

Journal of Proceedings

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

June 23, 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, June 23, 2020 at 6:35 p.m.

PRESENT: *Aldermen Gonzalez, Witte, Panus, Dougherty, Crawford, DaPolito, 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; Jeff Rowley, Police Chief, and Tiffany Taylor, Managerial Confidential Administrative Secretary.*

At this time a prayer was given by Mr. Martial, 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 June 9, 2020 meeting was made by Alderman Gonzalez, seconded by Alderman Dougherty. Voice vote, ayes all. Motion carried.

COMMITTEE REPORTS & UNFINISHED COUNCIL BUSINESS

Report from Committee of the Whole on PL #33-20, to amend the City of Olean Code of Ordinances Section 24-134 to prohibit parking on the east side of North Sixth Street from its intersection with Wayne Street north to the end of the street. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #35-20, to concur that the City of Olean Planning Board be declared as Lead Agency under SEQRA for the proposed historic rehabilitation and adaptive reuse of the former First National Bank of Olean and Siegel's Shoes into a mixed use complex by Savarino Companies, LLC. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #36-20, to concur that the City of Olean Zoning Board be declared as Lead Agency under SEQRA for the proposed renovations to the existing Temple B'Nai Israel building and construction of a 320 square foot addition off the rear of the building by the Olean Theater Company. Committee recommends approval. Referred to City Attorney for Resolution.

COMMUNICATIONS FROM THE MAYOR

Special Proclamation for Juneteenth

MISCELLANEOUS COMMUNICATIONS

Application for a Liquor License - Brothers Bistro 188 Inc. – 188 North Union Street

Liquor License Class Change – Mirchi Bar N Grill, LLC – 1020 North Union Street

CITY OFFICIAL REPORTS

None

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PROPOSED LEGISLATION AND REFERRALS

PL #34-20: (Aiello) To authorize the Mayor to enter into a contract between the County of Cattaraugus and the City of Olean for mosquito spraying services for the term May 1, 2020 through December 31, 2020. Referred to Regular Meeting Tuesday, June 23, 2020 for Resolution by Council President.

PL #35-20: (Aiello) To concur that the City of Olean Planning Board be declared as Lead Agency under SEQRA for the proposed historic rehabilitation and adaptive reuse of the former First National Bank of Olean and Siegel's Shoes into a mixed use complex by Savarino Companies, LLC. Referred to Committee of the Whole Tuesday, June 23, 2020 by Council President.

PL #36-20: (Aiello) To concur that the City of Olean Zoning Board be declared as Lead Agency under SEQRA for the proposed renovations to the existing Temple B'nai Israel building and construction of a 320 square foot addition off the rear of the building by the Olean Theater Company. Referred to Committee of the Whole Tuesday, June 23, 2020 by Council President.

PL #37-20: (Dougherty) To amend the City of Olean Code of Ordinances Section 5-1, subsection (4) to amend setback requirements for fowl within the limits of the City. Referred to Strategic Planning Committee by Council President.

PUBLIC COMMENT/INPUT

Alderman Gonzalez explained that he understands that there are a lot of people here to comment regarding the proposed Black Lives Matter resolution. He explained that the resolution is meant to be the beginning of a conversation, and that the Council has not discussed what has been happening nationwide or discussed the peaceful protests that are going on in the City. He explained that this resolution is meant to open the conversation, not close it. He has heard that it has been called vague and toothless, and that is right, but we can't commit to meaningful change without opening a conversation first. He explained that racism and systemic oppression are issues that need to be discussed and addressed by the whole community, and in order to do that, the Council needs to engage people and listen. He explained that recent events have made him look inward to see how he and others can do things better. He explained that he is trying to express his willingness to open the door and start the conversation, and he is expressing his desire to listen and take action.

