

CITY OPERATIONS

Tuesday, June 19, 2018 – 5:40 p.m.

Police Training Room – Olean Municipal Building

Present: Members: Chairman Smith, Vice Chair Witte, Alderman Dougherty, and Alderman Crawford (via Skype). Others: 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, and Tiffany Taylor, Managerial Confidential Administrative Secretary.

1. Roll Call

Alderman Smith called the meeting to order at 5:50 p.m. and asked that the record show that all committee members were present except Alderman George, who was excused.

2. Approval of Minutes of the Previous Committee Meeting (Tuesday, June 5, 2018)

A motion to approve the minutes of the June 5, 2018 meeting was made by Alderman Smith, seconded by Alderman Witte. Voice vote, ayes all. Motion carried.

3. Unfinished Business

- 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.

Mr. Ring stated that he went through the City of Olean Code of Ordinances to evaluate what the current law states, and he presented a handout to the Aldermen with proposed changes. He stated that he recommends changing the tree board to consist of only five members, rather than seven. He also presented a list of requirements for tree plantings such as setback requirements, species requirements, minimum sideways width, etc. which he would like incorporated into the Code as well.

Mr. Ring explained that with these specifications put into place, smaller, street-appropriate trees would be planted that would be sustainable. He feels that it has been a long time coming to get these changes in writing.

Alderman Witte questioned if the tree committee would determine if a tree needed to come down, and Mr. Ring replied that he believes that they would, with the advice and input from the City Forester. Mr. DiCerbo added that this was the original intention of the tree board when the community created it in 1971.

Alderman Gonzalez asked if the tree trimming requirements being the responsibility of the property owner has been in the Code since 1971, and Mr. DiCerbo replied that it has been, but the City has gotten away from that.

Alderman Smith asked if there were any right of way situations that would preclude trees from being planted in them, and Mr. Ring responded that some right of ways are too small for trees. He would like to, down the road, narrow some streets and make subways bigger. This would allow the subway to accommodate for trees, among other benefits.

Alderman Dougherty asked if there is a consideration by the property owner prior to a tree being planted, because he does not find it in the proposed changes. Mr. Ring stated that he did not include anything regarding property owner permission in the Code. He did, however, add requirements for trees that are planted on private property, such as keeping the tree so far from the property line.

Alderman Andreano asked what would happen if the City wants to put a tree in your right of way, but you don't want one to be planted there. Mr. DiCerbo replied that it would be determined on a per case basis. Alderman Smith stated that the City doesn't need to ask permission per their easement, and Mr. DiCerbo concurred. Alderman Andreano stated that she feels that this is an issue. If she doesn't want one planted, but the City does plants one anyways, this will create maintenance issues and will cause a cost for her as the property owner.

Mr. Ring replied that he feels that he is trying to combat the Council's concerns with modern practice. Sometimes, he feels, the City needs to make the best decision for the public. Alderman Crawford asked if the fact remains that we would not force a tree on someone who did not want it, and Alderman Smith replied that Mr. Ring is saying that we could. Ms. Cooper stated that she would not waste the City's time or effort on planting tree in someone's right of way if they did not want it. Mr. Ring stated that he would like to be able to use the City's judgment, especially when it comes to beautification projects.

Alderman Smith stated that the whole goal of this discussion is to have a roadmap moving forward. He encouraged the Committee to take home what was presented to read over, and he plans to discuss this further at another committee meeting.

A motion to postpone PL #34-18 indefinitely was made by Alderman Smith, seconded by Alderman Witte. Voice vote, ayes all. Motion carried.

Alderman Crawford asked how the list of dangerous tree removal is coming now that the City has a new tree cutting service, and Ms. Cooper replied that we are continuing to work on it.

4. New Referrals for Consideration

a. Master Plan Update

Discussion postponed.

b. Funding for Sewer Lining

Mr. Ring stated that the corrugated metal piping that is used for the sewer system erodes over time, and a lot of the piping that is currently throughout the City is at least 80 years old. He presented to the committee a map showing a line that almost the entire City comes through from the pump house to the wastewater treatment plant. He stated that 816 feet of the line was done last year, and this year we can do either 698 feet with approximately \$210,000, or we can take \$95,000 from Fund Balance and do 1,171 feet of the piping. He stated that he would like the Council's approval to take money from fund balance to do the extra length of sewer this year. His goal is to get as much corrugated metal pipe healed up as fast as possible. This would allow the City to do this section of sewer over three years rather than five.

