

Journal of Proceedings

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

January 14, 2020

***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, January 14, 2020 at 6:40 p.m.

PRESENT: Aldermen Gonzalez, Witte, Panus, Dougherty, Smith, and Anastasia

ABSENT: Alderman Crawford

OFFICIALS: Mayor William Aiello; Lens Martial, City Clerk; Nicholas DiCerbo, Jr., City Attorney; Fred Saradin, City Auditor; Bob Ring, Director of Public Works; Jeff Rowley, Police Chief; Bob Bell, Fire Chief; Jeff Rowley, Police Chief, and Tiffany Taylor, Managerial Confidential Administrative Secretary

At this time a prayer was given by Alderman Gonzalez, followed by a salute to the flag.

READING, CORRECTING, AND APPROVAL OF THE MINUTES OF THE PREVIOUS REGULAR MEETING

A motion to approve the minutes of the December 17, 2019 Regular Meeting was made by Alderman Gonzalez, seconded by Alderman Dougherty. Voice vote, ayes all. Motion carried.

COMMITTEE REPORTS & UNFINISHED COUNCIL BUSINESS

None

COMMUNICATIONS FROM THE MAYOR

None

MISCELLANEOUS COMMUNICATIONS

Application for a Liquor License – Oishi Sushi, Inc. – 2234 West State Street, Olean

CITY OFFICIAL REPORTS

Monthly Report of the City Auditor – month ended December 2019

PROPOSED LEGISLATION AND REFERRALS

PL #01-20: (Aiello) To authorize the Mayor to execute a contract for Court Security Services for the period April 1, 2019 through March 31, 2024. Referred to Committee of the Whole Tuesday, January 14, 2020 by Council President.

PL #02-20: (Aiello) To support the petition to the New York State Department of Transportation requesting the closure of the Queen Street overpass and replacement with a pedestrian underpass, as well as the modification to the existing Front Street crossing to raise the elevation of the Rail-over-highway overpass. Referred to Committee of the Whole Tuesday, January 14, 2020 by Council President.

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PL #03-20: (Aiello) To specify a nominal fee of \$15 for the issuance of a Pre-Adoption Birth Certificate in accordance with Public Health Law Section 4138-E. Referred to Committee of the Whole Tuesday, January 14, 2020 by Council President.

PUBLIC COMMENT/INPUT

Alderman Dougherty extended his condolences to the family members of Bill "Squatter" Johnston who passed away earlier this week.

FINANCE / BILLS

None

RESOLUTIONS

RESOLUTION #01-20

PL #01-20

By Alderman Dougherty, Seconded by Alderman Witte

TO AUTHORIZE THE MAYOR TO EXECUTE A CONTRACT FOR COURT SECURITY SERVICES FOR THE PERIOD APRIL 1, 2019 THROUGH MARCH 31, 2020

WHEREAS, the City of Olean Police Department provides Court Security Services for the New York State Unified Court System; and

WHEREAS, the Unified Court System reimburses the City of Olean Police Department for costs associated with said services; and

WHEREAS, the City of Olean is desirous of entering into a new agreement to continue said services;

BE IT RESOLVED, that the Common Council authorizes the Mayor of the City of Olean to execute a contract for Court Security Services with the New York State Unified Court System for the period April 1, 2019 through March 31, 2024.

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL EXCEPT ALDERMAN ANASTASIA, WHO ABSTAINED DUE TO BEING A NEW YORK STATE DEPARTMENT OF TRANSPORTATION EMPLOYEE. MOTION CARRIED.

RESOLUTION #02-20

PL #02-20

By Alderman Smith, Seconded by Alderman Witte

TO SUPPORT THE PETITION TO THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION REQUESTING THE CLOSURE OF THE QUEEN STREET OVERPASS AND REPLACEMENT WITH A PEDESTRIAN UNDERPASS, AS WELL AS THE MODIFICATION TO THE EXISTING FRONT STREET CROSSING TO RAISE THE ELEVATION OF THE RAIL-OVER-HIGHWAY OVERPASS

WHEREAS, The City of Olean, Southern Tier Extension Railroad Authority, and Western New York and Pennsylvania Railroad, LLC submitted a joint petition to the New York State Department of Transportation requesting the closure of the Queen Street overpass (USDOT #529-410P) and replacement with a pedestrian underpass beneath the Buffalo

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Line of the Western New York Pennsylvania Railroad (Case 40794), as well as requesting the modification to the existing crossing at Front Street (USDOT #529-411W) to raise the elevation of the Rail-over-highway overpass (Case 40795); and

WHEREAS, the New York State Department of Transportation requires a resolution of the Olean Common Council supporting these requests;

BE IT RESOLVED, that the City of Olean Common Council supports the petition to the New York State Department of Transportation requesting the closure of the Queen Street overpass and replacement with a pedestrian underpass, as well as the modification to the existing Front Street crossing to raise the elevation of the Rail-over-highway overpass.

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

A motion to amend Resolution #03-20 to reflect a contract end date of 2024 was made by Alderman Gonzalez, seconded by Alderman Anastasia. Voice vote, ayes all. Motion carried.

RESOLUTION #03-20

PL #03-20

By Alderman Anastasia, Seconded by Alderman Panus

TO SPECIFY A NOMINAL FEE OF \$15 FOR THE ISSUANCE OF A PRE-ADOPTION BIRTH CERTIFICATE IN ACCORDANCE WITH PUBLIC HEALTH LAW SECTION 4138-E

WHEREAS, effective January 15, 2020, Public Health Law Section 4138-E allows adoptees eighteen years of age or older, adoptee direct line descendants, and/or the legal representatives to either the adoptee or the direct line descendants, to receive a copy of their Pre-Adoption Birth Certificate; and

WHEREAS, Public Health Law Section 4138-E allows a municipality to set a nominal fee for the application for a Pre-Adoption Birth Certificate;

BE IT RESOLVED, that the Common Council specifies a nominal fee of \$15 (\$10 fee for records and \$5 fee for search for records) for the issuance of a Pre-Adoption Birth Certificate in accordance with Public Health Law Section 4138-E.

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

ADJOURNMENT

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

Lens Martial, City Clerk

Mayor William J. Aiello

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Paul Gonzalez, 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