Alderman Crawford explained that he wants to commend Alderman Gonzalez and appreciates that he first had the intention and courage to bring this resolution forward. He explained that he doesn't want the resolution to come across to the community as reactionary or as lip service from an elected body. He applauds Alderman Gonzalez for bringing this before the Council, and he wants to ensure that this is just the first step to opening a conversation with those in the community. He explained that he has been silent over the past months, and he feels that as a middle class white male, now is the time for him to listen and learn from what is happening around us. He explained that gestures alone aren't going to cut it. He explained that he has reached out to members of the black community in Olean, and they agree that words without action are just words, but that this is a start. He explained that he believes that we are blessed to live in Olean as we are in an isolated and supportive community, although maybe others in the community don't feel the same way. He explained that it is our job to reach out and listen, and as a Council we need to push for transformational change. He explained that we can create a taskforce for diversity inclusion and global equity, and we must harness our strength while working towards one collective goal, to make Olean the best place possible. He does not want his vote

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to be interpreted as just a kind gesture, and that this is just a start.

Alderman Witte explained that she agrees with Alderman Crawford and Alderman Gonzalez, and that a lot has happened over the past month. She feels that Olean is a cultural melting pot, and that after 9/11 she went to different houses of worship where everyone shared their feelings and she was able to learn a lot about different people and different cultures. She explained that she feels that we should include wording in the resolution regarding the creation of a taskforce. She explained that a couple years ago we voted to become a compassionate city, and this is similar. She explained that we need more than just words, we also need to have action. She noted that Governor Cuomo wanted police departments and the community to come together to have discussions.

Alderman Gonzalez noted that an amendment to the resolution will be brought up later during the meeting.

Alderman DaPolito explained that he feels that the Black Lives Matter movement is to bring people together, and we are all coming together, but he doesn't understand why it can't be All Lives Matter. He explained that right now we are diving things, and that we have the police force, white, yellow, red, black, and right now we are concentrating on black. He explained that we had yellow slaves and red slaves, and the Roman Empire had white slaves. He explained that if we want to concentrate on slavery, we need to say that ALL lives matter. He explained that he has two grandchildren who are black, and he doesn't look at them that way. He feels like we are only looking at black here.

Alderman Panus explained that he remembers an interview on 60 Minutes where Morgan Freeman told Mike Wallace that what will end racism is to quit talking about it. He explained that we aren't black or white, we are just people. He explained that Denzel Washington says you can't legislate love. In our community, he feels that we've done some things to bring people together. He explained that he does not feel that the actual group, Black Lives Matter, is the cause to support. He explained that he does not think that it needs color in the name and that as far as the resolution, in order for him to support it, anything that says "whereas" would need to be removed.

Alderman Dougherty thanked Della Moore for all of her work in the community, and explained that she is such a bright light in the community, and she doesn't see color. He explained that she stood by him and they supported the protests in a peaceful manner. He explained that not the entire Council voted for the Charter for Compassion, and that the two who voted "no" did so because of the organization itself. He explained that all lives matter, and this is the intent, but that to get behind an organization that is pretty broad in its scope makes him nervous. He explained that in some states they are peaceful, and in others they are burning down targets to try to prove their point. He explained that he can't support an organization like that, although he can support the movement, just not the specific organization.

Alderman Anastasia explained that he agrees with Alderman Gonzalez and Alderman Crawford, and that he is glad that the protests were kept peaceful. He explained that he is supportive of the first amendment.

Mayor Aiello explained that he is being directed by Executive Order of the Governor to put together basically a taskforce to look at these issues and to get community involvement to look at the police department and their rules and regulations there. He explained that he will be welcoming a lot of input from a lot of community members. He explained that he thinks that this will suffice as what Aldermen Crawford and Witte are looking for. Alderman Crawford asked about deadlines, and Mayor Aiello explained that a plan needs to be in place and submitted to the Governor's Office by April 1st, 2021. He explained that there is not a lot of guidance right now, or opinions

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on how to work on this. He explained that hopefully something will be coming down the line, but this is a mandate from the Governor that we will be working on that will require a lot of community involvement.

