

REGULAR MEETING OF THE COMMON COUNCIL

Tuesday, October 14, 2014 – 6:35 p.m.

Olean Municipal Building - Council Chambers

1. ROLL-CALL

2. INVOCATION

3. PLEDGE

4. READING, CORRECTING, AND APPROVAL OF THE MINUTES OF THE PREVIOUS REGULAR MEETING:

“The Regular Meeting of the Olean Common Council was held on Tuesday, September 23, 2014 at 6:50 p.m.”

PRESENT: Alderman McLaughlin, leFeber, Gonzalez, Barnard, Finch, Smith, and Jester

ABSENT: None

OFFICIALS: Mayor William Aiello; Al Utecht, City Clerk; Nicholas DiCerbo, Jr., City Attorney; Tom Windus, Director of Public Works; John Anastasia, Youth & Recreation Director; Bob Bell, Fire Chief; Jeff Rowley, Police Chief, and Tiffany Lyman, Managerial Confidential Administrative Secretary.

5. COMMITTEE REPORTS AND UNFINISHED COUNCIL BUSINESS

Report from Public Safety Committee on PL #102-14, to authorize the Mayor to sign an easement between the City of Olean and the Olean School District for the purpose of an aerial walkway connecting the Intermediate Middle School to the High School. Committee recommends approval. Referred to Committee of the Whole.

6. COMMUNICATIONS FROM THE MAYOR

Special recognition of those who adopted planters in the City of Olean

7. MISCELLANEOUS COMMUNICATIONS

8. CITY OFFICIAL REPORTS

9. PROPOSED LEGISLATION & REFERRALS

PL #109-14: (Finch) To authorize the installation of “STOP” signs and designating that all traffic shall stop before proceeding at all corners at the intersection of Reed Street and North Eighth Street. *Referred by Council President to Public Safety Committee.*

PL #110-14: (Gonzalez) To authorize the upgrade of nine (9) existing lighting fixtures by National Grid located on Garfield Court, Grant Street, Monroe Terrace, and Ohio Street in the City of Olean. *Referred by Council President to Committee of the Whole Tuesday, October 28, 2014.*

PL #111-14: (McLaughlin) To reschedule the November 11, 2014 Regular Meeting of the Olean Common Council in observance of Veteran's Day. *Referred by Council President to Committee of the Whole Tuesday, October 28, 2014.*

PL #112-14: (Aiello) To authorize the Mayor to sign a Grant Agreement with the County of Cattaraugus to accept funding assistance for the Olean Municipal Airport Capital Improvements Project. *Referred by Council President to Committee of the Whole Tuesday, October 28, 2014.*

10. PUBLIC COMMENT / INPUT (5 MINUTE LIMIT PER SPEAKER)

11. FINANCE / BILLS

12. RESOLUTIONS

RESOLUTION #95-14

PL #104-14

By Alderman _____, Seconded by Alderman _____

RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO THE UPDATED ORDER ON CONSENT AS SUBMITTED BY NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

WHEREAS, since 2001 the City of Olean has entered into a succession of Consent Orders with the New York State Department of Environmental Conservation aimed at bringing discharges from its waste water treatment plant into compliance with SPDES effluent limits, and

WHEREAS, on June 18, 2014, the City received a proposed updated Order on Consent from the Department of Environmental Conservation, setting forth an achievable timeline for bringing the City's waste water treatment plant into compliance with SPDES requirements,

RESOLVED, that the Mayor is authorized to enter into and execute the updated Order on Consent as submitted by the New York State Department of Environmental Conservation.

IT IS FURTHER RESOLVED, that this Resolution will be effective immediately.

