

Journal of Proceedings

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

April 11, 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, April 11, 2017 at 6:35 p.m.

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

ABSENT: Aldermen Andreano and Smith

OFFICIALS: Mayor William Aiello; Al Utecht, City Clerk; Fred Saradin, City Auditor; Mary George, Community Development Program Coordinator; Tom Windus, Director of Public Works; Ed Jennings, Code Enforcement Supervisor; Jeff Rowley, Police Chief, and Tiffany Taylor, Managerial Confidential Administrative Secretary

At this time a prayer was given by Alderman George, 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 March 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 Public Safety Committee on PL #01-17, to form a task force for empowering neighborhoods and encouraging proactive change throughout the City of Olean. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #27-17, to authorize the Mayor to sign a continuing agreement between the City of Olean and the State of New York in connection with consolidated Section 5311 Program Appalachian Development Public Transportation Assistance Program, Supportive Employment Services, and Operating and Capital Assistance Projects for the Olean Area Transit System. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #29-17, to amend the water rates, pursuant to Section 27-22,1 and sewer rates, pursuant to Section 27-127(A) of the City of Olean Code of Ordinances, to raise rates .00018 cents per gallon and .00045 cents per gallon, respectively. Committee recommends approval. Referred to City Attorney for Resolution.

COMMUNICATIONS FROM THE MAYOR

Special Proclamation to recognize Fair Housing Month, April 2017

MISCELLANEOUS COMMUNICATIONS

None

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CITY OFFICIAL REPORTS

None

PROPOSED LEGISLATION AND REFERRALS

PL #29-17: (Aiello) To amend the water rates, pursuant to Section 27-22, and sewer rates, pursuant to Section 27-167(A) of the City of Olean Code of Ordinances, to raise rates .00018 cents per gallon and .00045 cents per gallon, respectively. Referred to Committee of the Whole Tuesday, April 11, 2017 by Council President.

PL #30-17: (Smith) To authorize the City of Olean to deed the premises located at 105 South 13th Street to an interested party for \$1.00 with stipulations that the property be demolished according to the City Code of Ordinances and all other applicable laws within six (6) months of the purchase date. Referred to City Operations Committee by Council President.

PUBLIC COMMENT/INPUT

George Lapennas of 653 Garden Avenue stated that he had previously brought to the Council the issue of a dangerous traffic situation where North 2nd Street meeting West State Street. He stated that it is quite difficult to see any oncoming traffic coming from the left. There were two alternatives discussed at a previous meeting, either to change the direction of the traffic on the roadway or to eliminate two or three parking spaces obstructing the view of the oncoming traffic. He has noticed that there has been no movement on this or discussion of this since then. He doesn't feel that we should hesitate to eliminate parking spaces because he feels it is employees who use the corner spaces, and he is not sure why there would be issues changing the direction of the street. Alderman Crawford responded that he believes that, when this was looked into, there was no evidence of accidents to support making a drastic change. Mr. Lapennas responded that he doesn't feel that this is relevant, and we should not wait for an accident. He feels that making a change is the right thing to do, and he hopes that the Council does something soon.

Scott Paoletto of 318 North 11th Street encouraged the public to come to the church on the corner of King and Prospect Sunday at 11 am for Easter service. He also feels that the City should look into a "safe house" where people can be taken to receive Narcan when they overdose. He feels that we need to educate people, and rehabilitate, not punish drug users.

FINANCE / BILLS

None

RESOLUTIONS

RESOLUTION #22-17

PL #19-17

By Alderman Dougherty, Seconded by Alderman Crawford

TO AMEND THE CITY OF OLEAN CODE OF ORDINANCES SECTION 24-134, PROHIBITED AT ALL TIMES, TO PROHIBIT PARKING ON THE NORTH HALF OF SOUTH SIXTH STREET ON THE WEST SIDE

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

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<i>Street</i>	<i>Side</i>	<i>Extent</i>
<i>6th Street, South</i>	<i>West</i>	<i>From 175 feet south from its intersection with West State Street south to its intersection with West Henley Street</i>

BE IT FURTHER RESOLVED, that Section 24-157, Prohibited at all times except Sundays, is hereby amended as follows:

Sec. 24-157 Prohibited at all times except Sundays.

<i>Street</i>	<i>Side</i>	<i>Extent</i>
<i>6th Street, South</i>	<i>West</i>	<i>From its intersection with West State Street south approximately 175 feet</i>

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #28-17

PL #29-17

By Alderman Gonzalez, Seconded by Alderman George

TO AMEND THE WATER RATES, PURSUANT TO SECTION 27-22, AND SEWER RATES, PURSUANT TO SECTION 27-167(A) OF THE CITY OF OLEAN CODE OF ORDINANCES, TO RAISE RATES .00018 CENTS PER GALLON AND .00045 CENTS PER GALLON, RESPECTIVELY

WHEREAS, the Common Council adopted the 2017-2018 Budget on April 4, 2017 to reflect an increase of water and sewer rates .00018 cents per gallon and .00045 cents per gallon respectively; and

WHEREAS, a public hearing was held on April 11, 2017 in the Council Chambers at 6:15 p.m. pursuant to Sections 27-22(1) and 27-167(!) of the City of Olean Code of Ordinances; and

WHEREAS, water services provided by the City of Olean shall from time to time in each case be established by the Common Council pursuant to Chapter 27, Article II, Division 1, Section 27-22; and