Clarissa Spiller of 413 South Third Street explained that she is a lifelong resident of Olean and a member of the black and Latino communities. She explained that she feels that words do nothing to do anything for these communities, and that there is no diversity within the City administration or in the Olean school system. She explained that without a plan of action, this resolution shows that the Council does not take this issue seriously, and that it is obvious that discrimination exists. She explained that she does see color, because that is what makes America beautiful. For a diverse community, she is amazed at the lack of diversity in the City government, in teachers, and in the Police Department. She explained that Black Lives Matter because they never have in America before.

Daniel Gayton of 794 North Union Street explained that he is here to represent the Olean Racial Justice Coalition. He explained that their stance is that this resolution lacks action. He and the group feel that the Council should be able to put together a board of diverse people in the City, to begin a process to make the City more diverse, and to stand behind the resolution to start a conversation in the City. HE explained that the City is getting younger and more diverse, and that the people that were protesting and marching believe in what they are marching for. It is not by accident that they're out there. He explained that as a coalition, they are more than happy to have a conversation with the City and Council. He explained that the coalition is almost 3,000 people strong and they want to have this conversation with the Council, and are open to it. He explained that his opinion in listening to statements made by the Council is concern. He explained that as a resident, he is more concerned today than he was yesterday on where the City stands on these issues. He explained that he knows that we have to put together a board to discuss police reform at the direction of the Governor, and it should start where Alderman Witte says it should start, and the community should help. He explained that he doesn't feel that the Council embraces diversity, and if they can't say Black Lives Matter, then they can't say All Lives Matter. He feels that they are saying that his life isn't worth the same amount as theirs. He explained that this is more than an African American movement, it is a young people's movement. He believes that the Olean Police Department is a prime spot right now to make changes in the community, if you let them, as they are young and energetic and want to be a part of the community. He explained that growing up, he knew every officer, and they were at the park with the kids, talking to them, shaking hands and asking about families. He explained that we need to get rid of the perception of officers looking like they want to go to war. He feels that the police should be community-based officers, He knows Mayor Aiello's heart, and he knows that he loves this community and the people in the community. He asked that the Mayor and Council don't get caught up in politics and stand up for what they believe in.

Sonya McCall of 118 West Henley Street explained that she is surprised and somewhat embarrassed, because this is not what she expected to hear from people that run our City. She explained that she has worked in social justice for over 30 years, and her family is diverse, and she is better for it. She explained that Alderman Panus only quoted the last part of Morgan Freeman's interview, and that he says that he is going to stop calling you a white man, and ask that you stop calling me a black man. She has three black daughters and one black son. She explained that she wakes up white every day and doesn't have to think about race, but when her children go out into the world she has to worry. She explained that she has been fortunate to live in this community with the police that we have, but she has had to explain to her kids how to act if they get pulled over. That isn't something that white parents have to explain to their kids. She explained that we have more racism now than we did four years ago. Her husband went to Robert E. Lee Elementary School, and even he agrees that it is worse. She explained that you can call a group whatever you want to, and there are

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all kinds of analogies to explain why we need to have “Black Lives Matter”. She explained that the reality is, that her children’s lives are viewed as “less than” a great majority of those on the Council. She explained that no group addressing the issues of social justice and racial equality can happen if you don’t include those who are most at risk. She appreciates that the Council serves the City, and although she may not agree with them she appreciates them and encourages them to listen. Saying “All Lives Matter” is like shutting the door, and they need to be mindful because words mean so much.

