMITTEE REPORTS & UNFINISHED COUNCIL BUSINESS**

*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 #42-21, 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. Committee recommends approval. Referred to City Attorney for Resolution.*

**COMMUNICATIONS FROM THE MAYOR**

*Mayor Aiello explained that the ribbon cutting has occurred for the opening of Park Place at Lincoln Square, which is a part of the Farmers Market project. He explained that there is a vendor there who will be there all of this week. He explained that a lot of things have been donated by Jeff Belt and SolEpoxy, and he is looking forward to having many vendors there as time goes on. He explained that this is another venue to create traffic and improve quality of life in the City. Alderman Crawford asked if the strategy is to get a different vendor in there each week, and Mayor Aiello explained that the idea is to get a different vendor each week. He explained that they have reached out to every restaurant in the City as well as Allegany and Portville regarding operating in this building. Mayor Aiello explained that the largest problem that he hears from the restaurant owners is that they can't get workers. Alderman Crawford explained that we have also been struggling with lifeguards, and Mayor Aiello explained that Mr. Shewairy is trying his best to get more but that right now we can only open on weekends and we do not have enough staff to open the big pool.*

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## **MISCELLANEOUS COMMUNICATIONS**

*None*

## **CITY OFFICIAL REPORTS**

*None*

## **PROPOSED LEGISLATION AND REFERRALS**

*PL #41-21: (Aiello) To authorize the execution of a Lump Sum Consultant Agreement between the City of Olean and C&S Companies for the design portion of the Taxiway Rehabilitation Project at the Cattaraugus County – Olean Airport. Referred to Regular Meeting Tuesday, July 13, 2021 for Resolution by Council President.*

*PL #42-21: (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, July 13, 2021 by Council President.*

## **PUBLIC COMMENT/INPUT**

*Alderman Anastasia explained that he has received complaints that the railroad is not maintaining the grass on Connell or Vine. He explained that this problem has been going on for a very long time, and the grass on Vine Street is actually going into the roadway. He explained that Chief Richardson is going to contact the railroad to see if they will do something but in his experience, it is like pulling teeth to get them to mow. Mayor Aiello noted that if we do mow the property for them, we cannot levy a fee against them because they are tax exempt. Alderman Anastasia explained that there has to be some way to get them to take care of the property.*

*Alderman Witte explained that Walkable Olean Phase II at the end of North Union Street by Pizza Hut and going towards the Main Street bridge looks great, and she loves the lights and set up. She explained that her biggest concern is the truck traffic. She explained that she has spoken with Mr. Ring and Chief Richardson about this, and she is concerned with semis coming from the roundabout to this narrow area because traffic has to back up to let them through, otherwise they are jumping curbs. She explained that even with the contractor there and signs that say “No Truck Traffic” they still go through. She explained that she wants to make the No Truck Traffic signs permanent and will be putting in a resolution to do so, and then asking the Police Department patrol this area to make sure that it is enforced. She explained that we have put a lot of money into the project to calm traffic and that is great, but we need to do something with the semis. She explained that she knows that the drivers have been told and local businesses have been told the routes that large trucks can take. She is concerned that they are not paying attention to this and she feels that there is not much more we can do besides ticket them.*

*Alderman Robinson asked what the proper route for truck traffic is. Mr. Ring explained that the only true designated truck routes in the City Code are Union Street, State Street, and Wayne Street. He explained that they were designated, he assumes, at one point by Council resolution. He explained that anything else can be restricted by the DPW Director. He explained that there is a program that mocks truck turns and they will be hashing out a center area on Delaware Avenue for turning right or left out of Delaware. He explained that there is not a lot of room on Delaware and South Barry Street and trucks are completely restricted from the Main Street bridge and shouldn't go there at all. He explained that buses should not either. They are trying to work through kinks and he hopes that after Big Lots and Dollar General talk*

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*to their suppliers, there will be less trucks. Alderman Robinson expressed concern regarding semis not being able to make the turn at the roundabout by the mall, and Mr. Ring explained that they are able to turn at every roundabout and we have sent letters and provided maps on which way to go to deliver in the area. He explained that he will send a copy of the letter as well as the map to the Council. Alderman Crawford explained that he feels that this would be very helpful.*

*Alderman Witte explained that some time ago, the City began requiring that large trucks get a permit when coming through the City, such as Owl Homes trucks. She explained that just last week she saw four different sections of a home go down Union Street to Route 16, and she questions why they didn't get on I-86 in Allegany and take it to Route 16. She explained that if they come to the City, they need to get permits. The Council did this work but it is not enforced. She explained that she thinks that local companies should use smaller trucks when delivering locally. She explained that that we need to request this and not ticket at first, but ticket them if it is the only way we will get their attention.*

*Alderman Crawford asked if there have been any conversations about a City-wide cleanup and what the Aldermen's thoughts are on this. Mayor Aiello explained that we have been doing this on an every other year basis, and we did not budget for it this year. He explained that we are opening proposals for waste haulers on the 17<sup>th</sup> and we can discuss a cleanup after that. Alderman Crawford asked if any other Aldermen have received this request, and Alderman Witte and Alderman Barnard responded that they have. Alderman Witte explained that it would be great to have a City-wide cleanup after the City-wide garage sales. Mr. Ring explained that right now it is getting late in the year to do the cleanup, because we may be getting into leaf pickup before it gets done with the time needed to bid, advertise, get funding and have residents sign up. He explained that this is usually brought up in the spring when it is more doable. Alderman Crawford explained that he will have more of a conversation with the Mayor to discuss the feasibility of this.*

