

Journal of Proceedings

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

September 22, 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, September 22, 2020 at 6:35 p.m.

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

ABSENT: *None*

OFFICIALS: *Mayor William Aiello; Lens Martial, City Clerk; Nicholas DiCerbo, Jr., City Attorney; Fred Saradin, City Auditor; 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 September 8, 2020 meeting was made by Alderman Gonzalez, seconded by Alderman Crawford. Voice vote, ayes all. Motion carried.

COMMITTEE REPORTS & UNFINISHED COUNCIL BUSINESS

None

COMMUNICATIONS FROM THE MAYOR

Special Proclamation for Patrolman Dan McGraw, School Resource Officer of the Year

MISCELLANEOUS COMMUNICATIONS

None

CITY OFFICIAL REPORTS

Monthly Report of the City Auditor, month ended August 2020

Quarterly Report of the City Auditor, three months ended August 31, 2020

PROPOSED LEGISLATION AND REFERRALS

PL #52-20: (Aiello) To authorize the Mayor to execute a Cost Plus Fixed Fee Consultant Agreement with C&S Companies for the Construction Observation and Administration portion of the SRE Pavement Reconstruction Project at the Cattaraugus County – Olean Airport. Referred to Regular Meeting Tuesday, September 22, 2020 for Resolution by Council President.

PL #53-20: (Aiello) To authorize the Mayor to enter into an agreement between the Unified Court System and the City of Olean for Court Cleaning and Minor Repairs. Referred to Regular Meeting Tuesday, September 22, 2020 for Resolution by Council President.

PL #54-20: (Aiello) To authorize the Mayor to sign an intergovernmental agreement

Journal of Proceedings

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

September 22, 2020

between City of Olean Fire Department and New York State Homeland Security and Emergency Services for the temporary loan of fire suppression foam equipment. Referred to Regular Meeting Tuesday, September 22, 2020 for Resolution by Council President.

PL #55-20: (Aiello) To create a Capital Fund for the Cyber Attack Insurance Premiums. Referred to Regular Meeting Tuesday, September 22, 2020 for Resolution by Council President.

PUBLIC COMMENT/INPUT

Renee Williams of 325 North Fifth Street explained that she is here because she received a call from the Water Department to advise her that water was running in her rental dwelling at a rate of 300 gallons per hour for 11 days. She explained that she is upset that it took so long to notify her about the issue, and feels that there has to be some way to catch this sooner to let residents know sooner. She explained that she now has a water bill of \$1434.40 for a use of 85,000 gallons of water. She explained that she will be making her tenant pay this, and Mayor Aiello is allowing her to make installment payments, which she truly appreciates. She explained that there has to be a way with technology to let residents know sooner if there is an issue, and the property could have been destroyed in this time if this was a real leak and not just a toilet leaking.

Mandy Bushnell explained that she is the Olean Women's League Softball commissioner, and she presented a handout to the Council. She explained that for decades, men's and women's softball have been staples of adult recreation in the area. She explained that lighting at Marcus Park was struck by lightning and no longer works, and there is only one Forness field with lights. She explained that these lighting issues and bathroom facilities were discussed by the Council in 2014 and the OLDC in 2018. She explained that the greatest need is for lighting, but that batters boxes also need updating and field 10 needs work done to make it usable. She explained that if 50 people attend one game and each spends \$20 in Olean after leaving the game, then with the number of games per week, \$30,000 a week minimum is being spent in Olean. She would like to see more people come from out of town and more money being spent to the City. She explained that her organization brings something to the table, and is willing to help out, do fundraising and look for grants to help fix up the softball facilities. She explained that this has been discussed in the past but it keeps being kicked down the road. She would like to see this treated as more of a priority.

Alderman Anastasia asked if the issue of the softball fields should be referred to Mr. Shewairy, and Alderman Gonzalez explained that it is probably more of a DPW issue. Mayor Aiello explained that the City applied for but did not receive grants through ESD, and there was a trail planned for Forness that also did not receive grant funding. He explained that we are looking for money, and he realizes that everything has to be updated. He explained that the City could put together a plan for the upgrades, but he seems to remember that there was an issue adding lights due to tying the electric into East State Street.

Mayor Aiello explained that the Equity and Inclusion Committee has been established, and everyone who was chosen for the committee has agreed to be on it. He explained that community committee members are Christopher Brown, Sharlene Daniels, Daniel Gayton, and Michelle Robinson; alternate committee members are Gary Harvey and Richard Snyder; and Council committee members are Linda Witte and John Crawford. He explained that Linda Witte will serve as Chairman of the committee.

Journal of Proceedings

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

September 22, 2020

FINANCE / BILLS

By Alderman Witte, 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 \$1,195,433.93 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.

