

Journal of Proceedings

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

November 23, 2021

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, November 23, 2021 at 6:25 p.m.

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

ABSENT: *Alderman Barnard*

OFFICIALS: *Mayor William Aiello; Lens Martial, City Clerk; Fred Saradin, City Auditor; Keri Kerper, Community Development Program Coordinator, 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 November 9, 2021 meeting was made by Alderman Crawford, seconded by Alderman Anastasia. Voice vote, ayes all. Motion carried.

COMMITTEE REPORTS & UNFINISHED COUNCIL BUSINESS

Report from Committee of the Whole on PL #76-21, to enact a local ordinance pursuant to the City of Olean Charter Section 2.044 (a) to equalize the Council Salary from \$3,500, as set in 1991, to \$5,500; effective January 1, 2023. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #77-21, to enact a local ordinance pursuant to the City of Olean Charter Section 2.044 (b) to equalize the Council President's stipend from \$500, as set in 1991, to \$1,000; effective January 1, 2023. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #78-21, that the Project Loan Committee recommends that the City subordinate its lien position for Olean Homeownership Assistance Program Application #02-00. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #79-21, that the Project Loan Committee recommends that the City subordinate its lien position for Olean Homeownership Assistance Program Application #03-00. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #80-21, to authorize the transfer of \$13,613.76 of uncommitted program income from New York State administered CDBG grants currently on hand from the First Time Homebuyer Account to line item 3650.447, Demolition of Unsafe Buildings. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #81-21, to confirm the Mayoral Appointment of Lens Martial as City Auditor. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #82-21, to authorize free parking on West State Street and North Union Street, as well as in all City of Olean parking lots, on

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*November 26, 2021 through January 3, 2022. Committee recommends approval.
Referred to City Attorney for Resolution.*

COMMUNICATIONS FROM THE MAYOR

Mayor Aiello explained that the City received another check from Bird Scooters for \$278.50, which puts our total close to \$1,200.

Mayor Aiello explained that the City of Olean was not successful in obtaining RAISE funding for the West State Street Project. He explained that we will keep our eyes open to see if we can apply again. He thanked Ms. Kerper and Mr. Ring for their hard work and quick turnaround to get the application in.

MISCELLANEOUS COMMUNICATIONS

None

CITY OFFICIAL REPORTS

None

PROPOSED LEGISLATION AND REFERRALS

PL #78-21: (Aiello) That the Project Loan Committee recommends that the City subordinate its lien position for Olean Homeownership Assistance Program Application #02-00. Referred to Committee of the Whole Tuesday, November 23, 2021 by Council President.

PL #79-21: (Aiello) That the Project Loan Committee recommends that the City subordinate its lien position for Olean Homeownership Assistance Program Application #03-00. Referred to Committee of the Whole Tuesday, November 23, 2021 by Council President.

PL #80-21: (Aiello) To authorize the transfer of \$13,613.76 of uncommitted program income from New York State administered CDBG grants currently on hand from the First Time Homebuyer Account to line item 3650.447, Demolition of Unsafe Buildings. Referred to Committee of the Whole Tuesday, November 23, 2021 by Council President.

PL #81-21: (Aiello) To confirm the Mayoral appointment of Lens Martial as City Auditor. Referred to Committee of the Whole Tuesday, November 23, 2021 by Council President.

PL #82-21: (Aiello) To authorize free parking on West State Street and North Union Street, as well as in all City of Olean parking lots, on November 26, 2021 through January 3, 2022. Referred to Committee of the Whole Tuesday, November 23, 2021 by Council President.

PUBLIC COMMENT/INPUT

Alderman Witte explained that COVID numbers are continuing to rise in the community and we continue to lose people. She explained that until we get more people vaccinated, wearing masks and staying away from other people, then we won't get through this. She explained that everyone needs to do their part. Alderman Anastasia explained that he saw on the news that Erie County has imposed a mask mandate with a 9.7 percent positive rate, while Cattaraugus County has a 13% positive rate. He asked if the County will be imposing restrictions. Alderman Witte explained that there was an article in the paper regarding this but that no decisions were made. She explained that there is a whole floor at Olean General filled with

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COVID patients and at least 8 are in the ICU. She explained that this is serious and she wishes that people were taking this seriously.

Alderman Crawford explained that for the month of December, Council meetings will be held via Zoom. He asked what the City is doing in order to protect employees. Mayor Aiello explained that he put out a directive that if you are not vaccinated or don't want to show proof of vaccination that you need to wear a mask. He explained that the building is posted that if you are not fully vaccinated, then you need to wear a mask. He explained that we will act under the direction of the Cattaraugus County Health Department and may go to full masks. He explained that if this keeps getting more serious, we may lock the building down again. Alderman Crawford explained that he is in complete agreement with this and he thinks that this is reasonable.

FINANCE / BILLS

By Alderman Witte, Seconded by Alderman Panus

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 \$900,409.09 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

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

A motion to amend the agenda to include Resolution #96-21 was made by Alderman Crawford, seconded by Alderman Robinson. Voice vote, ayes all. Motion carried.

RESOLUTION #88-21

PL #76-21

By Alderman Crawford, Seconded by Alderman Gonzalez

TO ENACT A LOCAL ORDINANCE PURSUANT TO THE CITY OF OLEAN CHARTER SECTION 2.044 (A) TO EQUALIZE THE COUNCIL SALARY FROM \$3,500, AS SET IN 1991, TO \$5,500; EFFECTIVE JANUARY 1, 2023

WHEREAS, the Common Council desires to amend the Common Council annual salary pursuant to the City of Olean Charter Section 2.044 (a) to equalize the Council Salary from \$3,500, as set in 1991, to \$5,500;

RESOLVED, that the City of Olean Charter Section 2.044 (a) is hereby amended to increase the Common Council salary from \$3,500 per annum to \$5,500 per annum.