Leo Walters Tejera of 302 North Ninth Street explained that he is a transgender male, so he understands a very different side of the Olean community. He explained that the opposite of Black Lives Matter is that black lives don’t matter, and there is not a converse of that statement that is justifiable. He explained that the absolute height of white privilege is to say that you aren’t okay with black lives matter. He understands the phrase “all lives matter” but it doesn’t mean anything if you can’t let “black lives matter” slip off your tongue. He explained that young people are coming for office, and they are organized, watching, and listening. He explained that no one said “black lives matter only” or “black lives matter more”, just “black lives matter”. He explained that it is rooted in our culture and until we unroot racism, we can’t move forward. He explained that when he moved to Olean from New York City, he thought that he would die a slow social death, but there is opportunity and support, and his life has come together. He understands that community means working together. We are the metropolis of our area, and there are kids that come to Olean to find safety from their small towns. He came to Olean to find a queer community and to find a safe space to be. He explained that the eyes of the nation are watching us, and that we were mentioned in a Time Magazine article that was tweeted by Barak Obama last week. He explained that small town America IS America. He explained that this is not about Democrat or Republican, that this is about human rights, and if you believe in the constitution, you believe that Black Lives Matter.

Adam Pecherzewski, an Olean resident of 22 years, explained that he is thankful that Olean affirms their support of Black Lives Matter. He explained though, that the resolution that the Council has on the agenda seems like an empty statement, and he wonders how the City will follow through. He asked how we are keeping the City welcoming, inclusive and safe. He proposes an amendment to the resolution to include all demographics. He explained that a “Make Olean Strange” movement was attempted, but the sign that was put up was taken down because the space where it was, was designated for advertisements, not art. He explained that businesses had good intentions with “Make Olean Strange” and wanted to bring together music and art for people of all ages, as art and music are lacking in the area. He explained that he feels that the proposed resolution is the opposite of welcoming and conclusive. He hopes and prays that everyone can see that Olean has a stage right now, and he is one of the young ones who wants to make a change. He hopes that the Council can help them make a change.

Christina Lopez of 1013 West Sullivan Street explained that the eyes of the world are on Olean, and she wants to make sure that it is more than one voice that represents the City. She supports people who represent people who have the ability to be inclusive, and explained that things are changing in Olean. She explained that we want to get kids involved, and well, they’re here, ready to be involved, and they are not going to back down. She explained that it is important to see in small towns across America that they support the constitution and have consequences for people who deny other people rights. She explained that we are not supporting the guy who died, but want there to be consequences that make people not want to hurt others. She explained that there are only a few places in the world where things like this go on without consequences, like Syria and other severely religious countries. She explained that young people didn’t know how to get involved, but then took it to the streets like their parents did. She explained that Dr. King broke laws to change things, and he

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didn't get a permit first. He was threatened, victimized, and arrested. She explained that young people are the biggest population, and it is their time, and she hopes that we taught them well enough to do better than what we did.

Justice Alexander Emmanuel Peterson of 1206 Spruce Street explained that he has lived here a majority of his life. He explained that his entire life he has dealt with racism, and although it is not always daily or weekly, it happens. He explained that a friend of his who lives two blocks away from the City Building had the N word sprawled across his front porch. It is 2020, and this shouldn't be happening. He explained that he fits the description. He chose to walk the thin blue line, and served approximately three years with the Virginia Sheriff's Office. He explained that he wanted to find out why he was profiles, and he realized in that time that police officers are underpaid, undertrained, and have a disconnect from the community because they are trained to remember that the threat is always there. He explained that he took an oath to stand up for people who look like him. He explained that law enforcement needs to change on a national basis, and we are behind. We need to come up to speed on some things, because the world changes every day. He explained that he never understood the concept of "liberal versus conservative", but he asks what we are trying to conserve. He explained that he keeps hearing about the "good old days", but he questions if they were really that good for all of us. He explained that he went to school with the children of police officers and played sports with them, but when it's dark out, he becomes a suspect. He explained that he pays taxes and works to help his neighborhood, and he will always do that. But when you keep "fitting the description" you start to lose hope. He explained that he thinks that it's not just black people, it's poor people, too. He explained that we have a huge recreation center, and he knows that it's used as a pool and skate rink, but we have all that space that we could be doing things with, and so many people with so many skill sets. He feels that there are so many things that we could be doing, but we're not. He doesn't want to see people lose hope. He explained that two months ago he would not have come to this meeting because he has not seen his life improved because of anything that the Council has done directly correlated with what they've done. He wants to make Olean better, and he wants the Council to make Olean better.

