

Journal of Proceedings

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

April 14, 2020

***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 14, 2020 at 6:45 p.m.

PRESENT: *Aldermen Gonzalez, Witte, Panus, Dougherty, Crawford, Smith, and Anastasia*

ABSENT: *None*

OFFICIALS: *Mayor William Aiello; Lens Martial, City Clerk; Nicholas DiCerbo, Jr., City Attorney; Fred Saradin, City Auditor; Bob Ring, Director of Public Works; Tim Richardson, Fire Chief, and Tiffany Taylor, Managerial Confidential Administrative Secretary*

At this time an invocation 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 March 24, 2020 Regular Meeting was made by Alderman Gonzalez, seconded by Alderman Panus. Voice vote, ayes all. Motion carried.

COMMITTEE REPORTS & UNFINISHED COUNCIL BUSINESS

Report from Committee of the Whole on PL #21-20, to establish the Standard Work Days pursuant to New York State and Local Retirement System Regulation 315.4 for elected and appointed officials. Committee recommends approval. Referred to City Attorney for Resolution..

Report from Committee of the Whole on PL #22-20, to authorize the Mayor to execute a Mutual Aid Agreement with the City of Bradford Fire Department. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #23-20, that the Common Council as Lead Agency concludes that the proposed project for the City of Olean Filtration Basin Rehabilitation and Replacement is a Type II Action and that after full review of the Environmental Assessment Form determines that the project will have no adverse environmental impact and thus declares a Negative Declaration. Committee recommends approval. Referred to City Attorney for Resolution.

COMMUNICATIONS FROM THE MAYOR

Mayor Aiello explained that you may have read in the paper that the Farmers Market is going to be opening up, as they have been approved as essential by the state. He explained that guidelines have been set forth regarding how they will operate, and he will have a meeting in the future to make sure that everything is in place.

MISCELLANEOUS COMMUNICATIONS

None

CITY OFFICIAL REPORTS

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None

PROPOSED LEGISLATION AND REFERRALS

PL #21-20: (Aiello) To establish the Standard Work Days pursuant to New York State and Local Retirement System Regulation 315.4 for elected and appointed officials. Referred to Committee of the Whole Tuesday, April 14, 2020 by Council President.

PL #22-20: (Aiello) To authorize the Mayor to execute a Mutual Aid Agreement with the City of Bradford Fire Department. Referred to Committee of the Whole Tuesday, April 14, 2020 by Council President.

PL #23-20: (Aiello) That the Common Council as Lead Agency concludes that the proposed project for the City of Olean Filtration Basin Rehabilitation and Replacement is a Type II Action and that after full review of the Environmental Assessment Form determines that the project will have no adverse environmental impact and thus declares a Negative Declaration. Referred to Committee of the Whole Tuesday, April 14, 2020 by Council President.

PUBLIC COMMENT/INPUT

Alderman Crawford explained that he would like to bring to everyone's attention that next Wednesday is the 50th anniversary of Earth Day. He explained that similar to the Global Cleanup Day, it would be great to encourage residents to get outside, work in front yards and clean up the subway, of course maintaining social distancing. He explained that today the Washington West School District Staff drove around neighborhoods to wave to families, and some people were quite emotional. He explained that social interaction is being missed.

Alderman Crawford explained that what he is trying to do with social media groups is to encourage people to go out on Wednesday the 22nd and work in their front yards and interact with neighbors across the street and across fences. He explained that it would be a great effort to see everyone get involved in this. Mayor Aiello explained that he does have a press release going out about this, and that Alderman Crawford has provided some great ideas. Alderman Crawford explained that residents can't go to parks to clean up, but they can get out in their yards and subways.

Mayor Aiello explained that he has been getting requests for garbage bags for pickup, and Alderman Crawford explained that he has leftover bags from the fall event that he can drop off to the Mayor's office. Mayor Aiello noted that he hopes we hold the event again. Alderman Crawford explained that he had a question from a resident as to whether or not the City can provide bags. Mayor Aiello explained that the City provides orange garbage bags, and if the resident contacts Ms. McElfresh in his office, she can provide bags and gloves as well as instruct the resident as to where City dumpsters are for disposal.

