

## CITY OPERATIONS

Tuesday, September 3, 2019 – 5:30 p.m.

Police Training Room – Olean Municipal Building

Present: Members: Chairman Smith, Vice Chairman Witte, Alderman Dougherty, and Alderman Crawford. Others: Alderman Andreano; Mayor William Aiello; Nicholas DiCerbo, Jr., City Attorney; 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 5:30 p.m. and asked that the record show that all committee members were present except Alderman George, who was excused.

### 2. Approval of the Minutes of the Previous Committee Meeting (Tuesday, July 30, 2019)

A motion to approve the minutes of the July 30, 2019 meeting was made by Alderman Smith, seconded by Alderman Witte. Voice vote, ayes all. Motion carried.

### 3. Unfinished Business

None

### 4. New Referrals for Consideration

#### a. Presentation / Discussion – Cattaraugus County Catnippers – TNVR Program Update

Alderman Crawford explained that he had asked that this item be placed on the agenda because he has received a lot of inquiries regarding what is going on with the program. He introduced Jamie Lawrence from the Cattaraugus County Catnippers.

Ms. Lawrence explained that she has been working with programs such as these in Erie and Niagara counties, and she is now here in Cattaraugus County and the City of Olean to try to help with our feral cat problem. She explained that the City of Olean is only the third municipality that she has seen dedicate funding to the program. She explained that the good news is that the program has begun; however, the bad news is that the City has the worst cat problem that she has ever seen. She explained that not all of the cats are feral, and that most are friendly from the low income and uneducated population. She explained that part of the issue is caused when cat owners cannot afford to spay or neuter their animals.

Ms. Lawrence explained that an operation has been established with “Operation Pets”, which is where the cats are being taken once trapped. She explained that a large colony of 85 cats has been found in North Olean, which is currently being worked on.

Ms. Lawrence explained that one of the issues that prevents the program from working to its full extent is a lack of volunteers, in addition to the lack of knowledge of cat owners, as well as the low income population who cannot afford to fix their cats.

Ms. Lawrence explained that she has toured the Allegany County SPCA, which was built primarily with grant funds. She encouraged the City of Olean to apply for grants with the ASPCA to aid in the TNVR program. She explained that bringing a low cost spay and neuter program to the area would also help. In addition, the City could communicate with the Allegany County SPCA regarding using their surgical suite, which is currently not being used to even a quarter of its capacity.

Alderman Andreano asked how many cats have been trapped, spayed or neutered, vaccinated and released in the City, and Ms. Lawrence responded that between 55 and 60 have been taken to Buffalo, and around 48 have returned where the remainder had passed away. She explained that these were cats that were taken from Buffalo Street, Worden Avenue, Sixth Street, and at a Sullivan Street property that was abandoned and then demolished.

Alderman Witte asked if any cats were trapped in the area of the property that the City demolished on Twelfth Street, and Ms. Lawrence responded that none have been as of yet. She explained that as soon as the group finishes handling the large colony that was found, they can move onto other areas. They anticipate that this will occur in late October or early November.

Alderman Crawford explained that he would forward Ms. Lawrence’s information to the other Council members so that they may contact her with any problem areas that they are aware of.

Alderman Crawford asked what the cost of spaying or neutering is, and Ms. Lawrence responded that the cost is \$55, and that there is an additional charge of \$10 if that cat has worms. She explained that if the cat shows no signs of worms, that she treats them herself, which is a \$5 cost versus the \$10. She explained that this \$10,000 has been a great start.

Alderman Crawford explained that the City will look at different municipal grant options to help fund this program. He asked what sort of hurdles the Catnippers face, and Ms. Lawrence responded that the primary issue is funding. She explained that feeding the cats every day, plus litter costs and recovery costs, are financially restricting. She noted that she will be contacting Purina in Dunkirk to see about getting a donation of food. Alderman Crawford added that Main Street Sweets in Allegany has volunteered their shop to be a drop off point for donations of food and other needed supplies for this program.

- b. PL #66-19: (Andreano) To enact a local law to grant a partial exemption on real property taxation to certain senior citizens.

