

Journal of Proceedings

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

September 24, 2019

***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, September 24, 2019 at 6:39 p.m.

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

ABSENT: None

OFFICIALS: Mayor William Aiello; Lens Martial, City Clerk; Nicholas DiCerbo, Jr., City Attorney; Fire Chief Robert Bell; Police Chief Jeff Rowley; Fred Saradin, City Auditor; Keri Stephen, Bob Ring, Director of Public Works, and Michiko McElfresh, Mayor's Secretary.

At this time a prayer was given by Alderman Witte, 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 September 10, 2019 meeting was made by Alderman Crawford, seconded by Alderman Dougherty. Voice vote, ayes all. Motion carried.

COMMITTEE REPORTS & UNFINISHED COUNCIL BUSINESS

None

COMMUNICATIONS FROM THE MAYOR

Mayor Aiello commended and thanked Fidurko Brothers Construction who donated time to fix the pavilion at Forness Park.

Mayor Aiello thanked Alderman Crawford, as well as the Aldermen and residents who participated in the City-wide Clean-up. Mayor Aiello said he and his wife spent their time on North Union Street and mainly picked up cigarette butts. He said that, it is unfortunate but the City will have to move to do something about it. It has become a habit and is accepted and doesn't know exactly how to put a stop to it, but will have to do something.

MISCELLANEOUS COMMUNICATIONS

Liquor License Change – Olean Fraternal Order of Eagles, Aerie #616 – 1315 East State Street, Olean

CITY OFFICIAL REPORTS

Monthly Report of the City Auditor – month ended August 2019

Quarterly Report of the City Auditor – three months ended August 31, 2019

PROPOSED LEGISLATION AND REFERRALS

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PL #72-19: (Smith) To amend the City of Olean Code of Ordinances Section 21-62, Tree Removal – Required of Property Owners. Referred to Regular Meeting Tuesday, October 8, 2019 for Resolution by Council President.

PL #73-19: (Aiello) To amend the City of Olean Code of Ordinances Section 24-155 to prohibit parking on the north side of South Street for a period of time longer than two hours between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday. Referred to Regular Meeting Tuesday, October 8, 2019 for Resolution by Council President.

PL #74-19: (Dougherty) To amend the City of Olean Code of Ordinances Section 24-135 to prohibit parking on the east side of North Barry Street for a distance of 20 feet from the south curblane of Tompkins Street. Referred to Regular Meeting Tuesday, October 8, 2019 for Resolution by Council President.

PUBLIC COMMENT/INPUT

Alderman Witte wanted to thank the Mayor Aiello and Alderman Crawford for organizing the Clean-up Day. She and her family, including her granddaughter took part in it. She urged residents to be more careful with litter. She reiterate that cigarette butts were everywhere. She thinks it is imperative that City work to stop this habit.

Alderman Smith said that during the summer Ryan Reagan from the DEC had come before the Council to discuss deer mitigation. He said that there is a process to do so and it will benefit the heath and quality of life in our community. He would encourage to see something happen. He said he believes it is out of the hands of the Council and is an Executive Branch decision.

Alderman Dougherty agreed as he was driving with his daughter down Constitution they came across a deer. He appreciated that Nate had brought the Council's attention to it initially and hopes that something can be done.

FINANCE / BILLS

By Alderman Dougherty 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 \$936,400.39 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.

RESOLUTIONS

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

A motion to amend the agenda to include Resolution #00-19 was made by Alderman Crawford, seconded by Alderman George. Voice vote, ayes all. Motion carried.

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LOCAL LAW #01-2019

PL #66-19

By Alderman Smith, Seconded by Alderman Witte

A LOCAL LAW GRANTING PARTIAL EXEMPTION ON REAL PROPERTY TAXATION TO CERTAIN SENIOR CITIZENS

BE IT ENACTED by the Common Council of the City of Olean as follows:

Section 1. Legislative Intent It is the intent of this legislation to continue to provide a real property tax exemption to certain senior citizens in accordance with Section 467 of the Real Property Tax Law and to distribute the exemption in a more equitable manner. In addition, it is the intent of this legislation to permit an offset to the income used in determination of applicants' eligibility for the senior citizen exemption to be offset by medical and prescription drug expense.

