

CITY OPERATIONS

Tuesday, April 17, 2018 – 6:20 p.m.

Police Training Room – Olean Municipal Building

Present: Members: Chairman Smith, Vice Chair Witte, Alderman Dougherty, Alderman Crawford, and Alderman George. Others: Alderman Andreano; Alderman Gonzalez; Mayor William Aiello; Nicholas DiCerbo, Jr., City Attorney; Fred Saradin, City Auditor; Bob Ring, Director of Public Works; Bob Bell, Fire Chief; Jeff Rowley, Police Chief; Sue Cooper, City Forester, and Tiffany Taylor, Managerial Confidential Administrative Secretary.

1. Roll Call

Alderman Smith called the meeting to order at 6:20 p.m. and asked that the record show that all committee members were present.

2. Approval of Minutes of the Previous Committee Meeting (Tuesday, February 20, 2018)

A motion to approve the minutes of the February 20, 2018 committee meeting was made by Alderman Smith, seconded by Alderman Crawford. Voice vote, ayes all. Motion carried.

3. Unfinished Business

None

4. New Referrals for Consideration

- a. PL #34-18: (Smith) To declare that no trees shall be planted in the public right of way or on City owned property without the prior consent of the Common Council.

Alderman Smith explained that he knows that trees have been a hot topic for some time. He stated that the City planting trees in the right of way is one of the only City activities that transfer an expense directly to the property owner. Even though the City has been taking care of right of way trees, the responsibility is now shifting to the property owner. Also, two budget cycles ago (2017-2018), the Council stated that the City was going to give the responsibility of trees back to property owners. He thought we did, but we didn't. This has created an environment of winners and losers through the City. This is a matter of debate and great emotion.

He continued that we are creating unique costs for the City, and there still are a lot of trees that need to be cut down. We are not going to run out of trees. He simply proposes that we take care of the ones that we have and not create more problems.

Mr. DiCerbo questioned if we get permission from a property owner before planting a tree in the subway, and Ms. Cooper replied that she always gets their permission. She also presents them with a list of subway approved trees that can be planted. She will not plant a tree where the property owner doesn't want it because they will let it die. She added that the City has not paid for a tree since the John Ash administration. They are all paid for through grants and donations. We do, though, have some control as to what trees are going in.

Alderman Andreano questioned who paid for the trees on East State Street, and Ms. Cooper replied that it was a part of the project. She stated that when the North Third Street Project was done, the trees were paid for through the project, but she spoke with each property owner since the City planted the trees.

Alderman Smith stated that he does not feel that we are spending too much on planting. We are spending too much on maintenance.

Mr. Ring stated that he worries about having the Council take over responsibility for trees. This year, we spent \$60,000 to \$70,000 on trees when the Council decided to make trees a talking point. The budget is usually around \$40,000. We have to trust the City Forester and how her program has worked through the years.

Alderman Gonzalez stated that he does not want to put a citizen in the position where there is a tree forced on them. He asked if "City owned property" means that Council approval is required to plant a tree in a park, and Alderman Smith replied that is how the legislation reads. Alderman Gonzalez stated that he doesn't want to be a part of that. He can agree to not springing anything on a property owner.

Alderman Smith stated that he knows that Ms. Cooper does ask a resident prior to planting a tree, but trees have been planted for 100 years. We have 100 year old trees that we can't afford to maintain. We need to think of the impact. Can we plant trees and afford to maintain them for the next 100 years?

Ms. Cooper stated that there was only one year that she had to go over her budget, and this was a year of an awful storm. Despite the storm, she had all City streets open by that night. Most windstorms only cause a couple thousand dollars worth of damage.

Mr. Ring stated that the mistakes of the past aren't the mistakes of now.

Ms. Cooper stated that she does an underground locate for all trees. You have to look at each site individually. There are many different kinds of trees, and you have to plan it out. Trees were recently planted on Spring Street near the Eastview Elementary School, which will make

the street feel smaller. This will help naturally slow people down. Trees help with traffic and pedestrians. Probably 25 trees are planted each year.

Alderman Smith asked where the trees are generally planted, and Ms. Cooper replied that probably 20 are planted along streets. Two years ago, all of North Third Street was done. She had gone door to door to get permission from the residents. Also, the trees planted now will not get as big as some of the older trees that we are having issues with.

Alderman Andreano stated that she doesn't think that property owners realize what they are responsible for. Ms. Cooper stated that the trees on East State Street will grow maybe 20 feet tall, and will have a diameter of about 14 feet. The trees will not grow into the power lines.

Alderman Crawford suggested looking at best practices that other cities are using for their tree programs. Mr. Ring replied that Sue does use best practices.

Ms. Cooper stated that when someone wants a tree, they pay for the tree. She does not spring a tree on any property owner. She also always speaks with the property owner, and will not allow a tenant of a property to decide if a tree should be planted in that property's right of way.

Alderman Smith stated that historically, we budgeted \$50,000. There is a shift in the way we spend money for trees. We are now working with an aggressive list to get rid of the worst trees. If we are going to spend \$50,000 a year, he would rather aggressively remove dangerous trees than continue to do maintenance, planning and grooming.

Mr. Ring stated that trees raise economic value. There are a lot of benefits that trees provide, including beautification of the street. People will leave the City if their neighborhoods aren't beautiful. Alderman Andreano responded that this isn't a big city, and there are a lot of people here on a fixed income. Residents don't have the finances to remove trees if they have to.

Alderman Gonzalez replied that at the same time, a furnace could go, or a roof could leak. We can't create a public policy because someone may or may not be able to afford to remove a tree.

Alderman Witte stated that there are a lot of beautiful streets in the City. Main Street has trees on both sides of the road. She feels that we are being faulted by the mistakes of the past. A lot of trees were planted in the subway that should not have been planted there.

Alderman Smith asked if there is a list of trees that are permitted to be planted in the right of way. Ms. Cooper replied that poplar trees are specifically prohibited in the Code, but there are several others that she prohibits, such as silver maples and elms.

Alderman Smith mentioned the City's policy, and Alderman Crawford stated that the Code states that property owners need to get permission to plant in the right of way before it occurs.

Mayor Aiello stated that a new policy could be worked on and developed. It is a good idea to reach out to other communities to see what they do. Alderman Crawford added that we maybe need to modify and modernize the policy in the Code. We should codify what Sue is currently doing. Alderman Smith added that this is a good way to prevent a future Council and City Forester to go off tangent.

Ms. Cooper stated that trees change over time, and Mayor Aiello added that policies can change over time, as well. Ms. Cooper added that National Grid has a list of approved trees that, if planted under their lines, will cause National Grid to reimburse the City \$50 per tree.

Alderman George stated that the list of dangerous trees for removal, paired against the approximately 4,000 trees in the subway, is very minor. When you look at these numbers, it seems that Ms. Cooper's program is very efficient. He also does not want anything to do with restricting the City Forester's ability to plant trees on City owned property.

Alderman Gonzalez stated that we are perhaps putting the cart before the horse. He feels that we don't have a solid maintenance policy. He honestly feels that the City should just be done with trees. He feels that this is the fairest way.

A motion to postpone PL #34-18 to the next City Operations committee was made by Alderman Smith, seconded by Alderman Gonzalez. Voice vote, ayes all. Motion carried.

5. Approval of Committee Reports

None

6. Adjournment

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