Mayor Aiello explained that he had a conversation with Mr. Ring about possibly opening up the Front Street location for leaves and branches, and that this could possibly be done for a four hour period on a Saturday with the utilization of summer help. He explained that this will give the public the opportunity to take grass clippings and leaves there.

Alderman Witte asked if we are still doing yard waste pickup on the last Wednesday of the month, and Mayor Aiello explained that we are. He explained that we are going month to month with Casella until the City can get bids out. He explained that it has been difficult with everything being shut down. He noted that the yard waste pickup will be a part of the new contract as well. Alderman Witte explained that when the

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Front Street location was open previously, it was a nightmare. Mayor Aiello explained that’s why City staff would be present to take information from everyone who comes in to ensure that only City residents are utilizing the service.

Alderman Anastasia explained that he had a constituent call and stated that they have no checking account, credit card or debit card, and they don’t know how to pay their water bill. Mayor Aiello explained that when we receive calls regarding this, we recommend that the resident get a money order. He explained that he really does not want residents placing cash in the drop box. He explained that residents also call about garbage stickers, and if a resident calls the Clerk’s office, they can pay over the phone and we will mail the stickers to them.

FINANCE / BILLS

None

RESOLUTIONS

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

A motion to amend the agenda to include Resolutions #29, 30, and 31 was made by Alderman Gonzalez, seconded by Alderman Anastasia. Voice vote, ayes all. Motion carried.

RESOLUTION #26-20
PL #21-20

By Alderman Witte, Seconded by Alderman DaPolito

RESOLUTION ESTABLISHING THE STANDARD WORK DAYS PURSUANT TO NEW YORK
STATE AND LOCAL RETIREMENT SYSTEM REGULATION 315.4 FOR ELECTED AND
APPOINTED OFFICIAL

BE IT RESOLVED, that the City of Olean / Location code 20039 hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body. This information is pursuant to Regulation 315.4(b).

Title and Name	Standard Work Day 315.4(b)(i)	Term Begin/End 315.4(b)(ii)	Time Keep 315.4(b)(iii)	ROA 315.4(b)(iv)
Elected Officials				
John Crawford, Alderman	6	1/1/19-1/1/21	N	90.25
Kevin Dougherty, Alderman	6	1/1/20-12/31/22	N	6.93
David Anastasia, Alderman	6	1/1/20-12/31/22	N	.57
Jason Panus, Alderman	6	1/1/20-12/31/22	N	1.20
Appointed Officials				
Michiko McElfresh, Secretary to Mayor	7	1/1/19-12/31-22	Y	
Nathaniel Smith, Alderman	6	1/1/20-12/31/22	N	N/A
Darryl Bloom, Zoning Board	6	10/7/16-10/7/26	N	1.96
Kelly Sweet,	6	11/18/19-11/18/29	N	.40

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Zoning Board				
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RESOLVED, that this resolution will be effective immediately.
ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #27-20
PL #22-20

By Alderman Gonzalez, Seconded by Alderman Witte

TO AUTHORIZE THE MAYOR TO EXECUTE A MUTUAL AID AGREEMENT WITH THE CITY OF BRADFORD FIRE DEPARTMENT

RESOLVED, that the Common Council authorizes the Mayor of the City of Olean to execute a Mutual Aid Agreement with the City of Bradford Fire Department.

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

RESOLUTION #28-20
PL #23-20

By Alderman Dougherty, Seconded by Alderman Panus

THAT THE COMMON COUNCIL AS LEAD AGENCY CONCLUDES THAT THE PROPOSED PROJECT FOR THE CITY OF OLEAN FILTRATION BASIN REHABILITATION AND REPLACEMENT IS A TYPE II ACTION AND THAT AFTER FULL REVIEW OF THE ENVIRONMENTAL ASSESSMENT FORM DETERMINES THAT THE PROJECT WILL HAVE NO ADVERSE ENVIRONMENTAL IMPACT AND THUS DECLARES A NEGATIVE DECLARATION