Evelyn Cruz of 312 Tompkins Street explained that she moved to Olean four years ago from New York City. She explained that when she ran for Ward 4 Alderman, she went door to door to see what people have to say, and there is an emptiness, a void, a sense of hopelessness. She asked where we go from here, and what Olean has to offer the community. She explained that people feel like they have been cheated, railroaded, lied to, and have in many ways been taken for a fool. She is disappointed in the leadership of this team. She stands here letting the Council know that as a person who came here just four years ago, this is the best place to be. We have all of the resources, all the human capacity, talent, and God-given beauty of nature, and we're wasting it. She explained that there is a generation that is growing up, that wants to leave. The community is aging, and although we are going to miss the people who are dying now, they have already given what they can to the community. Young people are turning to drugs, alcohol, or whatever else to entertain themselves. She explained that they will have no other outlets, and so much potential in Olean is being wasted. We are losing business, talent and resources. She explained that a small percentage of the community is black, but the percentage of the black population that is in poverty is greater than the percentage of the white population that is in poverty. There is even a disparity in being poor. She explained that it's because we have more interest in giving resources to people who have white skin, and if it sounds harsh it is because it is harsh, especially if you're black. She explained that it isn't even subtle sometimes, and you can see it in people's eyes. She asked why, in a poor community, blacks are poorer. She asked if it is because they lack intelligence, or if they don't have determination, grit, and desire. Or if it is because they are perceived as lazy and ignorant. She does not know where Council member's hearts are, but as community servants, their hearts should be with the community. She explained that nobody should have to feel

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embarrassed or diminished to ask for help. She prays that God touches the hearts of the Council. They may think that there is no racism in Olean, but the numbers say different, and it needs to be fixed. She explained that by saying “Black Lives Matter” no one is trying to put their lives on top of white people. She explained that it is very disrespectful to ask a person where they come from, but black people are asked all the time. She explained that we need to evaluate our history, and that we don’t need a Black History Month because the history of America is based on black people’s work.

Kaitlyn Harvey of 310 East Henley explained that she wants to talk about performative ally ship. She explained that basically what happens is when a movement occurs everyone wants to say something, do something and create a diversity group, but it all goes by the wayside. She explained that it is performing the role of an ally without actually becoming an ally. She explained that you have to look at the group that says “Black Lives Matter” without “All Lives Matter” after it. She explained that she is upset and disappointed. She is proud of Olean coming in and is excited that this motion is on the table. She explained that they’re here and ready to go, but that she must be more naïve than she thought, since we are going back to the beginning to have a conversation. She explained that they are holding voting drives at every one of their events, and they are talking to people about how to register to vote and how to run for office. She explained that if the Council isn’t on board with everything going on for young people (and don’t call them lazy, entitled millennials), that they will replace them. They vote the Council in, and they don’t automatically get their seats. If they don’t do what the City needs, they will find someone who will. She explained that she looks forward to getting more involved in politics.

Chris Stanley of 3406 Buffalo Street explained that he is not a leader of this group, but rather an appreciative supporter. He explained that the younger generation is leading this, and they are our future. He explained that he feels that the resolution on the agenda is vague and toothless and is hoping that the resolution is not all that the Council is going to do. He feels that it is too broad in referencing the “United States” and feels it should be narrowed down to “City of Olean”, and that it should talk about making Olean welcoming, not keeping Olean welcoming. He listed a set of questions that the Council should consider regarding where they are going after the resolution is passed, not only regarding the Police Department but about broader issues. He asked what they know about the experiences or concerns about black people in Olean, and what they know about the number of African Americans who work for the City. He asked about the racial and ethnic makeup of the Olean City Police Department, and asked about how they are trained to handle interactions with minorities. He asked about what the Council knows about how minorities are treated in public housing, and what we are doing to promote the contributions of non-white people. He asked if they feel like a part of the community, or like guests. He asked what efforts political parties are making to aid minorities in running for office. He explained that he is not accusing the Council or City of anything right or wrong, and he doesn’t know the answer to these questions. He feels that they should use it as a guide to help them when thinking about this. He explained that he grew up in Alabama during the Jim Crowe days, and he thought he lived in a nice city, but at the same time they were oppressing black people. He explained that the Council needs to take time to listen to others, because they are committed to finding candidates who will respond to their concerns if the Council doesn’t.

