

# Journal of Proceedings

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

January 11, 2022

**VIA ZOOM**

**COUNTY OF CATTARAUGUS  
STATE OF NEW YORK**

*A Regular Meeting of the Olean Common Council of the City of Olean was held on Tuesday, January 11, 2022 at 6:15 p.m.*

PRESENT: *Aldermen Crawford, Witte, Panus, Gonzalez, McCall, Robinson, and Anastasia*

ABSENT: *None*

OFFICIALS: *Mayor William Aiello; Frank Caputo, City Clerk, Jack Hart, City Attorney; Lens Martial, City Auditor; Bob Ring, Director of Public Works; Keri Kerper, Community Development Program Coordinator; Brad Camp, Water and Sewer Superintendent, and Tiffany Taylor, Managerial Confidential Administrative Secretary*

*At this time a prayer was given by Mr. Caputo, 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 December 28, 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 #01-22, to amend Resolution #102-21 to modify account numbers related to a fund transfer. Committee recommends approval. Referred to City Attorney for Resolution.*

*Report from Committee of the Whole on PL #02-22, to authorize the mayor to sign and submit an application to Cattaraugus County under the Municipal Matching Grant Program for funding associated with the City's match to update the Comprehensive Development Plan. Committee recommends approval. Referred to City Attorney for Resolution.*

*Report from Committee of the Whole on PL #07-22, that the Common Council as Lead Agency declares the Oak Hill Park Downtown Revitalization Initiative Project a Type I Action that will not result in any significant impact and thus issues a Negative Declaration. Committee recommends approval. Referred to City Attorney for Resolution.*

## **COMMUNICATIONS FROM THE MAYOR**

*Mayor Aiello welcomed everyone to the first Council meeting of the year, and explained that he looks forward to working with everyone again for the next four years.*

## **MISCELLANEOUS COMMUNICATIONS**

*Application for a Liquor License – HK Olean Hotel, LLC (Hampton Inn and Suites) – 110 Jack Murphy Boulevard, Olean*

*Application for a Liquor License – JMRA Enterprises, LLC (Granny's Verona) – 325*

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*Main Street, Olean*

## **CITY OFFICIAL REPORTS**

*None*

## **PROPOSED LEGISLATION AND REFERRALS**

*PL #01-22: (Aiello) To amend Resolution #102-21 to modify account numbers related to a fund transfer. Referred to Committee of the Whole Tuesday, January 11, 2022 by Council President.*

*PL #02-22: (Aiello) To authorize the Mayor to sign and submit an application to Cattaraugus County under the Municipal Matching Grant Program for funding associated with the City's match to update the Comprehensive Development Plan. Referred to Committee of the Whole Tuesday, January 11, 2022 by Council President.*

*PL #03-22: (Anastasia) To amend the City of Olean Code of Ordinances Section 24-134 to authorize the installation of "No Parking" signs for a distance of 20 feet northwest of the curb ramp on the west side of North Union Street at its intersection with Franklin Street. Referred to Regular Meeting Tuesday, January 25, 2022 for Resolution by Council President.*

*Alderman Anastasia explained that this should be amended to have signs installed on the east side of North Union Street, not west. Alderman Crawford explained that this will be amended in the Resolution.*

*PL #04-22: (Anastasia) To amend the City of Olean Code of Ordinances Section 24-135 to authorize the installation of a "No Parking Here to Corner" sign on the northeast corner of North Fifth Street at its intersection with Wayne Street. Referred to Public Safety Committee by Council President.*

*PL #05-22: (Aiello) That the Common Council as Lead Agency, declares the Community Forest Management Plan a Type I Action that will not result in any significant adverse environmental impact and thus issues a Negative Declaration in accordance with the New York State Environmental Quality Review Act. Referred to Committee of the Whole Tuesday, January 25, 2022 by Council President.*

*PL #06-22: (Aiello) That the City of Olean Common Council formally adopts the Community Forest Management Plan. Referred to Committee of the Whole Tuesday, January 25, 2022 by Council President.*

*PL #07-22: (Aiello) That the Common Council as Lead Agency declares the Oak Hill Park Downtown Revitalization Initiative Project a Type I Action that will not result in any significant adverse environmental impact and thus issues a Negative Declaration. Referred to Committee of the Whole Tuesday, January 22, 2022 by Council President.*

