

# COMMITTEE OF THE WHOLE MEETING MINUTES

*TUESDAY, JULY 13, 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; 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. Curb Cut Denial Appeal – 661 Queen Street

Alderman Panus explained that he brought this forward and that Mr. Jones, the owner of the property, is here tonight. He explained that he had applied for a curb cut larger than the standard 14 foot curb cut. He presented the Council with a diagram that shows the location of the curb cut. He explained that Mr. Jones is building a new three car garage to improve his property and is asking for a 36 foot curb cut that will allow him to pull into all three garage spaces. Alderman Panus explained that this would not restrict any on-street parking on Division Street, and all of the property owners on the street have been notified and have returned no objections.

Mr. Ring explained that he denied the curb cut because we typically like to keep them on a standard especially on busier streets, but this is not really a high volume street. He explained that there is a sidewalk where you might have some issues with the driveway and pedestrians but he feels that issues would be minimal. He noted that there is also a utility pole on one side of the existing driveway and he is not sure that you would be able to cut the curb the entire six feet requested. He explained that the current driveway is basically centered on the three bay garage and 36 feet seemed excessive. HE explained that if the Council does grant this, that a lot more could be requested. He is trying to keep things standard as opposed to making judgement calls, and he feels that it is fair to bring requests to the Council in this sort of case.

Alderman Crawford asked how common these types of requests are, and Mr. Ring explained that we typically do 15 to 20 curb cuts per year. He explained that people always ask for wider, and if you drive around the City, people will just do it and tell the contractor to cut the curb. He explained that the City DPW is the only contractor who we allow to cut curbs but there are people out there who just do it. He explained that Mr. Jones is going through the proper channels to do this. He explained that this large of a curb cut would create more issues on a busier street than it would on Division.

Alderman Witte asked what Mr. Ring would suggest instead of 36 feet, if we approved a cut wider than 14 feet. Mr. Ring explained that he is not sure and he would have to meet with the property owner. He explained that really the only challenge is being able to pull out a car and being able to turn around and pull it back in without challenging the safety of the garage. He explained that he doesn't know what the best distance is without spending more time working on it. Alderman Witte explained that when she did her curb cut at her house for 14 feet, the driveway widens once past the sidewalk. She explained that not both vehicles are coming and going at the same time.

Mr. Ring explained that we are in a City and there is a lot of different context to consider. He explained that 36 feet would allow the Joneses to pull right into the garage and he is not sure that this is needed. Alderman Witte explained that sometimes we are going by the past, and most families have two or more vehicles now. She explained that a bigger garage doesn't mean a bigger curb cut, though.

Mr. Panus explained that the garage is only 23 feet from the sidewalk which is the length of a minivan or truck, so there is not much room for pulling off on the street before pulling into the garage. He explained that on Division Street, there are far more cuts that are double the standard of 14 feet or larger. Alderman Crawford noted that this is a good point. Alderman Gonzalez explained that the only thing that gives him pause is how close the proposed cut is to the utility pole. Mr. Ring explained that there is a standard two feet between a cut and a pole or sign.

Alderman Witte asked if this is for a family or a business, and Mr. Panus explained that it is for a family. Alderman Robinson explained that he feels that there are too many instances around town with poles being obstacles, and he feels that there should remain space between the cut and the utility pole. He explained that he would be okay during a 30 foot curb cut if we kept the six feet in between the cut and the pole. He explained that this would give plenty of room to maneuver.

Mr. Ring asked if the sidewalk will be replaced. He explained that the sidewalk is not built to be driven on as is, and explained that it will deteriorate more quickly where the new cut is placed. Mr. Jones explained that it will be replaced when the driveway is done.

Alderman Witte asked what has been done in the past when these requests have come to the Council, and Alderman Crawford explained that it was before his time. Mayor Aiello explained that quite a while ago one was denied on Spruce. He explained that it was not an appeal, but the Council discussed it.

Alderman Crawford asked Mr. Jones if Alderman Robinson's proposal is feasible. Mr. Jones responded that he loves what was originally presented and he understands everyone's concern about the pole. He explained that the cut was lined up to the old garage but there was a parking area off to one side so since 1986 they have been driving over the curb. He explained that it is pretty tight so he would like another foot or so over the 30 feet. He explained that as far as the other residents on the street, they have seen the plan and have no objections. He explained that if

he could get a little additional room on one side, that it would be ideal because he is trying to make this as easy as possible for himself and his wife.

Alderman Crawford explained that at the end of the day he wants to support investment into our properties. He asked if sixteen feet on one and two feet on the other of the existing cut would be sufficient. Mr. Jones asked for three on the side by the pole, and Alderman Robinson responded that he would be okay with this as three feet would be far enough away from the pole. Mr. Jones explained that he feels that the 33 feet total would work for him and Mr. Panus explained that if it is good with Mr. Jones, then it works for him.

A motion to approve the curb cut request as amended to 33 feet (16 feet on one side of the existing cut and three feet on the other) was made by Alderman Panus, seconded by Alderman Anastasia. Voice vote, ayes all. Motion carried.

2. PL #42-21: (Aiello) To authorize the Mayor to enter into a contract between the County of Cattaraugus and the City of Olean for the Department of Aging Senior Wellness and Nutrition Program Site.

Mayor Aiello explained that we have the Cattaraugus County Senior Wellness and Nutrition Site at the John J. Ash building, and that it has been there for many years. He explained that the contract has come due and Mr. Hart has done a thorough review and made some corrections. He explained that the County has approved the rewrite of the contract and so this is being brought before the Council so that they can authorize the City to enter into the agreement with the County.

Mayor Aiello explained that they use the building Monday through Friday from 8:30 a.m. to 2:00 p.m. and pay quarterly for their use of the building. He explained that this is where Meals on Wheels is distributed out of, and a lunch program for seniors is done out of the facility. Alderman Witte asked if the County has been paying for the use of the facility since COVID began since they are not using it for lunches, and Mayor Aiello explained that they are because they are still using the facility for Meals on Wheels. He explained that lunches were also restored last Monday, and meals were distributed through the entirety of COVID.

A motion to approve PL #42-21 was made by Alderman Witte, seconded by Alderman Robinson. Voice vote, ayes all. Motion carried. Referred to Regular Meeting for Resolution.

### 3. Adjournment

A motion to adjourn was made by Alderman Crawford, seconded by Alderman Gonzalez. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 6:50 p.m.