

Journal of Proceedings

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

March 14, 2017

**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, March 14, 2017 at 7:15 p.m.

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

ABSENT: None

OFFICIALS: Mayor William Aiello; Al Utecht, City Clerk; Nicholas DiCerbo, Jr., City Attorney; Tom Windus, Director of Public Works; Bob Bell, Fire Chief; Jeff Rowley, Police Chief, and Tiffany Taylor, Managerial Confidential Administrative Secretary

At this time a prayer was given by Alderman Gonzalez, 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 February 28, 2017 meeting was made by Alderman Gonzalez, seconded by Alderman Crawford. Voice vote, ayes all. Motion carried.

COMMITTEE REPORTS & UNFINISHED COUNCIL BUSINESS

Report from Committee of the Whole on PL #02-17, to amend the City of Olean Code of Ordinances Section 24-5, Removal of snow and ice from sidewalks. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #05-17, that the City of Olean Common Council acting as Lead Agency for the purposes of the State Environmental Quality Review Act determines that the furnishing and installation of a Bus Shelter Project will have no significant adverse environmental impact and therefore issues a Negative Declaration. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #06-17, that the Common Council, based on the information obtained during the environmental review process and included in the attached checklist, determine the Bus Shelter Project to be an Automatic Categorical Exclusion pursuant to the National Environmental Policy Act. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #07-17, to approve the following Olean Homeownership Assistance Program (OHAP) applications: OHAP #182-04, not to exceed \$10,000, and OHAP #183-04, not to exceed \$10,000. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #10-17, to approve the following Revolving Loan Fund (RLF) application for financial assistance: RLF #17-06, in an amount not to exceed \$30,000. Committee recommends approval. Referred to City Attorney for Resolution.

COMMUNICATIONS FROM THE MAYOR

Journal of Proceedings

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

March 14, 2017

Special Citation and Certificate of Achievement – Matt Kwaitkowski, Eagle Scout

MISCELLANEOUS COMMUNICATIONS

None

CITY OFFICIAL REPORTS

None

PROPOSED LEGISLATION AND REFERRALS

PL #21-17: (Aiello) To approve the following Revolving Loan Fund (RLF) Program application: RLF #19-06, in an amount not to exceed \$30,000. Referred to Committee of the Whole Tuesday, March 28, 2017 by Council President.

PL #22-17: (Aiello) To authorize the City of Olean to deed an abandoned portion of Maple Street to SolEpoxy, Inc. Referred to City Operations Committee by Council President.

PL #23-17: (Aiello) To authorize the issuance of a license to a Farmers Market proposed by the Rural Enterprises Association of Proprietors (REAP) at the Olean Center Mall parking lot. Referred to Regular Meeting Tuesday, March 14, 2017 for Resolution by Council President.

PL #24-17: (Aiello) To approve the following Olean Homeownership Assistance Program (OHAP) application: OHAP #184-04, in an amount not to exceed \$10,000. Referred to Committee of the Whole Tuesday, March 28, 2017 by Council President.

PL #25-17: (Dougherty) To amend and replace the City of Olean Code of Ordinances Chapter 12 in its entirety with the following: Chapter 12, Property Maintenance and Residential Occupancy Code: Article I, Property Maintenance Code; Article II, Residential Occupancy Certificates; and Article III, Rental Dwelling Registration. Referred to Public Safety Committee by Council President.

PUBLIC COMMENT/INPUT

Scott Paoletto of 318 North 11th Street suggested that the Council hold executive sessions at the end of the meeting so that the public does not have to wait in the hallway. He also expressed frustration with the amount of money being spent by the Federal government to protect Trump Tower, and stated that he feels we should get some of this funding to aid in the projects we need to complete.

FINANCE / BILLS

None

RESOLUTIONS

RESOLUTION #17-17

PL #16-17

By Alderman George, Seconded by Alderman Dougherty

THAT THE COMMON COUNCIL AUTHORIZES THE MAYOR TO SIGN AND SUBMIT THE STATE AND MUNICIPAL FACILITIES PROGRAM GRANT AGREEMENT BETWEEN THE

Journal of Proceedings

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

March 14, 2017

CITY OF OLEAN AND DASNY FOR FUNDING FOR THE CONSTRUCTION OF A DOWNTOWN FARMERS' MARKET IN THE AMOUNT OF \$200,000

WHEREAS, the Dormitory Authority State of New York (DASNY) has funding available under the State and Municipal (SAM) Facilities Program for various economic and community development program activities; and

WHEREAS, the City of Olean was awarded \$200,000 from DASNY to assist in the construction of a downtown farmers' market;

NOW, THEREFORE, BE IT RESOLVED, by the City of Olean Common Council that the Mayor, as the representative designated to act on behalf of the City of Olean in all matters related to State assistance for these projects, is authorized to sign and submit said application, execute the Grant Agreement, request State advances and reimbursements, subject project documentation, and otherwise act for the applicant in all matters related to project funding and to State assistance.