Section 2. Senior Citizen Real Property Tax Exemption. Effective January 1, 2020, the City of Olean shall grant a real property tax exemption to certain individuals sixty-five (65) years of age or over, in accordance with Section 467(1)(b) of the Real Property Tax Law.

Section 3. Maximum Income Eligibility Level. Effective January 1, 2020, the maximum income eligibility level as described in Section 467 of the Real Property Tax Law is hereby established as follows:

\$18,500 or less	= 50% of assessed value exempt
\$18,501 but less than \$18,500	= 45% of assessed value exempt
\$19,500.01 but less than \$20,500	= 40% of assessed value exempt
\$20,500.01 but less than \$21,500	= 35% of assessed value exempt
\$21,500.01 but less than \$22,400	= 30% of assessed value exempt
\$22,400.01 but less than \$23,300	= 25% of assessed value exempt
\$23,500.01 but less than \$24,200	= 20% of assessed value exempt
\$24,200.01 but less than \$25,100	= 15% of assessed value exempt
\$25,100.01 but less than \$26,000	= 10% of assessed value exempt.

Section 4. Offset for Medical Expenses. Any income used in the determination of applicants' eligibility for the exemption hereby granted shall be offset by all medical and prescription drug expenses actually paid which were not reimbursed or paid for by insurance.

Section 5. Real Property Tax Law. All other provisions of Section 467 of the Real Property Tax Law of the State of New York shall be in effect for the purposes of City real property taxation in the City of Olean.

Section 6. Severability. If any provision of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, then such adjudication, shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the particular provision directly involved in the controversy in which such judgment shall have been rendered.

Section 7. Effective Date. This Local Law shall take effect January 1, 2020.

ROLL CALL, AYES ALL. MOTION CARRIED.

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RESOLUTION #70-19

PL #67-19

By Alderman Crawford. Seconded by Alderman Witte

TO AWARD THE WASHINGTON STREET AND NORTH 4TH STREET WATERLINE REPLACEMENT PROJECT

WHEREAS, the City of Olean desires to undertake a capital improvement project generally consisting of the installation of approximately 2,700 linear feet of 4-inch and 8-inch water main along various roads in the City including, but not limited to, Washington Street and North 4th Street, the installation of new water service lines to existing homes and businesses, and road improvements; and

WHEREAS, on July 9, 2019, the Common Council approved a bond resolution in order to obtain funding for said project; and

WHEREAS, the City of Olean has requested bids for the contract related to the Washington Street and North 4th Street Waterline Replacement Project; and

WHEREAS, upon full review of said bids, the City is desirous of awarding the contract to the lowest responsible bidder as defined by Local Law #06-2015;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council hereby awards the Washington Street and North 4th Street Waterline Replacement Project to J.D. Northrup Construction, for an amount not to exceed \$1,096,642.50.

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #00-19

PL #00-19

Mayor Aiello said that they received word yesterday that the City received this grant and he is asking the Common Council to allow the city to accept the grant as it will help reduce some of the total cost.

By Alderman Dougherty, Seconded by Alderman Witte

TO AUTHORIZE THE MAYOR TO SIGN AND ACCEPT A BODY WORN CAMERA POLICY AND IMPLEMENTATION PROGRAM GRANT FROM THE UNITED STATES DEPARTMENT OF JUSTICE

WHEREAS, The City had applied to the United States Department of Justice for grant funding under the Body Worn Camera Policy and Implementation Program (BWIC); and

WHEREAS, the United States Department of Justice has informed the City that its grant application has been approved in an amount of up to \$56,000 under Grant Award Number 2019-BC-BX-0035;

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby authorizes the Mayor or his designee to formally accept the grant award on behalf of the City of Olean Police Department; and

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

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ADJOURNMENT

Prior to adjournment Alderman, Andreano reminded residents of the King Street Park Build Day. She said that Dunkin Doughnuts has donated coffee in the morning a local restaurant has donated hot dogs and rolls for lunch. She added that the Rec Staff will have crafts on hand to keep kids busy while parents volunteer and it looks like the weather will be great so everyone should come to the Park and help out.

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Motion to adjourn was made by Alderman Crawford, seconded by Alderman Witte. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 6:55 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