

COMMITTEE OF THE WHOLE MEETING MINUTES

TUESDAY, JUNE 22, 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; BOB RING, DIRECTOR OF PUBLIC WORKS; KERI KERPER, COMMUNITY DEVELOPMENT PROGRAM COORDINATOR; JEFF BELT, GOODBAN BELT LLC., 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 – Town Web (City Website)

Presentation postponed.

2. PL #39-21: (Aiello) To authorize the Mayor to sign and submit an application to the U.S. Department of Transportation through the Rebuilding America Infrastructure with Sustainability and Equity (RAISE) Discretionary Grant Program for the Connecting Communities: A Multi-modal Vision for West State Street, Olean, NY Project.

Ms. Kerper explained that the RAISE grant program was previously known as TIGER and BUILD. She explained that it is administered by the U.S. Department of Transportation. She explained that since 2009, the program has awarded nearly \$3.4 billion in Federal funding to 299 projects to support rural and tribal communities across the nation, leveraging an estimated \$6.2 billion in non-BUILD and TIGER funding. Ms. Kerper explained that overall, the Department of Transportation has received more than 9,700 applications requesting more than \$175 billion for transportation projects across the country. In 2020, BUILD awarded 70 projects across 44 states, so this is an extremely competitive program nationwide.

Ms. Kerper explained that the Operating Administrations will review the technical capacity for all eligible applications concurrent with the Merit Criteria Evaluation. She explained that the Merit Criteria are safety, environmental sustainability, quality of life, economic competitiveness, state of good repair, partnership, and innovation. Ms. Kerper explained that under the fiscal year 2021 Appropriations Act, the Department must make awards by November 22, 2021. Ms. Kerper explained that the Department will post awards to the RAISE Grants website and that those awarded will not be notified so we will need to check the RAISE website often for updates.

Ms. Kerper explained that RAISE grant award recipients must have a signed and executed grant agreement in place with the DOT by September 30, 2024. The execution of a grant agreement obligates RAISE grant funding for the project and all RAISE grant funds must be expended by September 30, 2029.

Ms. Kerper explained that the RAISE grant program enables the DOT to use a rigorous merit-based process to select projects with exceptional benefits, explore ways to deliver projects faster and save on construction costs, as well as make needed investments in our Nation's infrastructure. She explained that we plan to apply for up to \$20 million, not the \$6.5 million listed in the current resolution. She explained that the maximum funding amount is capped at \$25 million in no match funding.

Mr. Ring explained that he is really excited for this opportunity. He explained that the City currently has \$1.6 million in DRI funding to improve intersections at State and Union to 7th Street and State. He explained that a big part of this is to get the community to buy in to a potentially bigger project. He explained that we took a really good project and tried to meet the criteria that Ms. Kerper described. He explained that the project would begin at the State and Union roundabout and end at the St. Bonaventure University townhouses. The project would span three communities and we have worked to get buy in from the other communities, who are excited about the opportunity as well.

Mr. Ring explained that innovations and the future were in mind when considering a draft plan. He explained that the redesign would have an environmental impact and there would be areas for electric vehicle parking and trailheads. Seating and place making would also be included along the street. Mr. Ring explained that we would like it to be an experience driving down our streets and we would like to bring more people to the community from outside and also from St. Bonaventure.

Mr. Ring explained that one of the key concepts of the project design wise is putting the City on the State trail map. He explained that a project like this would help connect Olean with other communities, and Olean could be a tourist center. He explained that there were a lot of mixed feelings about North Union Street, but he feels like it has been a huge success. He explained that the roadway has been 400 percent safer than what it was and there have been fewer collisions as well. The traffic volume has increased, and the roadway is still safer. He explained that there are significantly less injuries in accidents that do occur because of the slower speeds. He explained that the project would result in a greater safety increase on State Street.

Mr. Ring explained that the presented concept is about ten percent done and generic, and it does not consider challenges yet. He explained that when we look at the feasibility of minor intersections and the roundabouts proposed, he knows that they will fit but there is not a lot of legwork done for the engineering design such as traffic studies or counts. He knows that they are safer but this is only a proposal at this point. The roundabouts would allow for larger trucks to drive across and car turning movement. He explained that State Street, because of the high speeds,

is really the City's most dangerous road. He noted that it used to be North Union Street. We want to make left turns safer and mini roundabouts would help to do that.

Mr. Ring explained that the whole concept of the project is to make the roadway safer. He explained that shorter crossings are proposed with refuge islands. Intersections would include amenities like benches, trash cans, street art, and bike parking. Mr. Ring explained that we may have contingency money and matching funds. We have \$1.6 million already designated to the project from DRI funding, and Route 16 and Route 417 touring funding has just been awarded by the State. He explained that there is an idea to advertise this roadway as a bike route, and that the State feels that this will help with the application. He explained that the closest cost estimate that we currently have is \$15.5 million, and as Ms. Kerper explained, we hope for 100 percent funding.