*A motion to amend PL #07-22 to be referred to January 11, 2022 was made by Alderman Crawford, seconded by Alderman Panus. Voice vote, ayes all. Motion carried.*

## **PUBLIC COMMENT/INPUT**

*Alderman McCall asked if we will be talking about the proposal for Oak Hill Park. Alderman Crawford explained that this can be discussed further prior to the resolution, but that something is typically discussed in committee or during the Committee of the Whole. He explained that any time before a resolution is voted on,*

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*there can be additional discussion or questions asked. Alderman McCall explained that she wanted to explain where her concerns come from. She explained that the dog park has raised significant concerns, and there are also concerns from residents regarding parking. She explained that there is already increased congestion from the school as well as limited parking for the residents. She explained that two years ago there was a conversation with Mayor Aiello regarding Oak Hill Park. Her constituents have asked if there is a time for public comment regarding Oak Hill Park. She explained that there are several people who want to comment but don't know when they should.*

*Alderman Crawford explained that there is a public comment opportunity every two weeks during regular meetings. He explained that Oak Hill Park has been on the agenda and discussed for at least the past year and a half. He explained that when Mr. Ring presented the scope of the project close to a year and a half ago, there was a City-wide survey conducted and the City as a whole felt that the inclusion of a dog park was the number one thing that they want to see in the park. He explained that this has been discussed for the past year and a half and at any time the public would like they can come during a public comment period and speak. He explained that residents can also send emails to the Aldermen to voice their concerns.*

*Alderman McCall explained that she wants to make sure that she gives residents accurate information and she will let them know that they can just link to the meeting to express their concerns during the every other Tuesday meeting. Alderman Crawford explained that it is also a good time to comment when the topic is on the agenda. He explained that the Council will be discussing this again when bids are received. He explained that the Council will have to approve any funding for the project, and that is another opportunity for people to speak their minds. He explained that they can speak their minds during the public comment held every other week.*

*Alderman McCall explained that the Aldermen should have received an email from one gentleman who sent her some questions about the park. She explained that some was answered by the SEQOR regarding the historical information of the park. He explained that it was the constituent's understanding that this is a historical park and so there has to be approval by the State, and it seems that this is what the SEQOR is. Alderman Crawford explained that this is correct, and that the State Historic Preservation Office as well as the Department of Environmental Conservation received the SEQOR for review. Ms. Kerper added that it was sent to SHPO, the Office of Parks and Recreation, and different divisions where everyone looked at the SEQOR and signed off. She explained that the DEC, DOT, ESD, DOS, County Health Department and Southern Tier West Regional Planning and Economic Boards also received the SEQOR.*

## **FINANCE / BILLS**

None

## **RESOLUTIONS**

### **RESOLUTION #01-22**

#### **PL #01-22**

*By Alderman Crawford, Seconded by Alderman Robinson*

### **RESOLUTION AMENDING RESOLUTION #102-21**

**RESOLVED**, that Resolution #102-21 is hereby amended to read as follows:

**RESOLVED**, that the following transfer be authorized for costs associated with the repairs of a vacuum truck:

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<i>Account #</i>	<i>Description – General</i>	<i>Transferred From</i>	<i>Transferred to</i>
G-07-5-1990.590	Sewer Fund Contingency	\$29,753.53	
G-07-5-8120.446	Sewer Fund – Automotive Repairs		\$29,753.53

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

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

## **RESOLUTION #02-22**

### **PL #02-22**

By Alderman Witte, Seconded by Alderman Anastasia

**TO AUTHORIZE THE MAYOR TO SIGN AND SUBMIT AN APPLICATION TO CATTARAUGUS COUNTY UNDER THE MUNICIPAL MATCHING GRANT PROGRAM FOR FUNDING ASSOCIATED WITH THE CITY'S MATCH TO UPDATE THE COMPREHENSIVE DEVELOPMENT PLAN**

**WHEREAS**, the City of Olean sought funding for the creation of a Comprehensive Development Plan (CDP) that will provide a blueprint for the development, preservation and enhancement of residential, commercial and industrial neighborhoods as well as public facilities, infrastructure and greenspace, and will include topical items, supporting maps, photos, and other graphics in a digital format compatible with the County's GIS system; and

