

Journal of Proceedings

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

April 23, 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, April 23, 2019 at 6:40 p.m.

PRESENT: *Aldermen Crawford, Witte, Gonzalez, and Dougherty.*

ABSENT: *Aldermen Andreano, Smith and George.*

OFFICIALS: *Lens Martial, City Clerk; Fred Saradin, City Auditor; Keri Kerper, Community Development Program Coordinator; Bob Ring, Director of Public Works; Jeff Rowley, Police Chief; Bob Bell, Fire Chief, and Michiko McElfresh, Mayor's Secretary.*

At this time a prayer was given by Alderman Crawford, 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 April 9, 2019 meeting was made by Alderman Crawford, seconded by Alderman Gonzalez. Voice vote, ayes all. Motion carried.

COMMITTEE REPORTS & UNFINISHED COUNCIL BUSINESS

Report from City Operations Committee on PL #32-19, to authorize the conveyance of an easement to the owners of 794 North Union Street. Committee recommends approval. Referred to City Attorney for Resolution.

COMMUNICATIONS FROM THE MAYOR

Special Proclamation for Arbor Day – April 26, 2019

MISCELLANEOUS COMMUNICATIONS

None

CITY OFFICIAL REPORTS

Monthly Report of the City Auditor – month ended March 2019

PROPOSED LEGISLATION AND REFERRALS

PL #35-19: (Aiello) To authorize the release of a lien and filing of a Discharge of Mortgage in association with a property funded under the 2000 Olean Homeownership Assistance Program. Referred to Committee of the Whole Tuesday, April 23, 2019 by Council President.

PL #36-19: (Aiello) to authorize the Mayor to execute an Engineering Agreement with Watts Engineering for the design portion of the Pedestrian Crossing Enhancements Project. Referred to Committee of the Whole Tuesday, April 23, 2019 by Council President.

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PL #37-19: (Aiello) To authorize the transfer of \$7,858 from line item A-01-5-7110.445, Parks, to Capital Fund #187, Playground Reserve. *Referred to Committee of the Whole Tuesday, April 23, 2019 by Council President.*

PL #38-19: (Aiello) To authorize the creation of Capital Fund #190, Stardust Pump Station Project, and to authorize the transfer of \$200,000 from F-06-5-8340.300, Water Fund Capital Outlay, to Capital Fund #190. *Referred to Committee of the Whole Tuesday, April 23, 2019 by Council President.*

PL #39-19: (Andreano) To authorize the installation of a “Yield” sign on King Street at its intersection with Kingston Drive. *Referred to Regular Meeting Tuesday, April 23, 2019 for Resolution by Council President.*

PL #40-19: (Andreano) To authorize the installation of a street light on National Grid pole #NG2 on Houghton Avenue. *Referred to Regular Meeting Tuesday, April 23, 2019 for Resolution by Council President.*

PUBLIC COMMENT/INPUT

Patricia Gulnac of 601 Sullivan Street said that she has known Alderman Dougherty since she moved to Olean. She has rented from him and has had him do odd jobs. She has spoken to him privately on his behavior and how it can be in appropriate. But she now choses to speak about it publically as he snubbed his nose and the city and the council. Referencing his You Tube Video she said that he used the R word, he downplayed the Notre Dame fire, and made racial slurs. She said that his constituents deserve better. She said that his infamous “Pasta-farian” prayer was said in front of High School seniors, she said that it was immature, in poor taste and unbecoming of someone holding the office of Alderman. She said that Mr. Dougherty frequently says that he wants people to know him and she said that we are not liking what we are seeing. She said that his You Tube channel airs Council Business, and that saying that he was not on city times is not a good excuse, as he is a salaried person. She said that he uses his position in the City and his alderman status to be known on his channel. Since his video, she said the Alderman Dougherty has gone on Social Media and posted articles about himself. She said that he seems proud and that he should not be proud. She said that his constituents are embarrassed, they invest their time and knowledge in our community. She said that they would like a full censure and an ethics review and added that many members of Ward Four have no faith.

FINANCE / BILLS

By Alderman Crawford Seconded by Alderman Witte

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 \$711,275.62 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 #27-19

PL #28-19

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By Alderman George, Seconded by Alderman Dougherty
**TO AUTHORIZE THE INSTALLATION OF A “DO NOT BLOCK DRIVEWAY” SIGN IN THE
VICINITY OF 1012-1016 NORTH UNION STREET**

RESOLVED, that the City of Olean Code of Ordinances Chapter 24, Section 24-176 is hereby amended to include the following:

In the vicinity of 922-924 North Union Street

RESOLVED, that the Common Council authorizes the placement of a “Do Not Block Drive” sign at the above mentioned location.