RESOLUTION #96-14

PL #105-14

By Alderman _____, Seconded by Alderman _____

**AUTHORIZING THE MAYOR TO EXECUTE A LEASE AGREEMENT WITH ST. JOHN'S FOR THE USE
OF THE FACILITY LOCATED AT 921 NORTH UNION STREET, OLEAN**

WHEREAS, the City of Olean offers free supervised open recreation known as the St. John's Recreation Program to provide children the opportunity to enjoy their recreational pursuits in a safe, enjoyable environment; and

WHEREAS, the St. John's Recreation Program offers a wide variety of recreational activities and special events in the gymnasium and game room throughout the season;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor is hereby authorized to enter into and execute a Lease Agreement with St. John's Roman Catholic Church Society of Olean for the use of the premises located at 921 North Union Street for the Division of Youth and Recreation Supervised Open Recreation Program from September 3, 2014 to June 17, 2016.

IT IS FURTHER RESOLVED, that this Resolution will be effective immediately.

RESOLUTON #97-14

PL #106-14

By Alderman _____, Seconded by Alderman _____

**TO APPOINT THOMAS BUTLER TO THE BOARD OF ASSESSMENT REVIEW IN ACCORDANCE WITH
REAL PROPERTY TAX LAW SECTION 523(1)(B)**

WHEREAS, the Mayor has nominated Thomas Butler to serve another term on the Board of Assessment Review,

RESOLVED, that the Common Council hereby appoints Thomas Butler to the Board of Assessment Review for a term commencing October 1, 2014 and expiring September 30, 2019.

RESOLUTION #98-14

PL #108-14

By Alderman _____, Seconded by Alderman _____

**RESOLUTION AUTHORIZING THE MAYOR TO SIGN A REVISED INCENTIVE PROPOSAL FROM NEW
YORK STATE EMPIRE STATE DEVELOPMENT IN CONNECTION WITH THE NORTH UNION
COMPLETE STREET TRANSFORMATION PROJECT**

WHEREAS, the City of Olean was awarded \$1,000,000 in grant funds from New York State Empire State Development (ESD) in connection with an application submitted through the Consolidated Funding Application Process for the North Union Street Properties Project, and

WHEREAS, ESD has offered a financial incentive package to the City to assist with comprehensive downtown redevelopment efforts, and

WHEREAS, the original Incentive Proposal from the ESD has been revised to redistribute a portion of funding originally allocated for the Manufacturers Hanover building to the North Union Street (NUS) Reconstruction project, and

WHEREAS, the portion of funding redistributed to the North Union Street Reconstruction Project is \$600,000, based on additional project expenditures of approximately \$4,962,000 in street and streetscape reconstruction (aggregate total expenditures of \$5,182,000),

NOW, THEREFORE, BE IT RESOLVED, that the Common Council authorizes the Mayor to sign a revised Incentive Proposal from New York State Empire State Development in connection with the North Union Complete Street Transformation Project.

RESOLVED, that this Resolution is effective immediately.

RESOLUTION #99-14

PL #102-14

By Alderman _____, Seconded by Alderman _____

**RESOLUTION AUTHORIZING THE MAYOR TO SIGN AN EASEMENT BETWEEN THE CITY OF
OLEAN AND THE OLEAN SCHOOL DISTRICT FOR THE PURPOSE OF AN AERIAL WALKWAY
CONNECTING THE INTERMEDIATE MIDDLE SCHOOL TO THE HIGH SCHOOL**

WHEREAS, the City of Olean is the owner of a public right-of-way known as “Reed Street” in the City of Olean, New York, and

WHEREAS, the Olean School District is the owner of an aerial walkway connection their Intermediate Middle School to their High School which is suspended over Reed Street between North Third and North Fourth Streets in the City of Olean, New York, and

WHEREAS, the aerial space which is the subject of the easement is not currently being used by the City for a municipal purpose,

NOW, THEREFORE, BE IT RESOLVED, that the Common Council authorizes and directs the Mayor to sign an easement between the City of Olean and Olean School District.

RESOLVED, there will be no fee to the Olean School District for this easement.

RESOLVED, that the Olean School District agrees that the easement shall not be transferrable or assignable without the written consent of the City.

RESOLVED, that the City will grant the Olean School District a permanent easement for the aerial space above Reed Street between North Third and North Fourth Street in the City of Olean, New York.

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

13. ADJOURNMENT