Alderman Andreano explained that the Council received a letter from Cattaraugus County Real Property, and after speaking with the City Attorney she learned that the City passed legislation for exemptions in 2007 to allow for unreimbursed medical expenses to be reduced from income when calculating the Senior Citizen Exemption for property tax purposes. It was found during an audit of Cattaraugus County that the City of Olean did not file this as a Local Law with the State of New York; therefore, it is necessary to vote again on the legislation so that it can be filed correctly.

Alderman Witte asked if this is an exemption on top of the STAR program, and Alderman Andreano responded that she believes that it is. Alderman Smith asked if the City has been giving this exemption, and Alderman Andreano responded that we have since 2007. Alderman Dougherty asked if this means that there will be no additional budget impact, and Alderman Andreano responded that he is correct. Alderman Crawford asked if this needs to be updated annually, and Mr. DiCerbo responded that it does not need to be.

Alderman Crawford asked how many seniors are taking advantage of this program. He pointed out that the City should educate citizens more if there is a number of seniors who are not aware of this exemption. Alderman Andreano explained that she thinks a key part of this is that copays can be shown, and used to reduce the income amount to potentially place a senior citizen in a separate bracket to save more on property taxes. She explained that Mr. Piechota, the City Assessor, did explain that he has property owners participating in this program but he did not say how many.

Alderman Witte explained that she feels that the City does not see this a lot because there are a lot of seniors in the area that are in senior housing or rentals, so she does not feel that there will be a financial impact, if any, if the City “advertises” the exemption to the public. Mr. DiCerbo added that the Assessor’s office does a great job when it comes to exemptions, and that a lot of seniors come in around the taxable status day.

Alderman Crawford noted that it could be possible to have this exemption described in language that would make sense to the public sent out on the back of water bills in the future.

A motion to approve PL #66-19 was made by Alderman Smith, seconded by Alderman Witte. Voice vote, ayes all. Motion carried.

- c. Discussion – Amendment to Code of Ordinances Section 21-62 (cost for hazardous tree removal in subway split 50/50 between City and property owner)

Alderman Smith explained that he wanted to speak regarding this, as since the Council approved a 50/50 cost split for tree removal, he has observed that the cost for the City to prune or remove a tree is much higher than if a property owner were to contract with a tree removal company. He explained that even after the cost is split, it is often still cheaper through the private contractor than through the City's contractor.

Alderman Smith explained that the Council could consider changing the ratio of the cost split, or the City could offer to reimburse a portion of the cost if the property owner hires a contractor themselves, as is done with the sidewalk program.

Alderman Crawford explained that he had a resident in his ward who had the tree removed at a total cost (by the City contractor) of \$1,000, which resulted in a \$500/\$500 split between the property owner and the City. However, if he were to have the tree removed by a contractor of his choice, it would have cost between \$700 and \$800. He explained that it was cheaper for this resident to have the tree removed by the City, but the overall cost was higher. He feels that allowing the resident to choose their own contractor and the City rebating half seems like a win-win.

Alderman Dougherty explained that he thought that the City gave the property owner the ability to choose their own contractor, and Alderman Crawford replied that the Code states that the City contractor is used. Alderman Andreano noted that she had received calls regarding the same issue.

Alderman Smith asked if tree removal would still be permitted through the City at the direction of the City Forester, and Mayor Aiello suggested it be set up like the Sidewalk Program with an application. Alderman Crawford explained that this could save both the property owner and the City money. Mr. Ring added that he thinks that this is a positive, as photos can be taken when an application is received. He explained that sometimes contractors drop trees and break sidewalks, which they don't fix. This could allow for the City to require the contractor to fix any sidewalks they break.

Alderman Smith asked if tree removal will still occur under the same parameters, and Mr. Ring replied that it would. Alderman Smith asked if the City will only reimburse costs if a tree is dangerous, not if it is a burden or aesthetic issue for the property owner, and Mr. Ring replied that he is correct. Mr. Ring explained that the tree board, with the assistance of the City Forester, does a good job determining what trees are dangerous and what needs to be removed.