*Rob Latten of 1005 West State Street explained that all of the homes on West State Street between First Street and Twenty Sixth Street have a driveway with the exception of three, including his. He explained that with the parking restrictions on the street it is difficult to get out and move vehicles. He explained that he has spoken with the Mayor and Alderman Crawford about his concerns a year or two ago. He explained that he lives in a four bedroom house with five adults in the home, three of which have vehicles. He wonders if there is some sort of exception or if his household could pay for permits or something similar so they don't have to move their vehicles constantly. He explained that he tried to park in the Auto Zone parking lot but his vehicle was towed. There are a lot of apartments in the area so parking on the numbered streets is difficult. He explained that he can't park on the subway, and he's gotten two tickets for parking on the subway longer than the two hour time period allowed. He is asking where he can be parking and if there is something that can be done for him. Alderman Crawford explained that the Council does not typically engage in a back and forth during public session, and now that he has presented his concerns, he thinks that this is something for Mr. Latten to take offline and discuss with the Mayor. He noted that he will query the Aldermen to see if they have any ideas, and will get back to him,*

*Pete Peckyno of 14 Hill Road in Derrick City, PA owns a property on Henley Street, and explained that he was recently involved in a situation where he was not treated with any dignity or respect. He explained that he has a tenant who will lose his house keys and cell phone when he becomes intoxicated, and he gets several calls a week regarding this. He explained that after this past week's incident, he asked to speak with the police involved. He called dispatch and spoke with the Police Chief. He explained that he received a very vague police report and he wants to speak to the officers. He explained that they never got back to him and he feels that as a taxpayer he has received bad service from the police department. He explained that he would*

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*still like to hear from them as they broke a window and let his tenant or squatter go into the apartment through the window. He explained that this is very shabby police work and he was not contacted at all. Alderman Crawford suggested that Mr. Peckyno sit down with the Mayor and the Alderman of the ward his rental property is in (Alderman Gonzalez). He explained that he hears Mr. Peckyno but he does not have all of the facts, so he would probably get further by reaching out to the Alderman of that ward. Mr. Peckyno explained that he just wanted to get answers from the police, but they were taking naps when he was looking for them. Alderman Crawford responded that we have a great police force and he can assure that they were not "taking naps" while working. Alderman Crawford explained that Mr. Peckyno is only sharing his speculations, and he wonders what Mr. Peckyno expects the Council to do. He explained that Mr. Peckyno could write down all of this questions and email them to the Aldermen. Mr. Peckyno reiterated that he wants answers and Alderman Gonzalez explained that we are done talking about this and Mr. Peckyno's point has been made.*

## **FINANCE / BILLS**

None

## **RESOLUTIONS**

### **RESOLUTION #48-21**

#### **PL #37-21**

By Alderman Anastasia, Seconded by Alderman Witte

**TO AMEND THE CITY OF OLEAN CODE OF ORDINANCES SECTION 24-135 TO PROHIBIT PARKING ON NORTH UNION STREET AT ITS INTERSECTION WITH EAST WATER STREET, AND EAST WATER STREET AT ITS INTERSECTION WITH NORTH UNION STREET**

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

<b>Street</b>	<b>Side</b>	<b>Extent</b>
Union Street, North north	East	From Water Street for a distance of 20 feet from the corner
Union Street, North south	East	From Water Street for a distance of 20 feet from the corner
Water Street, East feet east	North	From North Union Street to a distance of 20 feet east from the corner
Water Street, East feet east	South	From North Union Street for a distance of 20 feet east from the corner

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

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

### **RESOLUTION #49-21**

#### **PL #41-21**

By Alderman Panus, Seconded by Alderman Barnard

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**TO AUTHORIZE THE EXECUTION OF A LUMP SUM CONSULTANT AGREEMENT BETWEEN THE CITY OF OLEAN AND C&S COMPANIES FOR THE DESIGN OF THE TAXIWAY REHABILITATION PROJECT AT THE CATTARAUGUS COUNTY – OLEAN AIRPORT**

WHEREAS, C&S Companies has presented a proposal for the Design portion of the Taxiway Rehabilitation Project at the Cattaraugus County – Olean Airport; and

WHEREAS, upon review of the agreement, the Department of Public Works recommends that the City of Olean retain C&S Companies for said project because of its abilities and reputation;

NOW, THEREFORE, **BE IT RESOLVED**, that the Common Council of the City of Olean authorizes the Mayor to execute a Lump Sum Consultant Agreement between the City of Olean and C&S Companies for the design of the Taxiway Rehabilitation Project at the Cattaraugus County – Olean Airport.

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

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

**RESOLUTION #50-21**

**PL #42-21**

By Alderman Witte, Seconded by Alderman Robinson

**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, 2021 through May 31, 2023.

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

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

## ***EXECUTIVE SESSION***

*A motion to enter into executive session to discuss contractual matters was made by Alderman Crawford, seconded by Alderman Gonzalez. Voice vote, ayes all. Motion carried. Executive session began at approximately 7:30 p.m.*

*A motion to exit executive session was made by Alderman Crawford, seconded by Alderman Panus. Voice vote, ayes all. Motion carried. Executive session adjourned at approximately 8:05 p.m.*

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## *ADJOURNMENT*

*Motion to adjourn was made by Alderman Crawford, seconded by Alderman Barnard. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 8:10 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, 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*