

# COMMITTEE OF THE WHOLE MEETING MINUTES

*TUESDAY, MAY 25, 2021 – 6:30 p.m.*

## COUNCIL CHAMBERS – OLEAN MUNICIPAL BUILDING

IN ATTENDANCE WERE: ALDERMEN CRAWFORD, WITTE, PANUS, GONZALEZ, BARNARD, AND ROBINSON. OTHERS: MAYOR WILLIAM AIELLO; LENS MARTIAL, CITY CLERK; JACK HART, CITY ATTORNEY; FRED SARADIN, CITY AUDITOR; BOB RING, DIRECTOR OF PUBLIC WORKS; RON RICHARDSON, FIRE CHIEF; TIM RICHARDSON, FIRE 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 except Alderman Anastasia, who was running late.

### 1. Finance & Bills

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

### 2. Discussion – Various Fund Transfers

Alderman Crawford explained that these transfers were previously discussed. He explained that Resolution #33-21 includes transfers from a General Fund line item for salt purchases to a salt shed Capital Fund. He explained that a presentation by Mr. Ring explained that unused snow removal money for salt would be transferred to a salt shed capital fund. Alderman Gonzalez asked if this would pay for the entire shed or just the first piece of the project. Mr. Ring explained that this would just pay for the concrete pad. We would still need to purchase jersey barriers which would be the walls, as well as the canvas portion. He explained that the City would construct this ourselves.

Alderman Crawford asked what the estimated cost is, and Mr. Ring explained that this project has a total estimated cost of \$70,000. Alderman Crawford asked what the timeline is for this project. Mr. Ring explained that the goal is to complete the project in the fall, but some money would have to come available. If not, this would be completed a year from now if it is reasonable to transfer money at budget time. He explained that the salt line item was reduced by \$10,000 but even with the reduced amount because less salt was ordered, he is optimistic that a similar amount of funding will be left over next year to complete the project.

Alderman Crawford explained that Resolution #34-21 involves transferring a total of \$51,182 from General Fund contingency to demolition of unsafe buildings (\$22,000) and the capital fund for the Sidewalk Program (\$29,182). Chief Tim Richardson explained that the \$22,000 for demolition of

unsafe structures is for the cost to stabilize 117 North Union Street, and he explained that per Code, he sent to the Aldermen a completed report from start to finish. Alderman Crawford thanked him for the detailed report and explained that it really shows the project from the beginning to the middle and end. He explained that the photo of the upstairs of the structure shows a five inch gap between the face of the building and the structure so kudos to the Fire Department for catching this issue.

Alderman Crawford explained that we are putting \$29,182 in the Sidewalk Program fund and that the Council verbally authorized the Department of Public Works to use the funding in this line item to get the program up and running. He asked if the funds are now depleted, and Mr. Ring responded that they are depleted and there is now a waiting list. He explained that in this case he can reevaluate. There is a few thousand dollars left in the program from last year, and there is also a few thousand in reserve in the case that there is a complaint made about a sidewalk.

Alderman Crawford explained that depending on where the finances come in at the end of the year, possibly in June or early July depending on the fund balance, the Council could throw additional funds to the sidewalk program. He has a feeling that people are investing stimulus money into their properties. Alderman Witte explained that after the end of the year we can see where everything ends up, and maybe invest another \$10,000 to \$15,000 into the program. She explained that this is one of those items where the property owners are taking responsibility, so this is a great thing and should keep going.

Alderman Crawford explained that Resolution #35-21 is for the fund transfer from General Fund balance to various capital funds, which is the long list of projects that the Council worked with the Mayor on determining during budget time. He explained that \$451,000 will be taken from fund balance in order to set up Capital Fund #205 for Fire Station 1 Generator (\$36,000), #206 for Restriping City Streets (\$90,000), #207 for Brick Street Repairs (\$100,000), #208 for the South Union Street Gateway (\$150,000), #209 for the Central Fire HVAC Repairs (\$50,000), and #210 for the Recreation Center Digital Sign (\$25,000).

Alderman Crawford explained that Resolution #36-21 is for transfers from Water Fund and Sewer Fund balances to fund vehicle purchases. He explained that \$47,000 will be taken from Water Fund balance and \$546,000 from Sewer Fund balance and transferred to Vehicle Replacement Fund, Capital Fund #102. He explained that the Sewer Fund transfer will pay for a vacuum truck and the partial replacement of a street sweeper, and \$47,000 from each fund will be used for the purchase of a loader. He explained that this was all previously discussed and exact figures and finances have been laid out.

Alderman Crawford explained that Resolution #37-21 is for a transfer from Building Repairs to Fire Station Repairs in the amount of \$24,554.13. He explained that this was previously discussed and we are just ensuring that we do our accounting correctly. Alderman Crawford explained that Resolution #39-21 is to transfer \$50,000 from Water Fund Contingency into a newly created

capital fund #212 for Hydraulic Mapping. He explained that Mr. Ring spoke about this last week in committee.

