

**TOWN OF OLEAN MINUTES OF REGULAR MONTHLY MEETING,
ORGANIZATIONAL MEETING,
AND PUBLIC HEARING
OLEAN TOWN HALL 2634 RT 16 NORTH, OLEAN NY 14760
JANUARY 19, 2021 6:00 PM**

PRESENT : Annette Parker-----Supervisor
Scott Zink-----Councilman
Jamie Geise-----Town Clerk
John Artlip-----Councilman
Joshua Torrey-----Councilman
Pat Zink-----Highway Superintendent
Donna Howard-----Councilwoman
Jerry Dzuroff-----Code Enforcement Officer

ABSENT : None

RECOGNITION OF OTHERS: None

Supervisor Parker called the meeting to order at 6:30 P.M. with the Pledge to the Flag.

PUBLIC HEARING – CDBG PROJECT #842PR120-18- INDIANA AVENUE SEWER

Supervisor Parker declared the public hearing open at 6:30 pm.

The notice of said Public Hearing was duly published in the Olean Times Herald on January 6, 2021 and January 11, 2021, with the same being posted on the Town of Olean website.

With no public in attendance, Supervisor Parker closed the meeting at 7:00 p.m.

Resolution 1 (R:011921)

RESOLUTION ADOPTING A TOWN OF OLEAN FAIR HOUSING PLAN AND DESIGNATING A TOWN OF OLEAN FAIR HOUSING OFFICER

On motion of Councilwoman Howard, seconded by Councilman Zink, the following resolution was

ADOPTED: Ayes 4 Howard, Zink, Artlip, Torrey

Nays 0

WHEREAS, the Town of Olean is a recipient of the community Development Block Grant (CDBG) funding through the United States Department of Homes and Community Renewal, administered by the New York State Governor's Office for Small Cities; and

WHEREAS, the rules and regulations governing the Community Development Block Program require that the Town of Olean is responsible for taking specific actions to affirmatively further fair housing (AFFH) practices in the Town of Olean; now, therefore, be it

RESOLVED, that it is the policy of the Town of Olean to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, sex, handicap or disability, or familial status or national origin, and that discrimination in the sale, rental, leasing, financing of housing to be used for construction of housing, or in the provision of brokerage services, because of race, color, religion, ancestry, sex national origin, handicap or disability, is prohibited by Title VIII of the Civil Rights Act of 1968 (Federal Housing Law); and be it further

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RESOLVED, that the Town of Olean will undertake the following AFFH actions within one (1) year of the award of CDBG funds:

1. Display fair housing posters and distribute fair housing materials prepared by New York State, the municipality, U.S. Department of Housing and Urban Development (HUD), or fair housing organizations to community residents, landlords, real estate professional and lenders;
2. Hold an annual public meeting to address fair housing issues and obtain community input;
3. Elected officials, municipality staff in charge of planning, zoning, building, housing, community and economic development, and their third-party consultants attend and online fair housing training seminar; and be it further

RESOLVED, that Annette M Parker, Town Supervisor of the Town of Olean, shall be designated as the Fair Housing Officer for the Town of Olean for the 2021 Fiscal Year; and be it further

RESOLVED, that the position of Fair Housing Officer shall be renewed annually.

RESOLVED, that the Town Board may, on its own initiative or on petition, amend, supplement, or repeal the provisions of this resolution in conformity with applicable rules and regulations and in their interpretation and application, the provisions of this resolution shall be held to be minimum requirements, adopted for the promotion of the public health, morals, safety, or the general welfare. Whenever the requirements of this resolution are at variance with the requirements of any other lawfully adopted rules, regulations, or ordinances, the most restrictive, or that imposing the highest standards, shall govern; and be it further

RESOLVED, that this Resolution shall take effect immediately.

Resolution 2 (R:010221)

APPROVAL OF MINUTES

On a motion of Councilman Artlip, seconded by Councilwoman Howard, the following resolution was

ADOPTED: Ayes 4 Artlip, Howard, Torrey, Zink

Nays 0

RESOLVED, that the minutes of December 15, 2020 Monthly Meeting be approved.