WHEREAS, the Common Council of the City of Olean is desirous of undertaking a project for the rehabilitation and replacement of the City of Olean Filtration Plant basin; and

WHEREAS, such project requires SEQR review prior to formal consideration by the Common Council; and

WHEREAS, said project qualifies as a Type II Action under SEQRA regulations; and

WHEREAS, the Common Council, in its capacity as Lead Agency, has caused to be prepared an environmental assessment of the significance of an potential environmental impact of the action described above; and

WHEREAS, it has been determined through findings of the EA that the proposed project will have no significant impact(s) on the environment;

NOW, THEREFORE, BE IT RESOLVED, that the City of Olean Common Council declares itself Lead Agency for this project and for the purposes of SEQRA.

BE IT FURTHER RESOLVED, that the Common Council, as Lead Agency, concludes that the proposed project for the City of Olean Filtration Basin Rehabilitation and Replacement is a Type II Action and that after full review of the Environmental Assessment Form determines that the project will have no adverse environmental impact and thus issues a Negative Declaration.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #29-20
PL #NONE

By Alderman Witte, Seconded by Alderman DaPolito

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THAT THE COMMON COUNCIL AS LEAD AGENCY CONCLUDES THAT THE PROPOSED PROJECT FOR THE NORTH UNION STREET STREETScape IMPROVEMENTS IS A TYPE II ACTION AND THAT AFTER FULL REVIEW OF THE ENVIRONMENTAL ASSESSMENT FORM DETERMINES THAT THE PROJECT WILL HAVE NO ADVERSE ENVIRONMENTAL IMPACT AND THUS DECLARES A NEGATIVE DECLARATION

WHEREAS, the Common Council of the City of Olean is desirous of undertaking a project for improvements to the North Union Street Streetscape; and

WHEREAS, such project requires SEQR review prior to formal consideration by the Common Council; and

WHEREAS, said project qualifies as a Type II Action under SEQRA regulations; and

WHEREAS, the Common Council, in its capacity as Lead Agency, has caused to be prepared an environmental assessment of the significance of an potential environmental impact of the action described above; and

WHEREAS, it has been determined through findings of the EA that the proposed project will have no significant impact(s) on the environment;

NOW, THEREFORE, BE IT RESOLVED, that the City of Olean Common Council declares itself Lead Agency for this project and for the purposes of SEQRA.

BE IT FURTHER RESOLVED, that the Common Council, as Lead Agency, concludes that the proposed project for the North Union Street Streetscape Improvements is a Type II Action and that after full review of the Environmental Assessment Form determines that the project will have no adverse environmental impact and thus issues a Negative Declaration.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #30-20

PL #NONE

By Alderman Anastasia, Seconded by Alderman Dougherty

TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT WITH DIRECT ENERGY BUSINESS FOR GAS SUPPLIER SERVICES FOR THE PERIOD MAY 1, 2020 THROUGH APRIL 30, 2023

RESOLVED, that the Common Council authorizes the Mayor of the City of Olean to enter into an agreement with Direct Energy Business for gas supplier services for the City of Olean for the period May 1, 2020 through April 30, 2023.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #31-20

PL #NONE

By Alderman Witte, Seconded by Alderman Panus

TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT WITH BENSON CONSTRUCTION AND DEVELOPMENT, LLC FOR THE STARDUST PUMP STATION PROJECT

WHEREAS, the City of Olean solicited bids for a general construction contractor for the Stardust Pump Station Project; and

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WHEREAS, Hunt Engineers, Architects, Land Surveyors & Landscape Architect, DPC, the City of Olean's engineer for the Stardust Pump Station Project, reviewed bids received and recommend that the City of Olean award the General Construction Contract to Benson Construction and Development< LLC;

BE IT RESOLVED, that the Common Council authorizes the Mayor of the City of Olean to enter into an agreement with Benson Construction and Development, LLC for the Stardust Pump Station Project for an amount not to exceed \$655,100.

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 Crawford. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 7:00 p.m.

Lens Martial, 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, 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