3. PL #22-21: (Crawford) To authorize the Mayor to execute a Memorandum of Understanding with Bird Rides, Inc. for stand-up electric scooter sharing systems within the City of Olean.

Alderman Crawford thanked the Mayor for his input into this program, and City Attorney Jack Hart for spending a great deal of time working on the agreement. He explained that he has done some great contractual work while working with Mr. Lynch, who presented to the Council a month or two ago. He explained that he worked to protect the City, and hopefully this program will be successful and will be another business here locally that will help promote a green environment. He presented to the Council the final Memorandum of Understanding.

Alderman Crawford explained that the MOU gives Bird Rides the right to operate within the City of Olean, and all stand-up electric scooters are still governed by the laws of the State of New York. He explained that the scooters are to be ridden on streets and in bike lanes and on bike paths approved by the City. He explained that as far as requiring safety equipment, a discussion will occur later on when the Council can discuss details such as this. He explained that New York State does not require helmets for users 18 and older so we need to determine if the City does or does not require them. He explained that reflective clothing and speed limits are on a laundry list of details that we can get into later on that really legislate scooters as a whole.

Alderman Crawford continued that in this agreement it says that Bird and users will need to comply with New York State and local laws. He explained that the scooters will be available to rent between 5 a.m. and midnight and a minimum of 75 scooters will be available at launch, which will occur within 90 days of the agreement. He explained that he asked to be included in the MOU and Mr. Hart worked to get in there a provision that states that there is a cap on the amount of scooters and that the operator is permitted within the City's consent to increase the number of scooters in the fleet if there is an average of 2 or more rides per scooter per day. He explained that this means that Bird can't just ramp up a bunch of scooters to be lying around all over the streets, as Bird will need to come to the Common Council, the Mayor and the city to go beyond the limit and will need to provide a plan on how to manage scooters.

Alderman Crawford explained that Bird's policy is to hire a second fleet manager if there is any more than 75 scooters in the fleet. He explained that when there are too many scooters in a community, the community can become nuisance if it is not managed. He explained that Bird will provide safety training and materials to users. Bird will pay the City 25 center per ride in revenue sharing, which will be paid to the City quarterly and will be used to help fund bike lanes as well as other transportation projects within the riding area. Alderman Crawford explained that the agreement will include that the City of Olean is held harmless as well.

Mr. Hart explained that this is an accurate overview of the agreement. Alderman Witte asked if Chief Ron Richardson had been consulted regarding enforcement, and Mr. Hart explained that this part will need to be worked on because there are violations that we will be building that are not in the Code that the police officers are working from. He explained that local rules will be important. Alderman Witte explained that she is already receiving calls about children on scooters and she is sure that the Mayor's office will be receiving calls as well. She wants to be able to tell her constituents the guidelines and how this will be enforced.

Alderman Crawford explained that he feels that we need to sit down with the Mayor, Police Chief, and City Attorney to look at the laws that are currently on the books regarding bicycles as well as scooters. He explained that this past weekend he saw two electric scooters clipping down the sidewalk at around 15 miles per hour and if someone gets hit, it could be disastrous. He explained that we need to increase education and work with the Police Department and Mayor to enforce laws and tweak and clean up the laws we have in the books through the coming months.

A motion to approve PL #22-21 was made by Alderman Crawford, seconded by Alderman Gonzalez. Voice vote, ayes all. Motion carried. Referred to Regular Meeting for Resolution.

4. PL #31-21: (Aiello) To confirm the Mayoral appointment of Joshua Miller to the Board of Assessment Review for the term 10/01/2020 through 09/30/2025.

Mayor Aiello explained that Mr. Miller will be completing the term of a person who has left. He explained that Mr. Miller has worked with the Olean Area Federal Credit Union for the past ten years, and he lives on Gemini Drive here in Olean. He explained that he is a manager at the Credit Union, where he comes highly recommended. He explained that Mr. Piechota is happy that Mr. Miller is being appointed to the board. Alderman Crawford explained that he has known Mr. Miller for a long time and he can't think of anyone better to serve on the Board of Assessment Review.

A motion to approve PL #31-21 was made by Alderman Crawford, seconded by Alderman Witte. Voice vote, ayes all. Motion carried. Referred to Regular Meeting for Resolution.

5. PL #33-21: (Aiello) To authorize the transfer of \$10,584 from line item 5111.301 and \$5,250 from line item 5111.302 to Capital Fund #185, Tree Program.

Mayor Aiello explained that this was discussed in committee. He explained that money will be used to complete projects that are already in the works and additional money will be used for the tree program. Alderman Witte asked if money is being taken to pay for the East State Street trees. Mr. Ring explained that this is a part of the cost for Walkable Olean Phase III and noted that the trees being removed will be replaced over time.

A motion to approve PL #33-21 was made by Alderman Robinson, seconded by Alderman Witte. Voice vote, ayes all. Motion carried. Referred to Regular Meeting for Resolution.

6. Adjournment

A motion to adjourn was made by Alderman Crawford, seconded by Alderman Robinson. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 7:00 p.m.