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #33-19

PL #35-19

By Alderman Gonzalez, Seconded by Alderman Witte

**TO AUTHORIZE THE RELEASE OF A LIEN AND FILING OF A DISCHARGE OF MORTGAGE IN
ASSOCIATION WITH A PROPERTY FUNDED UNDER THE 2000 OLEAN HOMEOWNERSHIP
ASSISTANCE PROGRAM**

RESOLVED, that the Common Council authorizes the release of a lien and filing of a Discharge of Mortgage in association with the home funded under the 2000 Olean Homeownership Assistance Program, OHAP #16-2000.

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #34-19

PL #36-19

By Alderman Witte, Seconded by Alderman Crawford

**TO AUTHORIZE THE MAYOR TO EXECUTE AN ENGINEERING AGREEMENT WITH WATTS
ENGINEERING FOR THE DESIGN PORTION OF THE PEDESTRIAN CROSSING
ENHANCEMENTS PROJECT**

WHEREAS, the Common Council, through Resolution #96-18 approved August 28, 2018, authorized the acceptance of grant funding for the Olean Pedestrian Crossing Enhancements Project, PIN 5762.72 through the New York State Department of Transportation; and

WHEREAS, the City of Olean has received a proposal from Watts Engineering for the design portion of the project;

BE IT RESOLVED, that the Common Council authorizes the Mayor of the City of Olean to execute an Engineering Agreement with Watts Engineering for the design portion of the Pedestrian Crossing Enhancements Project.

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RESOLVED, that the Mayor is authorized to execute any contracts and documents related to said Agreement.

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #35-19

PL #37-19

By Alderman Dougherty, Seconded by Alderman Crawford

**TO AUTHORIZE THE TRANSFER OF \$7,858 FROM PARKS TO CAPITAL FUND #187,
PLAYGROUND RESERVE**

RESOLVED, that the Common Council authorizes the transfer of \$7,858 from Parks (A-01-5-7110.445) to Capital Fund #187, Playground Reserve, for the Whitney Avenue Parklet Project.

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #36-19

PL #38-19

By Alderman Witte, Seconded by Alderman Gonzalez

**TO AUTHORIZE THE CREATION OF CAPITAL FUND #190, STARDUST PUMP STATION
PROJECT, AND TO AUTHORIZE THE TRANSFER OF \$200,000 FROM WATER FUND
CAPITAL OUTLAY TO CAPITAL FUND #190.**

RESOLVED, that the Common Council authorizes the creation of Capital Fund #190, Stardust Pump Station Project.

RESOLVED, that the Common Council authorizes the transfer of \$200,000 from Water Fund Capital Outlay (F-06-54-8340.300) to Capital Fund #190.

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #37-19

PL #32-19

By Alderman George, Seconded by Alderman Witte

**TO AUTHORIZE THE CONVEYANCE OF AN EASEMENT TO THE OWNERS OF 794 NORTH
UNION STREET**

RESOLVED, that the Common Council authorizes the conveyance of an easement of a portion of a parcel adjacent to 794 North Union Street to the owners of 794 North Union Street.

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

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RESOLUTION #38-19

PL #39-19

By Alderman Crawford, Seconded by Alderman Witte

TO AUTHORIZE THE INSTALLATION OF A “YIELD” SIGN ON KING STREET AT ITS INTERSECTION WITH KINGSTON DRIVE

RESOLVED, that a permanent “Yield” sign shall be installed on King Street at its intersection with Kingston Drive.

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

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #39-19

PL #40-19

By Alderman Witte, Seconded by Alderman Dougherty

AUTHORIZING THE INSTALLATION OF A STREET LIGHT ON NATIONAL GRID POLE #NM2 ON HOUGHTON AVENUE

WHEREAS, the public safety, health and welfare of the citizens of the City of Olean would be served if a street light be installed on National Grid pole #NM2 on Houghton Avenue,

RESOLVED, that the Common Council of the City of Olean directs that an LED Type C (48-w) street light be installed on National Grid pole #NM2 on Houghton Avenue, to be billed to the City’s SC-2 energy bill.

RESOLVED, that this Resolution will be effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

ADJOURNMENT

Motion to adjourn was made by Alderman Crawford, seconded by Alderman Witte. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 6:56 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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***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