Victoria Swier of 326 South Union Street explained that the government is elected by the people, for the people, and it should not benefit a portion of citizens while oppressing others. She explained that this movement is working towards a future with no clauses and no loopholes, where everyone is treated equally, point blank. She wants to see the Council take action. She knows what we have to do, and that is get younger people in office, and educate as many people as possible about their rights. She explained that she can’t do this alone. She explained that during the protests, they are making wonderful progress, but they still need to go further. She understands that

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tonight is not the time to have a full open table discussion, but they have shown their face, and they have been out there protesting. The next move is legislation and they need the Council's help continuing momentum. She explained that her first boyfriend was black, and when someone drove by they called her an N word lover. She explained that she had never been referred to as that, and never thought of things like that, but all of a sudden there it was in her face. She made a move because she wanted to chase them down until her lungs gave out, but her boyfriend stopped her and told her not to worry about it because it happens. She wants that to sink in, that it happens. It happens all around the country, and right here in Olean. They need the Council's help to end that kind of mistreatment, and the entire nation needs help to heal. She is grateful for the Council listening tonight, and she asked that they please go forward and put legislation into action and make actual change. She explained that the more that they can do this, and sit down together, the more that we listen to each other, the more we can move forward and be better.

Mickey George, the founder of Reforming Police Encounters, explained that during the beginning of June, we were all dominated by the footage of Buffalo police shoving a 75 year old man to the ground. He explained that in Olean, Steven Schindlebeck was dropped on his head while he sat in a cell down the hall, and it became very clear to him that the police are not equipped to deal with things like this,. He asks how this attitude can be so prevalent on a force that is supposedly there to help people. He explained that the Police can't carry on with business as usual after everything that has happened and is still happening, and Cuomo agrees. He is requiring that the police submit a list of reforms in order to receive further funding. He explained that there are open petitions calling for town hall meetings for police reform in the community. He explained that policies can exist on a local level and still conflict with state laws at times. He explained that they are currently building an online resource and will continue to be engaged in relevant political and social happenings. HE explained that talking points for the future include racial profiling, discrimination, dealing with the mentally ill, dealing with animals, corruption, accountability, harassment, excessive force, the use of weapons, de-escalation policies, refacing image of police, community giveback, reducing force size, reducing budget, and bodycam policies. He feels that there are some common sense reforms that can be made, like the consideration of forgoing minor marijuana violations, and including the deliberate integration of minorities in local planning. He explained that offices should be able to stand down without punishment, and some of these things can happen right away. He explained that this can be discussed in the department and instituted by the Chief of Police. He would like to see this integrated on social media, and would like to see further amendments to the resolution.

FINANCE / BILLS

By Alderman Gonzalez, Seconded by Alderman Crawford

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 \$1,917,663.13 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.

ROLL CALL, AYES ALL. MOTION CARRIED.

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Mayor Aiello explained that this was discussed briefly during the last meeting, and that during the budget process a couple of years ago, funding was taken out of the budget for mosquito spraying with the understanding that it would be taken from contingency, if needed.

RESOLUTION #44-20

PL #34-20

By Alderman Witte, Seconded by Alderman Dougherty

TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT BETWEEN THE COUNTY OF CATTARAUGUS AND THE CITY OF OLEAN FOR MOSQUITO SPRAYING SERVICES FOR THE TERM MAY 1, 2020 THROUGH DECEMBER 31, 2020

WHEREAS, the County of Cattaraugus and the City of Olean have historically entered a contract to spray for mosquitoes; and

WHEREAS, the contract is beneficial to the City because of the health risks that mosquitoes may cause;

BE IT RESOLVED, that the Mayor is authorized to enter into and execute a contract between the County of Cattaraugus and the City of Olean for mosquito spraying services for the term May 1, 2020 through December 31, 2020.