Alderman Crawford explained that this can be self-reported or neighbor reported, and that the City Forester does not necessarily need to report the problem tree, only examine it to determine it is dangerous. He explained that he feels that a timeline should be maintained and

that a property owner should have so long to remove the tree before the City is able to use its means to remove it.

Legislation will be drafted by the City Attorney and presented at a later date for the Council's review.

d. Discussion – Taxicab Fares

Alderman Smith explained that this was brought to his attention by a taxi cab company owner in Olean, that the maximum rate that a taxi can charge in Olean has not been raised since 2011. He feels that this needs to be looked at, and noted that the Council only sets cash fares, as medical and governmental prices are set by the State and Federal governments.

Alderman Andreano asked if the Council is required to set rates, and Mr. DiCerbo replied that the City does not require meters in the cab, so we do. HE explained that it is a geographical fare, and that the Code of Ordinances states that the Council sets the rates.

. Alderman Dougherty expressed that he is not all about regulations. Alderman Witte responded that not having maximum rates can open up issues, as the people who use taxis do not have alternative modes of transportation. Alderman Dougherty explained that he does not feel that taxi companies will hurt themselves by charging a very high price and risking not having any users.

Mayor Aiello explained that he met with the County recently, and that they budget a lot of money for cab fare each year. He explained that if the City goes to a pricing system of "no more than \$X", that Social Services may be able to work out a better deal with the cab companies. He explained that cabs have been regulated in Olean since they existed.

Alderman Crawford asked if these are ceiling amounts, and Mayor Aiello responded that they are flat fees. Alderman Crawford explained that he likes the idea of a ceiling rather than a flat fee, and that the Council needs to consider what is best for a fixed income.

Alderman Andreano asked if there is a reason that the City doesn't require meters, and Mr. DiCerbo responded that he believes that historically it has been because of the cost to put a meter in a cab.

Alderman Smith explained that the owner who had approached him explained that if his business was based on cash customers, that it would close because rates are so low. Alderman Smith explained that he likes the ceiling versus a flat fee, as the flat fee offers no flexibility whatsoever.

Alderman Crawford asked what other municipalities do, and Mayor Aiello advised that he would have Ms. Taylor look into this and report back at the next meeting.

e. Discussion – Wayne Street Crossing at YMCA

Alderman Crawford explained that he has been approached by the YMCA to talk to the Council regarding the possibility of a flashing beacon at Wayne and Tenth Street. He explained that there is currently a crosswalk in this area. The daycare is on the north side of the street and the YMCA building is on the south side of the street, so young children are often crossing Wayne Street.

Mayor Aiello explained that he thought that the request was for a mid-block crossing. He explained that this is not a new problem. Coming from the daycare, you cannot travel to 12<sup>th</sup> Street to use the crosswalk because there is no sidewalk, and going to 10<sup>th</sup> Street you have to cross the parking lot of what was the call center. HE explained that if sidewalks are built then a flashing beacon may be an option.

Alderman Witte explained that years ago when the bus stop was put there, the City tried to coordinate a crossing, but a crossing was never put in. Mayor Aiello explained that the goal is to safely get the kids to 10<sup>th</sup> or 12<sup>th</sup> Street, and then across Wayne Street.

Alderman Crawford noted that last year the crossing was updated to a brighter yellow sign. Mr. Ring explained that the configuration needs to be worked on before anything is decided.

Alderman Witte asked why there is not a crossing where the kids cross at Wayne and North Union Street, and Mr. Ring explained that these signals are really made for mid-block crossings. He explained that they can also cause issues because drivers will eventually anticipate them, so if they are not flashing they automatically assume that no one is there. He noted that the signals could possibly have a more negative effect.

Alderman Dougherty explained that he does not feel that it would be an issue to add the lighting on Wayne Street, as there are currently no others along the roadway. He does agree that the more there are, the less people care. People will no longer notice them if they are added at every midblock crossing.

Mayor Aiello suggested that Mr. Ring, Chief Bell and Chief Rowley look at the situation, and for Mr. Ring to put together a plan.

5. Approval of Committee Reports

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

## 6. Adjournment

A motion to adjourn was made by Alderman Smith, seconded by Alderman Crawford. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 6:35 p.m.