WHEREAS, sewer services provided by the City of Olean shall from time to time in each case be established by the Common Council pursuant to Chapter 27, Article III, Division 5, Section 27-167;

RESOLVED, that water services provided within the boundaries of the City, water rates shall be as follows:

Monthly:

RESIDENTIAL RATES

WATER:

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<i>First</i>	<i>2,600 gallons</i>	<i>.00916 cents per gallon</i>
<i>Next</i>	<i>10,000 gallons</i>	<i>.00746 cents per gallon</i>
<i>Next</i>	<i>15,000 gallons</i>	<i>.00683 cents per gallon</i>
<i>Thereafter;</i>		<i>.00613 cents per gallon</i>

SEWER:

.00866 cents per gallon

COMMERCIAL RATES

WATER:

<i>First</i>	<i>2,600 gallons</i>	<i>.00916 cents per gallon</i>
<i>Next</i>	<i>10,000 gallons</i>	<i>.00843 cents per gallon</i>
<i>Next</i>	<i>15,000 gallons</i>	<i>.00764 cents per gallon</i>
<i>Thereafter;</i>		<i>.00613 cents per gallon</i>

SEWER:

.00866 cents per gallon

INDUSTRIAL

WATER:

<i>First</i>	<i>75,000 gallons</i>	<i>.006796 cents per gallon</i>
<i>Next</i>	<i>150,000 gallons</i>	<i>.00613 cents per gallon</i>
<i>Next</i>	<i>375,000 gallons</i>	<i>.00465 cents per gallon</i>
<i>Next</i>	<i>600,000 gallons</i>	<i>.00448 cents per gallon</i>
<i>Next</i>	<i>6,285,000 gallons</i>	<i>.00367 cents per gallon</i>
<i>Thereafter;</i>		<i>.00322 cents per gallon</i>

SEWER:

.00693 cents per gallon

RESIDENTIAL RATES OUTSIDE THE CITY

WATER:

<i>First</i>	<i>2,600 gallons</i>	<i>.01374 cents per gallon</i>
<i>Next</i>	<i>10,000 gallons</i>	<i>.01146 cents per gallon</i>
<i>Next</i>	<i>15,000 gallons</i>	<i>.01025 cents per gallon</i>
<i>Thereafter;</i>		<i>.0092 cents per gallon</i>

SEWER:

.012995 cents per gallon

COMMERCIAL RATES OUTSIDE THE CITY

WATER:

<i>First</i>	<i>2,600 gallons</i>	<i>.01374 cents per gallon</i>
<i>Next</i>	<i>10,000 gallons</i>	<i>.01265 cents per gallon</i>
<i>Next</i>	<i>15,000 gallons</i>	<i>.01146 cents per gallon</i>
<i>Thereafter;</i>		<i>.0092 cents per gallon</i>

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SEWER:

.012995 cents per gallon

INDUSTRIAL RATES OUTSIDE THE CITY

WATER:

<i>First</i>	<i>75,000 gallons</i>	<i>.010194 cents per gallon</i>
<i>Next</i>	<i>150,000 gallons</i>	<i>.0092 cents per gallon</i>
<i>Next</i>	<i>375,000 gallons</i>	<i>.00698 cents per gallon</i>
<i>Next</i>	<i>600,000 gallons</i>	<i>.00672 cents per gallon</i>
<i>Next</i>	<i>6,285,000 gallons</i>	<i>.00551 cents per gallon</i>
<i>Thereafter;</i>		<i>.00483 cents per gallon</i>

SEWER:

.010395 cents per gallon

IT IS FURTHER RESOLVED, that the water rates and sewer rates set forth above shall take effect June 1, 2017 and will be reflected in the billing sent out beginning August 1, 2017.

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

RESOLUTION #30-17

PL #27-17

By Alderman Gonzalez, Seconded by Alderman George

TO AUTHORIZE THE MAYOR TO SIGN A CONTINUING AGREEMENT BETWEEN THE CITY OF OLEAN AND THE STATE OF NEW YORK IN CONNECTION WITH CONSOLIDATED SECTION 5311 PROGRAM APPALACHIAN DEVELOPMENT PUBLIC TRANSPORTATION ASSISTANCE PROGRAM, SUPPORTIVE EMPLOYMENT SERVICES, AND OPERATING AND CAPITAL ASSISTANCE PROJECTS FOR THE OLEAN AREA TRANSIT SYSTEM

WHEREAS, the City of Olean is submitting a request for a consolidated grant of funds to the New York State Department of Transportation, pursuant to Section 5311, Title 49 United States Code, for a project to provide public mass transportation service for the City of Olean and its environs in Cattaraugus County, on the Oil Spring and Seneca Allegany Territories of the Seneca Nation of Indians, and the Village of Cuba, New York in Allegany County, for the 2017 and 2018 project fiscal years and is committed to provide the local share using local resources, if required; and

WHEREAS, the City of Olean and the State of New York have entered into a continuing agreement which authorizes the undertaking of the project and payment of the Federal Share;

RESOLVED, that the Mayor, City of Olean, is authorized to act on behalf of the City of Olean to sign the application and progress and complete the above named project.

WHEREAS, the City of Olean is contracting with a third party subcontractor for the project described above;

RESOLVED, that the Mayor, City of Olean, is authorized to sign any contracts or agreements between the City of Olean and any third party subcontractor necessary to

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complete the public transportation project, subject to the approval of the City of Olean Attorney.

RESOLVED, that this Resolution is effective immediately.

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 6:55 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