Alderman Witte asked if bike lanes in the future will be more connected to other streets. Mr. Ring explained that they will be. He explained that Alderman Crawford presented at one point a downtown loop with phases of Walkable Olean showing a loop downtown with legs stretching into neighborhoods. He explained that this is a great idea for a centralized downtown and centralized park system.

Alderman Gonzalez explained that he would like to say that he is extremely excited about this potential project. He thinks that this is the dream, and it would be a bigger impact than North Union Street was. He explained that this is everything that we have been talking about for years including connecting to St. Bonaventure and making everything bikeable and walkable. He explained that this is how we bring jobs and people back here. This is a bombshell to drop on Olean in a good way. He explained that he is very excited about this, although he is not super optimistic knowing how the first project went, He is hoping for this though and it has his support. He explained that for anyone who questions the wisdom and thought behind this project, eh really wonders if they know what they are talking about.

Alderman Robinson explained that he definitely loves this theory and idea, and he thinks that it would be beneficial to the City if we could make this happen. He explained that this is a long time coming. Alderman Crawford explained that Alderman Gonzalez took the words out of his mouth. He explained that the concept to bring people, whether visitors or potential residents to the area, and tying into North Union Street is what we need. He explained that as we chip away with neighborhood connections and try to tie into parks, it all starts to flow together. He explained that this would really seal that for us. He is not going to get into the weeds right now about the number of roundabouts. He knows the pros and cons, but he knows that from a safety perspective they are a benefit, and he wonders if there is any negotiation that can happen about the design and number of roundabouts. Ms. Kerper explained that in 2013 when the City applied for TIGER funding, along with other requirements when receiving Federal dollars, there was a huge amount of public participation. She explained that there were reviews and design workshops. Everyone's time and input is valuable, and if the funding is awarded, there would be a huge amount of community input and there will again be a taskforce with various reviews.

Alderman Witte explained that she is thrilled about this and it is a great concept for Olean looking into the future. She explained that like when Alderman Gonzalez suggested the bike rack on the trail, this would help tie into the trail system and boost the quality of life for young people in Olean.

Alderman Anastasia asked if during the North Union Street study if a majority of people approved the roundabouts for North Union Street. Mr. Belt explained that to begin with, no, every place that one is constructed about 70 percent were opposed and 30 percent were in favor. He explained that after they are put in, 70 percent favor them and only 30 percent oppose. He explained that the FHA has become a strident advocate of fully traversable roundabouts. He explained that large trucks can go over the middle if needed and cars around. They are traffic calming and very resilient. He explained that West State Street is the perfect place for mini traversable roundabouts and it has all of the criteria that FHA is looking for. He explained that there are problems with safety and neighborhoods gaining access to West Sate Street, and these would make it easier to merge onto the roadway. He feels that they would work.

Alderman Gonzalez explained that a project like this will require a Council and Mayor with some pretty significant courage to stick their necks out and puts forward. He explained that with a project like this, there will be some unpopular ideas no matter what. He explained that something like this cost Alderman Witte her job as Mayor, but Mayor Aiello has had a lot of ribbon cuttings because of what Alderman Witte did. He explained that he is willing to do it, and you have to ask yourself if you are willing to stick your neck out. Alderman Witte explained that it was worth it. Alderman Crawford explained that he can imagine that with the number of communities going out for grants, he would image that those awarded would have to have come forward with a pretty progressive concept. He explained that just eliminating three red lights and repaving will not get us the grant. We have to come out with a concept like this to catch their eyes and get their attention and ultimately, hopefully get the City \$20 million. He explained that this is not \$20 million coming from the pockets of Olean taxpayers, but rather \$20 million coming from the Federal government.

Mr. Belt explained that he wants to follow Alderman Gonzalez's point. Olean is very important and he thanks the Council for their service. He explained that Olean is the City in Cattaraugus County and while there is 13,000 in Olean, there are 144,000 in the service area of the hospital so Olean is of service to a much larger area. He explained that he spent time on the Regional Economic Development Council, and Olean has always done more than pull their weight. WE are always extraordinarily courageous and are trying to do high priority projects. Olean's economy has had to transition several times, but we are making our way towards our next iteration with a diverse economy in healthcare, technology, manufacturing and education. He thanks the Council for their very courageous civic investments made. He explained that Olean is already a role model and we have seen this. Ms. Kerper has facilitated articles in planning magazines showing the way for other communities grappling with the same problems that we are.