RESOLVED, that this Resolution is hereby effective on January 1, 2023.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #89-21

PL #77-21

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By Alderman Crawford, Seconded by Alderman Gonzalez

TO ENACT A LOCAL ORDINANCE PURSUANT TO THE CITY OF OLEAN CHARTER SECTION 2.044 (B) TO EQUALIZE THE COUNCIL PRESIDENT’S STIPEND FROM \$500, AS SET IN 1991, TO \$1,000; EFFECTIVE JANUARY 1, 2023

WHEREAS, the Common Council desires to amend the Common Council President’s annual stipend pursuant to the City of Olean Charter Section 2.044 (b) to equalize the Council President’s stipend from \$500, as set in 1991, to \$1,000;

RESOLVED, that the City of Olean Charter Section 2.044 (b) is hereby amended to increase the Common Council President’s stipend from \$500 per annum to \$1,000 per annum.

RESOLVED, that this Resolution is hereby effective on January 1, 2023.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #91-21

PL #78-21

By Alderman Crawford, Seconded by Alderman Robinson

THAT THE PROJECT LOAN COMMITTEE RECOMMENDS THAT THE CITY SUBORDINATE ITS LIEN POSITION FOR OLEAN HOMEOWNERSHIP ASSISTANCE PROGRAM APPLICATION #02-00

WHEREAS, the Department of Community Development received a request from one first-time homebuyer to subordinate the City’s lien positions with respect to the grant/loan funds provided to the applicant under the Olean Homeownership Assistance Program; and

WHEREAS, the City of Olean’s Project Loan Committee has received said request and recommends approval of the following application:

OHAP #02-00;

NOW, THEREFORE, BE IT RESOLVED, that the City of Olean approves the above-referenced request and authorizes the Mayor to execute the respective subordination agreements pending the City Attorney’s review and approval.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #92-21

PL #79-21

By Alderman Panus, Seconded by Alderman Anastasia

THAT THE PROJECT LOAN COMMITTEE RECOMMENDS THAT THE CITY SUBORDINATE ITS LIEN POSITION FOR OLEAN HOMEOWNERSHIP ASSISTANCE PROGRAM APPLICATION #03-00

WHEREAS, the Department of Community Development received a request from one first-time homebuyer to subordinate the City’s lien positions with respect to the grant/loan funds provided to the applicant under the Olean Homeownership Assistance Program; and

WHEREAS, the City of Olean’s Project Loan Committee has received said request and recommends approval of the following application:

OHAP #03-00;

NOW, THEREFORE, BE IT RESOLVED, that the City of Olean approves the above-referenced request and authorizes the Mayor to execute the respective subordination agreements pending the City Attorney’s review and approval.

ROLL CALL, AYES ALL. MOTION CARRIED.

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RESOLUTION #93-21

PL #80-21

By Alderman Anastasia, Seconded by Alderman Witte

RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE FIRST TIME HOMEBUYER ACCOUNT TO LINE ITEM 3650.447

RESOLVED, that the following transfer of uncommitted program income from New York State administered CDBG grants currently on hand be authorized for costs associated with the demolition of unsafe buildings.

<u>Account</u>	<u>Description-General</u>	<u>Transferred from</u>	<u>Transferred to</u>
CB1-1-200.000	First Time Homebuyer	\$13,613.76	
A-01-5-3650.447	Demolition of Unsafe Buildings		\$13,613.76

BE IT FURTHER RESOLVED, that this Resolution will be effective immediately.
ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #94-21

PL #81-21

By Alderman Crawford, Seconded by Alderman Robinson

RESOLUTION CONFIRMING THE MAYORAL APPOINTMENT OF LENS MARTIAL AS CITY AUDITOR

RESOLVED, that the appointment of Lens Martial as Auditor of the City of Olean is hereby approved.

IT IS FURTHER RESOLVED, that this appointment shall be effective December 11, 2021.
ROLL CALL, AYES ALL. MOTION CARRIED.

Mr. Martial thanked the Council, the Mayor, and the team in his office. He thanked everyone for the opportunity to serve as City Clerk for the past four years and explained that it has been nothing but an honor. He explained that the City Auditor position is a big position to fill and he asked for patience and understanding as he learns the position. He explained that he is looking forward to working with the Mayor, Council, and Department Heads as a team for betterment of the City.

RESOLUTION #95-21

PL #82-21

By Alderman Witte, Seconded by Alderman Panus

RESOLUTION AUTHORIZING FREE PARKING ON WEST STATE STREET AND NORTH UNION STREET, AS WELL AS IN ALL CITY OF OLEAN PARKING LOTS, ON NOVEMBER 26, 2021 THROUGH JANUARY 3, 2022

IT IS RESOLVED, that there shall be free parking on West State Street and North Union Street, as well as in all City of Olean parking lots, on November 26, 2021 through January 3, 2022.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #96-21

PL #NONE

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By Alderman Witte, Seconded by Alderman Crawford

RESOLUTION CONFIRMING THE MAYORAL APPOINTMENT OF FRANK CAPUTO AS CITY CLERK

RESOLVED, that the appointment of Frank Caputo as Clerk of the City of Olean is hereby approved.

IT IS FURTHER RESOLVED, that this appointment shall be effective December 13, 2021.
ROLL CALL, AYES ALL. MOTION CARRIED.

ADJOURNMENT

Motion to adjourn was made by Alderman Crawford, seconded by Alderman Gonzalez. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 6:50 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