**WHEREAS**, this plan, with a 20 year horizon, would incorporate visions, ideas, and foresight and provide recommendations and an implementation plan to execute Smart Growth principles and projects; and

**WHEREAS**, the City of Olean has been awarded \$40,000 from the New York State Department of State through the 2021 Consolidated Funding Application and \$50,000 through New York State Empire State Development through the Strategic Planning and Feasibility Studies Program through the Western New York Region's REDC; and

**WHEREAS**, the total estimated project cost for the creation of a CDP is \$100,000, leaving a \$10,000 local match for said project; and

**WHEREAS**, Cattaraugus County Legislature has created a Municipal Matching Grant Program to provide support to municipalities who are applying for State, Federal and Foundation Funding and need assistance with securing required matching funds; and

**WHEREAS**, if awarded, said grant would provide up to 50% of matching funds for a total of \$5,000;

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council authorizes the Mayor to sign and submit an application to Cattaraugus County under the Municipal Matching Grant Program for funding associated with the City's match to update the Comprehensive Development Plan.

**RESOLVED**, that the Mayor is hereby authorized to execute all documents, contracts, and agreements associated with said grant.

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

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

## **RESOLUTION #05-22**

### **PL #07-22**

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By Alderman Crawford, Seconded by Alderman Gonzalez

**THAT THE COMMON COUNCIL AS LEAD AGENCY DECLARES THE OAK HILL PARK DOWNTOWN REVITALIZATION INITIATIVE PROJECT A TYPE I ACTION THAT WILL NOT RESULT IN ANY SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACT AND THUS ISSUES A NEGATIVE DECLARATION**

*WHEREAS, the City of Olean has received an allocation of Downtown Revitalization Initiative funding to make various improvements and upgrades to Oak Hill Park, a 5.56 acre underutilized public park owned by the City of Olean; and*

*WHEREAS, the project includes the construction of an outdoor partial gazebo style stage area for use by the Olean Theater Workshop, a small restroom, construction of an off-leash dog park, minimal additional trail and ADA sidewalk construction, rehabilitation of the existing athletic court areas and chain like fence areas, and a conversion of a small existing blacktopped area to accommodate a picnic area consisting of a permanent ADA table and grill, etc.; and*

*WHEREAS, the Common Council has determined that the proposed action is a “Type I Action” as defined under the New York State Environmental Quality Review Act (SEQR); and*

*WHEREAS, the Common Council has caused to be prepared an environmental assessment of the significance of and potential environmental impact of this action; and*

*WHEREAS, the Common Council has requested Lead Agency status by notification of Involved and Interested Agencies of its intent for this adoption and circulated Parts I and II of the Environmental Assessment Form pursuant to 6NYCRR Section 617.6 and has declared itself Lead Agency for purposes of Environmental Review; and*

*WHEREAS, the City of Olean Common Council, as Lead Agency, has reviewed and fully considered Part I and II of the SEQR Full Environmental Assessment Form (EAF);*

*NOW, THEREFORE, BE IT RESOLVED, that the Common Council finds that the Oak Hill Park Downtown Revitalization Initiative Project will result in no major impacts and will not cause significant damage to the environment. A Negative Declaration under SEQR is therefore issued for this action.*

*RESOLVED, that this Resolution is effective immediately.*

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

## EXECUTIVE SESSION

*A motion to enter into executive session to discuss proposed, pending or current litigation, as well as matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation, was made by Alderman Crawford, seconded by Alderman Gonzalez. Voice vote, ayes all. Motion carried. Executive session began at approximately 6:35 p.m.*

*A motion to adjourn from executive session was made by Alderman Crawford, seconded by Alderman Panus. Voice vote, ayes all. Motion carried. Executive session adjourned at approximately 6:45 p.m.*

## ADJOURNMENT

*Motion to adjourn was made by Alderman Crawford, seconded by Alderman Anastasia. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 6:50 p.m.*

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\_\_\_\_\_  
*Frank Caputo, 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.*

\_\_\_\_\_  
*Frank Caputo, City Clerk*