Mayor Aiello explained that he is very pleased to see the Council's support. He explained that he has had some meetings with neighboring communities and he wants to echo comments that this

will move Olean forward. He explained that he will submit the grant application with the Council's blessing and hopefully move forward. He explained that we are doing all of the right things in Olean right now.

A motion to approve PL #39-21 was made by Alderman Gonzalez, seconded by Alderman Witte. Voice vote, ayes all. Motion carried. Referred to Regular Meeting for Resolution.

3. PL #34-21: (Aiello) To authorize the Mayor to sign and submit an application to Health Resources, Inc. through Walkability Action Institute (WAI) Community Implementation for costs associated with the purchase of high resolution / reflective paint to advance Complete Streets Implementation in an amount not to exceed \$15,000.

Mayor Aiello explained that this application was already submitted, and the grant was awarded to the City. He explained that we need the Council's authorization to accept the money. He explained that this will help with the high reflective paint for bicycle lanes. Ms. Kerper explained that we have been working with the New York Walkability Action Institute pursuing policies for walkability and bikeability. She explained that she has a three day virtual online seminar coming up. WE have come up with photos from the City's walkability audit, and have submitted the application. Everything happened very quickly and we were awarded the funding. She explained that the funds will be spent by 9/21 and the project is fully funded with no City financial contribution.

Alderman Crawford asked if this is the green paint by the mall and Ms. Kerper confirmed that this was a sample. Alderman Crawford explained that he loves this and that it really jumps out at you. Alderman Witte explained that in Rochester the bike lanes are this color and she is happy that we are moving in this direction.

A motion to approve PL #34-21 was made by Alderman Witte, seconded by Alderman Robinson. Voice vote, ayes all. Motion carried.

4. PL #36-21: (Anastasia) To authorize the transfer of \$20,000 from Sewer Fund Balance to Sewer Fund line item 8120.412 for costs associated with drainage work in the vicinity of 702 North Union Street.

Alderman Anastasia explained that this is actually in the vicinity of 623 North Union Street. He explained that the residents, the Greens, brought to his attention that every time it rains, it is like a river in their driveway causing property damage to their home. He explained that the previous Alderman was notified of the ongoing issue but it was not resolved, and he feels that it is time that the City helps the residents out. HE explained that it is his understanding that there used to be a drain by 7 Eleven before the roundabout and it is needed to catch water before it ends up on their property.

Elida Green explained that she purchased the home in 2014 and was born and raised in Olean. She explained that she loves her home and the roundabouts but when they went in the huge drain by the 7 Eleven entrance was taken out. She explained that she spent \$13,000 last year to have their foundation lifted and addition rebuilt, which was not covered by insurance. She explained that they have placed sandbags to try to divert the water and have put in rocks to try to divert the water. She explained that her insurance premiums went up for making a claim, even though nothing was covered. She explained that they are at the low point and their driveway dips and goes down further. A small drain was in the street as well but it was lost when the whole road was done. She explained that there were no responses from the previous Alderman and she never thought to contact the Mayor. When she reached out to Aldermen Crawford and Anastasia, they jumped right on it. There is just so much water and nowhere for it to go.

Alderman Anastasia explained that he has a resolution on the regular meeting agenda, and he is asking for \$20,000 so that we can hopefully get something done sooner or later. Alderman Crawford explained that he went and looked at the site today, and he is trying to wrap his head around what we can do to improve the situation and what the plan is if the resolution is passed. Mr. Ring explained that he, the Mayor and Brad Camp met with the property owner and looked at the area after it rained. He explained that he determined that the nearest storm sewer is at First Street, and there is a catch basin at the roundabout. A lot of drainage goes to the catch basin but their property is too low for it. The price to get the drainage to the nearest catch basin is king of high, but there is no storm sewer in front of their house. He explained that it is a tough call because it is a high cost to improve a single property and to put in a catch basin on private property which we typically don't do, but he believes that this will help. Ms. Green explained that there is nowhere for the excess water to go but if a drain is put in, she would be willing to have the work on the house redone, and she would pay to put in their own drain from the back of the house to this drain. Mr. Ring explained that the other property owners in the area could tie into this as well. He explained that all of the properties in this stretch of roadway sit below the road and that is why water pools there.

Alderman Crawford explained that it looks like there are four or five houses on that side of the street that all sit below the road. He asked what the origin of the water is and where it is coming from. HE explained that it seems like the water is coming more from 7 Eleven than from the street. He explained that it seems that we are trying to address the end of the problem and not the root cause. Alderman Witte explained that we have had this issue since before the roundabouts. There is something at 7 Eleven, whether it is how it is banked, that causes water to go into their driveway.