Resolution 3 (R:010321)

ADOPTING ABSTRACTS

On a motion of Councilman Artlip, seconded by Councilwoman Howard, the following resolution was

ADOPTED: Ayes 4 Artlip, Howard, Torrey, Zink

Nays 0

RESOLVED, that the following bills have been reviewed by the Town Board and are authorized for payment in the following amounts:

Highway Fund Nos. 222-242 \$6,904.99

General Fund Nos. 155-173 \$14,490.53

Resolution 4 (R:010421)

APPROVAL ON NOVEMBER'S MINUTES

On a motion of Councilwoman Howard, seconded by Councilman Zink, the following resolution was

ADOPTED: Ayes 4 Howard, Zink, Artlip, Torrey

Nays 0

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RESOLVED, that the minutes of November 17, 2020 Monthly Meeting be approved.

Resolution 5 (R:010521)

GRIEVANCE PROCEDURE

On a motion of Councilman Artlip, seconded by Councilman Zink, the following resolution was

ADOPTED: Ayes 4 Artlip, Zink, Howard, Torrey

Nays 0

RESOLVED that the Town has adopted an internal grievance procedure for the Town's policy not to discriminate on the basis of disability.

All members of the Town Board agreed to displaying the Equal Employment Opportunity Policy on the bulletin board at the Town Hall.

REPORT OF TOWN OFFICIALS

SUPERVISOR

- The monthly bank statements were presented for review by the Board.
- Supervisor Parker said that the Indiana Avenue Sewer Project is complete. The Highway Department put in new drainage pipes in driveways, installed a large culvert, ground the road, prepped it for paving, paved the road, and corrected some drainage problems. The Town paid some money for professional fees and attorney fees that were not covered by the grant. All other costs were covered by the CDBG grant. Seven lateral connections into the new sewer line were installed by Genesee Valley Construction. The Town was granted \$250,000 and used \$247,473.77 so there was no cost to any of the residents.
- A satisfactory report was given to the Town of Olean from the Department of Agriculture and markets on the Town's kennel.
- Supervisor Parker would like to schedule a work meeting after the regular meeting on February 16th with the Board to discuss the information previously distributed to them on solar farms. All agreed.
- An Equal Employment Opportunity Policy statement will be displayed on the Town's bulletin board. All members of the Town Board agreed.
- A list of names and dates was made for the individuals who watched the Fair Housing Training video.
- The Town Board approved and signed the agreement with Catt. Co to spend Highway funds.
- The 2021 Organizational Resolution was approved by the Town Board and signed.

Resolution 6(R:010621)

BOND FOR 2021 KENWORTH TRUCK

On a motion of Councilman Zink, seconded by Councilman Artlip, the following resolution was

ADOPTED: Ayes 3 Zink, Artlip, Howard

Nays 1 Torrey

RESOLVED, that the Board agrees to the five year Bond in the amount of \$198,983.00 at 3.50% to purchase the 2021 Kenworth Truck. See attachments (Pages 5 thru 8).

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SUPERINTENDENT OF HIGHWAYS

- Guiderail on East River Road was repaired for the second time.
- Private Road signs are all installed.
- A report was filed to National Grid on the streetlights.
- All the fluorescent lights at the Highway Garage have been replaced with LED lights.
- The septic tank at the Highway Garage has been pumped out.
- Four residents on Godfrey Hollow, twelve residents on David Drive and the Highway Garage are interested in connecting to the gas line. A meeting will be held to give the layout information on cost.
- The sewer line for property on Cherry Street will be connected after February 1st.
- The bathroom has been refurbished in the Town Garage.
- The mower deck, given to the Town last year, will be rebuilt for \$2,000.
- The 2013 Kenworth pickup truck went to auction January 5th and was sold for \$57,625.00. It was picked up the next day.
- The new pickup truck should be delivered in March.

CODE ENFORCEMENT OFFICER

Code Enforcement Officer Jerry Dzuroff submitted a list of permits and complaints for November 18, 2020 – January 19, 2021.

JUSTICE REPORTS

None

TOWN CLERK

A check (#1214) in the amount of \$83.00 was submitted to Supervisor Parker for the month of December for the total of the following amounts:

REVENUE ACCOUNT #2544 DOG PERMITS: \$58.00 (\$60.00 collected, \$2.00 paid for December to the NYS Department of Agriculture and Markets for the spay and neuter program)

REVENUE ACCOUNT #2555 BLDG/ALTER DEMO PERMITS: \$0

REVENUE ACCOUNT #1603 VITALS: \$0

REVENUE ACCOUNT #2501 BUS & OCC LICENSES: \$25.00

With no further business, on a motion of Councilwoman Howard, seconded by Councilman Zink, the meeting was adjourned at 7:30 p.m. Carried unanimously.