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #18-17

PL #17-17

By Alderman Witte, Seconded by Alderman Andreano

RESOLUTION APPROVING DOWNTOWN PROPERTY IMPROVEMENT PROGRAM LOANS TO LOCAL BUSINESSES

WHEREAS, the City of Olean has designed a Downtown Property Improvement Program (DPIP) that provides financial incentives for commercial property owners and businesses to rehabilitate their buildings, reduce downtown commercial vacancy rates, create employment opportunities, and preserve and expand the tax base of the City of Olean, and

WHEREAS, assistance to property owners and businesses will be in the form of low interest loans/grants for commercial/business improvement projects, and

WHEREAS, the Olean Revolving Loan Fund committee has reviewed applications for assistance and has recommended approval of;

DPIP #67-03, not to exceed \$30,000;

DPIP #68-03, not to exceed \$30,000;

BE IT RESOLVED, that the Olean Common Council has approved said applications for assistance under the Downtown Property Improvement Program.

IT IS FURTHER RESOLVED, that this Resolution will be effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #19-17

PL #18-17

By Alderman Andreano, Seconded by Alderman Witte

RESOLUTION TO APPROVE REVOLVING LOANS TO LOCAL BUSINESS ESTABLISHMENTS

Journal of Proceedings

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

March 14, 2017

WHEREAS, the City of Olean has established a Revolving Loan Fund Program to assist business development and expansion, to increase employment, and to improve the tax base of the City by offering low interest financing, and

WHEREAS, the following applications for financial assistance has been submitted to the Community Development office:

*RLF #17-06, in an amount not to exceed \$30,000; and
RLF #18-06, in an amount not to exceed \$30,000, and*

WHEREAS, said applications have been reviewed and approved by the City of Olean Revolving Loan Fund Committee,

NOW, THEREFORE, BE IT RESOLVED, that the Common Council approves the above-identified loans to these local business establishment.

*IT IS FURTHER RESOLVED, that this Resolution will be effective immediately.
ROLL CALL, AYES ALL. MOTION CARRIED.*

Alderman Gonzalez questioned if Resolution #20-17 was to renew a license and Mayor Aiello replied that it is. Farmers Market licenses require Council approval prior to issuance.

RESOLUTION #20-17

PL #23-17

By Alderman Andreano, Seconded by Alderman Dougherty

TO AUTHORIZE THE ISSUANCE OF A LICENSE TO A FARMERS MARKET PROPOSED BY THE RURAL ENTERPRISES ASSOCIATION OF PROPRIETORS (REAP) AT THE OLEAN CENTER MALL PARKING LOT

WHEREAS, the Rural Enterprises Association of Proprietors (REAP) has submitted an application to the Olean City Clerk's Office for a permit to operate a Farmers' Market on Saturdays from May through October in the Olean Center Mall parking lot; and

WHEREAS, per Section 13-261 of the City of Olean Code of Ordinances requires approval by the Common Council prior to the issuance of a permit for a Farmers' Market; and

WHEREAS, the application has been reviewed by City Officials and the Common Council agrees with the issuance of an application to REAP for said purposes;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council authorizes the issuance of a license to a Farmers' Market proposed by the Rural Enterprise Association of Proprietors at the Olean Center Mall parking lot.

*RESOLVED, that this Resolution is effective immediately.
ROLL CALL, AYES ALL. MOTION CARRIED.*

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

A motion to amend the agenda to include Resolution #21-17 was made by Alderman Gonzalez, seconded by Alderman George. Voice vote, ayes all. Motion carried.

Journal of Proceedings

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

March 14, 2017

RESOLUTION #21-17

PL #NONE

By Alderman Witte, Seconded by Alderman George

RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE FIRE FIGHTERS LABOR UNION CONTRACT

RESOLVED, that Mayor William Aiello is hereby authorized to execute a collective bargaining agreement that is in accordance with the recently negotiated settlement with the Local 1796, Olean Professional Fire Fighters Association, AFL-CIO, I.A.F.F.

RESOLVED, that this Resolution is effective immediately.

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

ADJOURNMENT

Motion to adjourn was made by Alderman Gonzalez, seconded by Alderman George. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 7:45 p.m.

Alexander Utecht, 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, Alexander Utecht, 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.

Alexander Utecht, City Clerk