RESOLUTIONS

Mr. Ring explained that the latest FAA grant is for the Inspection and Construction Administration for the SRE Pavement Reconstruction Project at the airport. He explained that this is 95% funded. Originally, he thought that the project would be completed in the fall, but now it likely won't start until spring. He explained that this is roughly a \$300,000 project.

Alderman Crawford asked what the status of the airport is today, and if it has been used during the shutdown. Mr. Ring explained that it is regularly used similar to before COVID, but that there is some protection in place for planes that are coming from states with mandatory quarantine. He explained that it is still being maintained, and projects are being planned as usual. Alderman Witte asked if there are any empty hangars, and Mr. Ring explained that they are full and that there is a waiting list.

Alderman Anastasia asked if the County still contributes to the airport. Mayor Aiello explained that they contribute \$17,000 annually, and we are working on getting more.

RESOLUTION #69-20

PL #52-20

By Alderman Panus, Seconded by Alderman Dougherty

TO AUTHORIZE THE MAYOR TO EXECUTE A COST PLUS FIXED FEE CONSULTANT AGREEMENT WITH C&S COMPANIES FOR THE CONSTRUCTION OBSERVATION & ADMINISTRATION PORTION OF THE SRE PAVEMENT RECONSTRUCTION PROJECT AT THE CATTARAUGUS COUNTY – OLEAN AIRPORT

WHEREAS, C&S Companies has presented a proposal for required services for the Construction Observation and Administration portion of the SRE Pavement Reconstruction Project at the Cattaraugus County – Olean Airport with grant assistance from the Federal Aviation Administration (FAA) Airport Improvement Program (AIP) and the New York State Department of Transportation (NYSDOT); and

WHEREAS, the proposal includes construction contract administration and full-time construction observation during the full depth reconstruction of approximately 10,000 square feet of pavement directly in front of the SRE building; and

WHEREAS, C&S Companies shall also assist the City of Olean in the preparation of paperwork required to secure funds from the FAA and NYSDOT for the Project;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Olean authorizes the Mayor to execute a Cost Plus Fixed Fee Consultant Agreement with C&S

Journal of Proceedings

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

September 22, 2020

Companies for the Construction Observation and Administration portion of the SRE Pavement Reconstruction Project at the Cattaraugus County – Olean Airport.

RESOLVED, that this Resolution is effective immediately.

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

RESOLUTION #70-20

PL #53-20

By Alderman Witte, Seconded by Alderman Gonzalez

TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE UNIFIED COURT SYSTEM AND THE CITY OF OLEAN FOR COURT CLEANING AND MINOR REPAIRS

WHEREAS, the City of Olean pursuant to Section I of the existing contract between the City of Olean and the Unified Court System a renewal period may be established in the five-year term of the agreement; and

WHEREAS, a proposed renewal period shall commence retroactively to April 1, 2020 and shall terminate on March 31, 2021, during which all terms and conditions of the above-referenced contract shall continue to apply, except as specified below; and

WHEREAS, the proposed budget for services to be rendered pursuant to the contract in the 2020-2021 period shall be \$35,599, the maximum payment of which is 100% of that amount; and

WHEREAS, the City of Olean desires to continue providing court cleaning and minor repair services to the New York State Unified Court System in exchange for payment;

BE IT RESOLVED, that the Common Council of the City of Olean hereby authorizes the Mayor to enter into an agreement between the Unified Court System and the City of Olean for Court Cleaning and Minor Repairs.

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #71-20

PL #54-20

By Alderman Dougherty, Seconded by Alderman Witte

RESOLUTION TO AUTHORIZE THE MAYOR TO SIGN AND SUBMIT AN INTERGOVERNMENTAL AGREEMENT BETWEEN CITY OF OLEAN FIRE DEPARTMENT AND NEW YORK STATE HOMELAND SECURITY AND EMERGENCY SERVICES FOR THE TEMPORARY LOAN OF FIRE SUPPRESSION FOAM EQUIPMENT

RESOLVED, that the Mayor is authorized to sign an Intergovernmental Agreement between the City of Olean Fire Department and the New York State Homeland Security and Emergency Services for temporary loan of fire suppression foam equipment.

RESOLVED, that this Resolution will be effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #72-20

PL #55-20

By Alderman Crawford, Seconded by Alderman Witte

RESOLUTION TO CREATE CAPITAL FUND FOR THE CYBER ATTACK INSURANCE PREMIUMS

Journal of Proceedings

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

September 22, 2020

RESOLVED, that a Capital Fund #200 account shall be created to fund a reserve for the payment of Cyber Attack Insurance premiums.

BE IT FURTHER RESOLVED, that the Common Council hereby authorizes the Auditor to deposit and / or transfer of monies about to be received from Trident Insurance Company in the amount of \$79,592.92 into this newly created Capital Fund #200.

RESOLVED, that this Resolution will be effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

ADJOURNMENT

Motion to adjourn was made by Alderman Gonzalez, seconded by Alderman Anastasia. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 7:05 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