Mr. Ring explained that he had the engineering team work on this last week, and he spoke to Code Enforcement today. He thinks that there may be some nuisance water coming from 7 Eleven. Their catch basins need to be cleaned out on a regular basis and he thinks that cleaning them would be a good first step. Ms. Green agreed and explained that approximately 3 years ago 7 Eleven had a gas leak that leaked into their yard. She explained that the DEC came out and her family was evacuated from their home. She definitely agrees that there is something coming from 7 Eleven.

Alderman Crawford explained that Alderman Anastasia sent a video to the Council and it seems like water is just pouring down the driveway. Ms. Green explained that she has videos showing that the water comes from Route 16 around the roundabout and then it is a straight drop into their driveway. Alderman Crawford explained that there are small drains in the 7 Eleven parking lot and they were full. Six inches down there was standing water so they are probably doing very little or nothing at all, and the drains are probably plugged. He explained that he is not opposed to doing something to rectify the situation with the drainage, but his concern is that he wants to address the root of the problem, not the end point.

Ms. Green explained that she doesn't care if the drain is on her property or not. She explained that she just wants to save her home. She explained that neighbors have pooling as well but that their damage is not as severe as on her home because they are at the low spot.

Alderman Gonzalez explained that he could see how the roundabout would affect the flow, but the elevation of the street was not changed. Alderman Witte asked if one of the City Engineers or Mr. Ring could speak with 7 Eleven about the drain. Mr. Ring responded that it is a Code Enforcement issue that they would have to handle. He explained that if the money is allocated, we would try to find a way with the lowest cost solution.

Alderman Gonzalez asked what drains 7 Eleven doesn't manage, and Alderman Crawford explained that there are two storm sewer drains at the base of their property. Mr. Ring explained that he believes that they are plugged currently so they are not draining a lot of the time. Alderman Crawford explained that he has no problem supporting setting this money aside and he does not want to micro manage anything, but he would like to ask for a stipulation that we look at the root cause of the problem. We also need to work towards the lowest cost solution and work with 7 Eleven.

Alderman Robinson questioned if the gas leak running onto the neighboring property would force 7 Eleven to do something different with their catch basins. Mr. Ring explained that he is not sure, but there should be an oil separator in place in the drains. Alderman Robinson explained that possibly since the gas pumps are on a slope, we need to address the situation.

Alderman Gonzalez explained that he likes the idea of appropriating the funding and then digging deeper into the root cause. He explained that, at the same time, this should not take forever.

Mayor Aiello explained that he will meet with Mr. Ring and Code Enforcement tomorrow to discuss Alderman Robinson's concerns.

Alderman Panus explained that the drains may be separated and that could be a reason that they are prone to clogging. He explained that proper maintenance could prevent this. Alderman Crawford explained that he encourages everyone to take a look because this is definitely a unique situation. Alderman Witte explained that we should also look at the Planning Board to see what

they approved and if they are complying with conditions. Ms. Kerper explained that Site Plan Review did not start until 1995, so we have nothing prior to that.

Alderman Crawford explained that we need to do a little more exploration on this matter before spending the money.

A motion to approve PL #36-21 was made by Alderman Anastasia, seconded by Alderman Witte. Voice vote. Ayes all. Motion carried. Referred to Regular Meeting for Resolution.

5. PL #37-21: (Anastasia) To amend the City of Olean Code of Ordinances Section 24-135 to prohibit parking on North Union Street at its intersection with Water Street for a distance of 20 feet from the northeast corner of the intersection and 20 feet from the southeast corner of the intersection, as well as to prohibit parking on East Water Street at its intersection with North Union Street for a distance of 20 feet from the northeast corner of the intersection and 20 feet from the southeast corner of the intersection.

Alderman Anastasia explained that he received complaints from a constituent that at certain times it is difficult to pull onto North Union Street with cars parked on the corner from The Plant, the Pulaski Club, the St. Stephen's Club, Mirchi and the deli. He explained that on the West Side there are already no parking signs. He is just asking for a couple of signs to make the situation better. He explained that Chief Ron Richardson felt that the signs would make the situation more visible.

Alderman Gonzalez asked if Mr. Ring supports the signs, and Mr. Ring explained that he does. He explained that this is the typical no parking setback from the sidewalk, and anything that provides clarity will be beneficial. Mayor Aiello noted that tickets state fifteen feet, not twenty for no parking near a corner.

A motion to approve PL #37-21 was made by Alderman Anastasia, seconded by Alderman Witte. Voice vote, ayes all. Motion carried. Referred to City Attorney for Resolution.

6. Adjournment

A motion to adjourn was made by Alderman Crawford, seconded by Alderman Gonzalez. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 7:25 p.m.