Alderman Gonzalez asked if this is coming 100% from the Sewer Fund Balance, or if money needed to come from anywhere else. Mr. Ring replied that there are no other amounts coming from any other budgets. Mr. Saradin mentioned that he believes that the Sewer Fund Balance is around \$2,000,000.

Mayor Aiello explained that the DEC's Consent Order requires the City to spend \$250,000 on their sewer system. This year, spending an additional \$95,000 will allow the Department of Public Works to get another 500 feet done.

Alderman Smith asked if the City saves any money by doing it this way, or if we are only saving time. Mr. Ring stated that there is a time savings, but also that the pipes need to be worked on quite frequently due to issues that they have. There are also infiltration issues, and fixing these could help the wastewater treatment plant run better.

Alderman Witte asked if the buildings uptown are being disconnected from the sanitary sewer as they should be, and Mr. Ring stated that he knows that a law was passed, but he is unsure if it is being enforced. Mayor Aiello stated that he believes that some have been disconnected, but not all of them. He stated that the rain gardens also help. Several buildings have changed hands, and he will ensure that the legislation is being followed.

c. Discussion – Kingston Street Drainage Issues

Alderman Andreano stated that she has not had the opportunity to speak with Mr. Ring regarding this issue. She would like to have him visit the property with her. She would like to see the homeowner take care of the issue himself, but he can't without assistance from the City.

d. 122 East Henley Street

Alderman Gonzalez stated that a property owner in the City has contacted him regarding being allowed into the property located at 122 East Henley Street to try to salvage historical materials such as flooring and molding. He wanted to know that committee's thoughts on the request.

Mayor Aiello stated that since the property owner put the idea on Facebook, no one else has contacted the City with a similar such request.

Mr. DiCerbo asked the timeline to get the materials out of the house, as the bids for demolition are back to the City. Alderman Gonzalez stated that the property owner plans to have the materials removed rather quickly. Alderman Andreano asked what the property owner plans to do with the materials, and Alderman Gonzalez replied that he plans to use the materials in his other developments and properties throughout the City.

Alderman Witte asked if this is one of the City owned homes that was inherited from the County, and Alderman Gonzalez replied that it is. Alderman Witte stated that it seems that we are giving him something of value for nothing. Alderman Gonzalez replied that he would understand her concern if he wanted copper piping or wiring, but he is asking for flooring and molding. Alderman Dougherty added that that material would really not be worth anything unless the property owner put his time, effort, and money into restoring it. Alderman Witte explained that she still feels that he is getting something for nothing.

Alderman Crawford asked if he removes these materials from the house and someone comes along with interest in rehabilitation, then we will already have made the decision to demolish it because we allowed materials to be removed. We need to decide if we definitely want to demolish the structure, or if we want to find someone to rehab it.

Alderman Gonzalez stated that whatever the property owner takes is currently not worth anything to the City. He could take the material from us now, or he could go to the dump and get it after we tear it down.

Alderman Witte asked if someone else came along and asked for windows out of a vacant City-owned home, if we would allow them to have them. Alderman Gonzalez replied that he feels that these things should be handled on a case by case basis.

Alderman Dougherty stated that he can understand both points. He doesn't agree that we should just give up the materials in the home, and if they are worth that much to him, he could enter into an agreement with the City to take the materials, and then either rehabilitate or demolish the building when he is done. Alderman Gonzalez stated that the individual does not want to see us tear it down, but he also does not want to spend the money for the demolition.

Mayor Aiello recommended an RFP for salvage. Alderman Smith stated that he feels that Mayor Aiello is on the right track. We need to give everyone a chance at the salvage.

Mr. DiCerbo stated that the Council could identify the houses for demolition and put out an RFP for the salvage, but he does need to first check the demolition bids to make sure that they do not include the rights to salvage on the properties.

Alderman Witte stated that we need to handle this fairly and do our due diligence. Mayor Aiello added that not requiring an RFP could be considered "gifting", and we need to be careful with that. We should put out the RFP, which would be the most fair way to handle the situation.

5. Approval of Committee Reports

A motion to approve committee reports was made by Alderman Smith, seconded by Alderman Witte. Voice vote, ayes all. Motion carried.

6. Adjournment

A motion to adjourn was made by Alderman Smith, seconded by Alderman Witte. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 6:30 p.m.