

COMMITTEE OF THE WHOLE MEETING MINUTES

TUESDAY, APRIL 27, 2021 – 6:30 p.m.

COUNCIL CHAMBERS – OLEAN MUNICIPAL BUILDING

IN ATTENDANCE WERE: ALDERMEN CRAWFORD, WITTE, PANUS, GONZALEZ, BARNARD, ROBINSON, AND ANASTASIA. OTHERS: MAYOR WILLIAM AIELLO; LENS MARTIAL, CITY CLERK; GREGG PIECHOTA, CITY ASSESSOR; TIM RICHARDSON, POLICE CHIEF; RON RICHARDSON, POLICE CHIEF, AND TIFFANY TAYLOR, MANAGERIAL CONFIDENTIAL ADMINISTRATIVE SECRETARY.

Alderman Crawford called the meeting to order at 6:30 p.m. and asked that the record show that all Aldermen were present.

1. Presentation – Electric Scooter Program Jeremy Lynch, Bird

Alderman Crawford introduced Jeremy Lynch from Bird and explained that he did a short presentation a few weeks ago to give an outline of this program. Mr. Lynch explained that he has been with Bird for three years. He explained that one of the interesting things about Bird is that they have radically changed the way that they operate in cities. He explained that in 2021 they began working with cities all over the country with a new operating model which is the fleet manager model that Alderman Crawford presented.

Mr. Lynch explained that there are currently around 60 cities participating in the new program that began this year, and there are as little as 50 scooters per city in the program. He explained that they are working with smaller cities that they have not worked with before. They hire a local entrepreneur in the area who they provide with scooters that are allowed to be operated within a designated area of the city. The fleet manager is responsible for charging them, placing them out, rebalancing them during the day, picking them up and charging them at night and putting them back out in the morning. He explained that the fleet manager would be local because they would have a better idea of where the scooters would be ridden, and the manager receives a percentage from each ride.

Mr. Lynch explained that there was previously no oversight, and this model is completely different in the sense that the manager is rewarded for scooters being ridden. This motivates the manager to place the scooters in areas where they will be ridden. He explained that the manager is immediately notified on their phone when they are being ridden and where, and also if they need to be charged. He explained that this behooves the manager to have a smooth operating system and it has made a successful business model for Bird.

Mr. Lynch explained that based on 100 scooters a manager could make \$1,500 a week which is 2 to 3 rides per scooter, per day. He explained that you don't need hundreds of riders. He explained

that the city would start with 50 scooters, and the fleet manager would initially be trained for a couple weeks on what the model is. The fleet manager is held to a higher standard and is notified of what number of rides there should be. If a scooter is idle they receive a notification and they can move scooters so that there are not too many in the same area. He explained that Bird will work with them to ensure that the scooters are in good shape and properly parked. He explained that this program has been very successful for Bird.

Mr. Lynch explained that they reached out to Olean because of St. Bonaventure nearby. He explained that this could be another piece of mobility and that adding another transportation option could help increase revenue to local businesses. Alderman Crawford explained that he rode his scooter today to the Council meeting. He explained that they are fun, safe, and environmentally friendly.

Alderman Witte asked if these are for the street or sidewalks, and Mr. Lynch replied that they are for street travel only. Alderman Witte asked if they are equipped with GPS to know where they are, and Mr. Lynch responded that they all have GPS. He explained that the City could have access to a data dashboard so that we could also know where they all are at any given time. The fleet manager also has this capability. He explained that the City can geofence an area that the scooters could be ridden in, and the scooters slow to a stop and cannot be ridden if they leave this area. He explained that if this happens the fleet manager receives notification and they can immediately go get the scooter if the operator has not returned it to the designated area.

Alderman Gonzalez asked what months of the year these operate. Mr. Lynch explained that they are mostly operated from March through November depending on the weather. He explained that during a warmer fall they could be ridden later, while snow in October could take them off the streets earlier. He explained that the fleet manager could not deploy the scooters one day because of inclement weather and then put them back out the next day. He explained that once they are run up against a wall, they will be hibernated and will sit idle until the program is relaunched in March depending on the weather.

Alderman Robinson asked about charging the scooters, especially on the busier days such as Memorial Day, Labor Day and the Fourth of July. Mr. Lynch explained that a full charge lasts between three to four hours. He explained that they would start with 50 scooters, put more on the road with St. Bonaventure students return, and take some off after they leave. He explained that when he says 50 he does not mean 50 out but rather 35 to 40 so if one is being charged another can be sent out in its place. Alderman Robinson explained that there are a few hills that lead into the City, and asked how many miles the scooters will go through based on weight. Mr. Lynch explained that 15 miles per hour is the top limit for speed but a smaller person can go much faster and farther. Alderman Crawford asked how far a full charge would take someone, and Mr. Lynch responded that it would take them around 30 miles.

Alderman Witte asked what the age limit is, and Mr. Lynch explained that you have to be 18. Alderman Witte asked if there is a system to pay and register. Mr. Lynch explained that when a person signs up, it is up to the City to decide if a driver's license is required. He explained that the user would need to have a credit or debit card number, and if someone is on State assistance that is taken into consideration for community pricing.