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

A motion to amend the wording on Resolution #45-20 to reflect previous comments by Aldermen, including to create a committee to pursue diversity, inclusion and equality to be made up of community members and City officials, as well as making Olean a more welcoming place, was made by Alderman Witte, seconded by Alderman Crawford. Voice vote, ayes all. Motion carried.

Alderman Dougherty asked if there is clarity that the resolution is to support the movement, not the organization, as there may be some distinction that in some areas the organization may have turned to violence. Alderman Gonzalez encouraged him to interpret the phrase however he chooses, as he is confident in the wording.

RESOLUTION #45-20

PL #NONE

By Alderman Gonzalez, Seconded by Alderman Witte

RESOLUTION IN SUPPORT OF BLACK LIVES MATTER

WHEREAS, the City of Olean affirms its support of Black Lives Matter; and

WHEREAS, the City of Olean condemns the systematic and structural racism that has afflicted black Americans for centuries; and

WHEREAS, on May 31, 2020, several hundred community members peacefully marched through the City of Olean in protest of the killing of George Floyd, and the systemic injustices black people face every day; and

WHEREAS, the City of Olean affirms its support of those citizens and their right to peacefully protest; and

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WHEREAS, the City of Olean also condemns the circumstances surrounding the death of George Floyd and the systemic injustices black people face every day; and

WHEREAS, the City of Olean is committed to establishing a committee that will pursue diversity, inclusion and equality among community members, and to open a conversation and put together a committee for public conversation including the City of Olean Police Department and government, as well as members of the community;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council for the City of Olean is committed to assist in the elimination of any systemic injustices facing black people in the United States of America; and

BE IT FURTHER RESOLVED, that the Common Council remains committed to making the City of Olean a more welcoming, inclusive and safe community to all, regardless of race or ethnicity.

ROLL CALL, AYES ALL EXCEPT ALDERMAN PANUS AND ALDERMAN DAPALITO, WHO VOTED NAY. MOTION CARRIED.

RESOLUTION #46-20

PL #35-20

By Alderman Witte, Seconded by Alderman Crawford

TO CONCUR THAT THE CITY OF OLEAN PLANNING BOARD BE DECLARED AS LEAD AGENCY UNDER SEQRA FOR THE PROPOSED HISTORIC REHABILITATION AND ADAPTIVE REUSE OF THE FORMER FIRST NATIONAL BANK OF OLEAN AND SIEGEL'S SHOES INTO A MIXED USE COMPLEX BY SAVARINO COMPANIES, LLC

WHEREAS, Savarino Companies, LLC proposes the historic rehabilitation and adaptive reuse of the former First National Bank of Olean and Siegel's Shoes buildings into a mixed-use complex that will consist of 21 apartments, 8,000 square feet of office space and 5,000 square feet of retail space; and

WHEREAS, the City of Olean Planning Board has, pursuant to the New York State Environmental Quality Review Act (SEQRA), determined the proposed action to be a Type I Action and thus has prepared a Full Environmental Assessment Form and

WHEREAS, the City of Olean Planning Board desires to serve as Lead Agency for the purpose of conducting a coordinated environmental review of the proposed action in accordance with New York State SEQRA regulations; and

WHEREAS, the City of Olean Common Council has been identified as an involved/interested agency for the purposes of SEQRA review; and

WHEREAS, the City of Olean Planning Board has submitted a Notice of Intent to act as Lead Agency for this project and is requesting concurrence with said status;

NOW, THEREFORE, BE IT RESOLVED, that the City of Olean Common Council consents to the City of Olean Planning Board's request for Lead Agency status under SEQRA for the proposed historic rehabilitation and adaptive reuse of the former First National Bank of Olean and Siegel's Shoes into a mixed use complex by Savarino Companies, LLC.

