

Journal of Proceedings

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

November 26, 2019

***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 26, 2019 at 6:55 p.m.

PRESENT: *Aldermen Crawford, Andreano, Witte, Gonzalez, Dougherty, and Smith*

ABSENT: *Alderman George*

OFFICIALS: *Mayor William Aiello; Fred Saradin, City Auditor; Keri Stephen, Community Development Program Coordinator; Jeff Rowley, Police Chief, and Tiffany Taylor, Managerial Confidential Administrative Secretary.*

At this time a prayer was given by Alderman Andreano, 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 12 2019 meeting was made by Alderman Crawford, seconded by Alderman Witte. Voice vote, ayes all. Motion carried.

COMMITTEE REPORTS & UNFINISHED COUNCIL BUSINESS

Report from Committee of the Whole on PL #85-19, that the Project Loan Committee recommends that the City subordinate its lien position for Olean Homeownership Assistance Program Application #23-01. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #86-19, to authorize free parking on West State Street and North Union Street as well as in all City of Olean parking lots on November 29, 2019 through January 1, 2020. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #87-19, to reschedule the December 24, 2019 Regular Meeting of the Olean Common Council to December 17, 2019, to follow the Committee of the Whole meeting December 17, 2019 in observance of Christmas Eve. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #88-19, to authorize the award of the Engineering and Design portion of the Walkable Olean – Phase III Project to LaBella Associates. Committee recommends approval. Referred to City Attorney for Resolution.

COMMUNICATIONS FROM THE MAYOR

Special Recognition of Barry Broughton and Desmond White for being inducted into the Sport Jujitsu Hall of Fame

MISCELLANEOUS COMMUNICATIONS

None

CITY OFFICIAL REPORTS

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None\

PROPOSED LEGISLATION AND REFERRALS

PL #85-19: (Aiello) That the Project Loan Committee recommends that the City subordinate its lien position for Olean Homeownership Assistance Program Application #23-01. Referred to Committee of the Whole Tuesday, November 26, 2019 by Council President.

PL #86-19: (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 29, 2019 through January 1, 2020. Referred to Committee of the Whole Tuesday, November 26, 2019 by Council President.

PL #87-19: (Aiello) To reschedule the December 24, 2019 Regular Meeting of the Olean Common Council to December 17, 2019 to follow the Committee of the Whole meeting December 17, 2019 in observance of Christmas Eve. Referred to Committee of the Whole Tuesday, November 26, 2019 by Council President.

PL #88-19: (Aiello) To authorize the award of the Engineering and Design portion of the Walkable Olean – Phase III Project to LaBella Associates. Referred to Committee of the Whole Tuesday, November 26, 2019 by Council President.

PUBLIC COMMENT/INPUT

None

FINANCE / BILLS

By Alderman Crawford, Seconded by Alderman Dougherty

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 \$987,253.15 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

RESOLUTION #86-19

PL #77-19

By Alderman Dougherty, Seconded by Alderman Smith

TO AMEND THE CITY OF OLEAN CODE OF ORDINANCES CHAPTER 26, ARTICLE III, DIVISION 5, TO REMOVE TAXICAB RATE RESTRICTIONS

RESOLVED, that the City of Olean Code of Ordinances Chapter 26, Article III, Division 5 is hereby amended as follows:

Sec. 26-131. Rate Schedule

The owner of each cab shall keep and maintain a schedule of rates in each cab at a place approved by the chief of police.

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Sec. 26-132. Overcharge and disputed fares

No taxicab owner or operator shall charge or attempt to charge a higher rate of fare than is posted as provided for in this division, nor shall any passenger refuse to pay the proper and legal fare. All disputes as to fares shall be determined by the officer in charge of the police station nearest to the place where the dispute occurred. Whenever a passenger requests a receipt, such a receipt shall be furnished by the driver of a taxicab. The receipt shall include the name of the driver, the name of the licensed owner, and the amount of the fare collected.

Sec. 26-133. Prepayment of fares

Every driver of a taxicab shall have the right to demand payment of the regular fare in advance and may refuse employment unless prepaid, but no driver of a taxicab shall otherwise refuse or neglect to convey an orderly person upon request anywhere in the City unless previously engaged.

RESOLVED, that this Resolution shall be effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #89-19

PL #85-19

By Alderman Witte, Seconded by Alderman Dougherty

THAT THE PROJECT LOAN COMMITTEE RECOMMENDS THAT THE CITY SUBORDINATE ITS LIEN POSITION FOR OLEAN HOMEOWNERSHIP ASSISTANCE PROGRAM APPLICATION #23-01

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 #23-01;

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

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

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #90-19

PL #86-19

By Alderman Andreano, Seconded by Alderman Gonzalez

RESOLUTION AUTHORIZING FREE PARKING ON WEST STATE STREET AND NORTH UNION STREET, AS WELL AS IN ALL CITY OF OLEAN PARKING LOTS, ON NOVEMBER 29, 2019 THROUGH JANUARY 1, 2020

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 29, 2019 through January 1, 2020.

ROLL CALL, AYES ALL. MOTION CARRIED.

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RESOLUTION #91-19

PL #87-19

By Alderman Crawford, Seconded by Alderman Witte

TO RESCHEDULE THE DECEMBER 24, 2019 REGULAR MEETING OF THE OLEAN COMMON COUNCIL TO DECEMBER 17, 2019, TO FOLLOW THE COMMITTEE OF THE WHOLE MEETING DECEMBER 17, 2019 IN OBSERVANCE OF CHRISTMAS EVE

WHEREAS, the Olean Common Council desires to observe Christmas Eve on Tuesday, December 24, 2019,

RESOLVED, that the December 24, 2019 Regular Meeting of the Olean Common Council is rescheduled to December 17, 2019, to follow the Committee of the Whole Meeting of December 17, 2019, in the Common Council Chambers at the Olean Municipal Building.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #92-19

PL #88-19

By Alderman Gonzalez, Seconded by Alderman Dougherty

TO AUTHORIZE THE AWARD OF THE ENGINEERING AND DESIGN PORTION OF THE WALKABLE OLEAN – PHASE III PROJECT TO LABELLA ASSOCIATES

WHEREAS, the City of Olean is desirous of contracting with LaBella Associates for their engineering and design services for the Walkable Olean – Phase II Project;

BE IT RESOLVED, that the Common Council authorizes the Mayor to enter into an agreement with LaBella Associates for the Engineering and Design portion of the Walkable Olean – Phase III Project.

RESOLVED, that the Mayor is hereby authorized to execute any contracts or agreements associated with this award.

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

ADJOURNMENT

Motion to adjourn was made by Alderman Crawford, seconded by Alderman Smith. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 7:50 p.m.

Lens Martial, City Clerk

Mayor William J. Aiello

John Crawford, Council President

I hereby approve the foregoing minutes

Dated: ____ / ____ / ____

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***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