Alderman Crawford explained that he wanted to reiterate that when the program kicks off they are not just dropping off 50 scooters, but they are rather starting out with fewer to see where the demand is and then adding more where they are needed. He explained that at any given time 30 to 40 would be on the streets. Mr. Lynch explained that there will never been to many scooters out there, as that will not make ridership worth their while. He explained that the most scooters he would anticipate being in session are 100. He explained that a lot of the ridership, he anticipates, would be the university population. They don't want scooters out there that people won't ride and they want to find the right balance.

Alderman Anastasia asked who would be responsible if a scooter runs into a vehicle. Mr. Lynch explained that Bird has the insurance, so Bird would be the one to take care of those issues. He explained that the rider is held responsible as well, and this is spelled out in the member agreement. He explained that there is indemnification language in the MOU as well, and Bird would have the City listed as additional insured on the Certificate of Insurance.

Alderman Panus asked, with the small amount of staffing, what would happen if the scooters were becoming neglected and how fast could Bird remedy this. Mr. Lynch explained that generally what they try to do is get one to three initial fleet managers and interview two or three more people to keep in line in case something happens. He explained that if the fleet manager does not live up to the standards and responsibility that they put on them, that the person will be removed and replaced.

Alderman Crawford asked, of the 60 programs in other small cities, how many of them cancelled. Mr. Lynch responded that not one has, and explained that there are programs in Yonkers and Long Island but Olean would be the first small city in New York and first city in Western New York to have this available.

2. Finance and Bills

A motion to approve Finance and Bills was made by Alderman Witte, seconded by Alderman Barnard. Voice vote, ayes all. Motion carried. Referred to Regular Meeting for Resolution.

3. PL #19-21: (Aiello) To authorize the Mayor to execute an agreement between the City of Olean and the County of Cattaraugus for mosquito spraying services.

Mayor Aiello explained that a few weeks ago, he requested permission from the Council to send in notice that the City is interested in mosquito spraying services to the County. He explained that

the Council did give permission at that time, and this is the follow up for the actual contract that he needs Council permission to sign. He explained that if they do spray, the City will be asking for money to come out of contingency as was discussed during the budgeting process.

A motion to approve PL #19-21 was made by Alderman Anastasia, seconded by Alderman Gonzalez. Voice vote, ayes all. Motion carried. Referred to Regular Meeting for Resolution.

4. Discussion – 117 North Union Street

Chief Tim Richardson explained that over the last month the Fire Department and Code Enforcement have been monitoring the situation at the Uptown Florist building on North Union Street, and they have found it to be in an accelerated state of disrepair. He explained that R.E. Kelley evaluated the building and it has been deemed unsafe. He explained that it is their opinion that the potential collapse of the front of the building is imminent and they want to make it safe as soon as possible. He explained that R.E. Kelley has quoted the stabilization at \$16,000 and they can be there as early as Thursday. The area is blocked off to pedestrian traffic and with the risk to pedestrians they feel the need to immediately start doing repairs.

Alderman Crawford asked who is ultimately liable for the \$16,000. Chief Tim Richardson explained that it is the owner, but because it is a dangerous building, the City would pay with contingency funding and then lien the property. Alderman Witte asked if this is just to remove the dangerous portions, and Chief Richardson responded that it is. He explained that he still has a lot of homework to do tomorrow, and they have to gain access to the second floor. R.E. Kelley will anchor and bolt to whatever they can to keep the veneer from sloshing. He explained that the sign is falling on the left and the building is cracking and crumbling.

Alderman Panus asked what the status of the property owner is, and Chief Richardson explained that they are working with the City and an Order to Remedy was issued on the 14th. He explained that Code Enforcement has told him that he hasn't complied and that because it is a dangerous building, we have designated it a dangerous structure and we need to make it safe for the public. Mayor Aiello explained that the account for building repairs is pretty much depleted so they may come to the Council for money, and Chief Richardson explained that he will give the Council a written report per the Code if this is the case, He noted that this is not done often.

5. Discussion – Tax Rate Communication from City Assessor

Alderman Crawford explained that the Mayor has requested that Mr. Piechota attend the meeting in the case that the Council has any questions or if they want any clarification regarding the tax rate communication that Mr. Piechota sent out.

Mr. Piechota explained that the County changed the way that exemptions are removed when a house transfers. He explained that it used to be that they would wait until the next roll, but now they remove it at the time of transfer. He explained that he did not realize this until he started

running numbers and numbers weren't balancing. He explained that the tax rate went down from what was voted on because of this.

Alderman Crawford asked if this is a one off situation or if this will occur every year. Mr. Piechota explained that this was a one time situation. He explained that he is starting to track now when the County removes the exemption, he explained that he didn't think it would be over a million dollars that would come back on the rolls, but it was a considerable amount and the tax rate went down four cents this year from what the Council voted on.

At this time, Mr. Saradin entered the meeting.

Alderman Crawford asked if it will take official action to adjust the tax rate. Mayor Aiello explained that he would have a conversation with the City Attorney who will let us know if we need to amend the budget or not. Mr. Piechota explained that he was emailing with Mr. Hart today and they came to the consensus that the tax rate should be amended in the budget so there are not two different historical rates in the future. Alderman Crawford asked that he follow up and let the Council know if official action should be taken on this.

Alderman Witte asked if more money would be coming in. Mr. Piechota explained that the tax rate is how much you need to raise divided by the total taxable value of the city, so if the total taxable value goes up, the tax rate goes down.

6. Adjournment

A motion to adjourn was made by Alderman Crawford, seconded by Alderman Panus. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 7:05 p.m.