Respectfully submitted,

Jamie Geise, Olean Town Clerk

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EXTRACT OF MINUTES

Meeting of the Town Board of the Town
of Olean in the County of
Cattaraugus, New York

A meeting of the Town Board of the Town of Olean, in the County of Cattaraugus, New York, was held at the Town Hall, in said Town on January 19, 2021 at 6:30 o'clock p.m.

There were present:

Annette Parker, Supervisor
Eric Green, Town Clerk
Ken H. Hill, Councilman/Councilwoman
Ysmae Terry, Councilman/Councilwoman
Dan Hensel, Councilman/Councilwoman
Scott Zink, Councilman/Councilwoman

There were absent:

Also present:

Councilpersons Zink and BETLER offered the following resolution and moved its adoption.

A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE
OF SERIAL BONDS FOR THE PURCHASE OF A
2021 T800 KENWORTH TRUCK WITH PLOW EQUIPMENT

RECITALS

WHEREAS, the Town Board of the Town of Olean ("Town"), in the County of Cattaraugus, New York, desires to purchase a new 2021 T800 Kenworth truck with dump body and plow equipment; now therefore, be it

RESOLVED BY THE TOWN BOARD OF THE TOWN OF OLEAN, IN THE COUNTY OF CATTARAUGUS, NEW YORK (by the favorable vote of not less than two-thirds of all members of said Board) AS FOLLOWS:

- Section 1. For the object or purpose of purchasing said new item, and to provide funds to defray the cost thereof, the Town of Olean shall issue its serial bonds of the aggregate principal amount of \$198,983.00 pursuant to the Local Finance Law of the State of New York.

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- Section 2. \$198,983.00 is estimated as the maximum cost of said new item.
- Section 3. The plan for financing the purchase of said new equipment is as follows: the balance of the cost is to be provided by the issuance of serial bonds in the amount of \$198,983.00 pursuant to this Resolution.
- Section 4. The following determinations are hereby made:
- (A) The period of probable usefulness of such equipment is fifteen (15) years.
 - (B) The subdivision of paragraph a of §11.00 of the Local Finance Law which is applicable in the circumstances is subdivision 11(a)(28).
 - (C) The proposed maturity of the obligations authorized by this Resolution will be five (5) years.
 - (D) The bonds issued pursuant to this resolution may be sold at private sale.
- Section 5. The Town of Olean shall issue its serial bonds in the amount of \$198,983.00 to finance a portion of such cost in accordance with the financial plan set forth above. Such bonds shall be dated approximately as of the date of delivery of such equipment and the power to fix and determine the exact date of such bonds is hereby delegated to the Town Supervisor.
- Section 6. Such bonds shall be numbered 1 to 5 inclusive, shall be in the following denominations, and shall mature in numerical order in annual installments in the years and amounts as follows:
- 2022 - \$39,796.60
 - 2023 - \$39,796.60
 - 2024 - \$39,796.60
 - 2025 - \$39,796.60
 - 2026 - \$39,796.60

The power to determine the date upon which installments shall become due and payable is hereby delegated to the Town Supervisor. The bonds shall be issued in bearer form without coupons and shall not contain a power to convert to registered form. The bonds shall bear interest at a rate not exceeding 3.5% per annum. Payments of such interest shall be evidenced by notation thereof on the bonds at the time of the payment.

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Section 7. Each of the bonds authorized by this resolution and any bond anticipation notes issued in anticipation thereof shall contain the recital of validity prescribed by Section 52.00 of the Law and said bonds and notes shall be general obligations of the Town, payable as to both principal and interest by general tax upon all the taxable real property within the Town without limitation of rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds and notes and provision shall be made annually in the budgets of the Town by appropriation for (a) the amortization and redemption of the bonds and notes to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 8. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of such notes and of Sections 50.00 and 60.00 of the Law, the powers and duties of the Town Board relative to authorizing the issuance of any notes in anticipation of the sale of the serial bonds herein authorized or the renewals of said notes and relative to prescribing the terms, form and contents and as to the sale and issuance of said bonds and of any notes or the renewals of said notes, are hereby delegated to the Supervisor as the chief fiscal officer of the Town.

Section 9. This resolution shall take effect immediately.

* * * * *

The adoption of the foregoing resolution was seconded by Councilperson FRITZ and duly put to a vote on roll call, which resulted as follows:

AYES: 3

NOES: 1

The resolution was duly declared adopted by favorable vote of at least two-thirds of all members of the Town Board.