IT IS FURTHER RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #47-20

PL #36-20

By Alderman Witte, Seconded by Alderman Dougherty

Journal of Proceedings

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

June 23, 2020

TO CONCUR THAT THE CITY OF OLEAN ZONING BOARD BE DECLARED AS LEAD AGENCY UNDER SEQRA FOR THE PROPOSED RENOVATIONS TO THE EXISTING TEMPLE B’NAI ISRAEL BUILDING AND CONSTRUCTION OF A 320 SQUARE FOOT ADDITION OFF THE REAR OF THE BUILDING BY THE OLEAN THEATER COMPANY

WHEREAS, the Olean Theater Company proposes renovations to the existing Temple B’Nai Israel building to include updates to bathrooms an seating with no major structural changes, as well as construction of a 320 square foot addition off the rear of the building for a new handicapped accessible entrance, theater area and secondary exit off the south east corner of the building; and

WHEREAS, the Olean Theater Company has applied for a Use Variance to the Zoning Board of Appeals and pursuant to the New York State Environmental Quality Review Act (SEQRA), the Zoning Board has determined the proposed action to be a Type 1 Action and thus has prepared a Full Environmental Assessment Form; and

WHEREAS, the City of Olean Zoning Board intends to serve as Lead Agency for the purpose of conducting a coordinated environmental review of the proposed action in accordance with New York State SEQRA regulations; and

WHEREAS, the City of Olean Common Council has been identified as an involved/interested agency for the purposes of SEQRA review; and

WHEREAS, the City of Olean Zoning Board has submitted a Notice of Intent to act as Lead Agency for this project and is requesting concurrence with said status;

NOW, THEREFORE, BE IT RESOLVED, that the City of Olean Common Council consents to the City of Olean Zoning Board’s request for Lead Agency status under SEQRA for the proposed renovations to the existing Temple B’Nai Israel building and construction of a 320 square foot addition off the rear of the building by the Olean Theater Company.

IT IS FURTHER RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #48-20
PL #33-20

By Alderman Anastasia, Seconded by Alderman DaPolito

TO AMEND THE CITY OF OLEAN CODE OF ORDINANCES SECTION 24-134 TO PROHIBIT PARKING ON THE EAST SIDE OF NORTH SIXTH STREET FROM ITS INTERSECTION WITH WAYNE STREET NORTH TO THE END OF THE STREET, AND TO AUTHORIZE THE INSTALLATION OF “NO PARKING” SIGNS ON THE EAST SIDE OF NORTH SIXTH STREET

RESOLVED, that Chapter 24, Article IV, Division 2, Section 24-134 of the Code of Ordinances of the City of Olean, New York is amended to include the following:

Sec. 24-134 Prohibited at all times.

When signs are erected giving notice thereof, it shall be unlawful for any person to park a vehicle at any time upon any of the following streets:

Street	Side	Extent
Sixth Street, North	East	From its intersection with Wayne Street north to the end of the street

RESOLVED, that this Resolution shall be effective immediately.

Journal of Proceedings

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

June 23, 2020

ROLL CALL, AYES ALL. MOTION CARRIED.

EXECUTIVE SESSION

A motion to enter into executive session to discuss the proposed acquisition or sale of real property was made by Alderman Gonzalez, seconded by Alderman Crawford. Voice vote, ayes all. Motion carried. Executive session began at approximately 8:25 p.m.

A motion to adjourn from executive session was made by Alderman Crawford, seconded by Alderman Gonzalez. Voice vote, ayes all. Motion carried. Executive session adjourned at approximately 8:35 p.m.

ADJOURNMENT

Motion to adjourn was made by Alderman Gonzalez, seconded by Alderman Anastasia. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 8:35 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, 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.

Lens Martial, City Clerk