

COMMITTEE OF THE WHOLE

Tuesday, October 19, 2021– 6:15 p.m.

Council Chambers – Olean Municipal Building

Present: Members: Alderman Crawford, Alderman Witte, Alderman Panus, Alderman Barnard, Alderman Robinson, and Alderman Anastasia. Others: Mayor William Aiello; Ron Richardson, Police Chief, and Tiffany Taylor, Managerial Confidential Administrative Secretary.

1. Roll Call

Alderman Crawford called the meeting to order at 6:15 p.m. and asked that the record show that all Aldermen were present except Alderman Gonzalez, who was excused.

2. Unfinished Business

None

3. New Referrals for Consideration

a. Front Street Yard Waste Lot

Alderman Crawford explained that he was approached by a resident asking to keep the Front Street lot open for a couple of weekends in November after we stop sweeping up leaves because what happens is that the leaves take longer to fall and by the time we are done sweeping the roads, there are still leaves in yards. Mayor Aiello explained that he did extend the lot opening a couple of weeks in October, but he can look into this in November as well. Alderman Panus explained that when the City plows snow with leaves still in the road, it ends up being a mess. Alderman Crawford explained that this could be an alternative solution.

b. Meeting Time Changes

Alderman Crawford explained that he sent an email to the Council and Mayor Aiello regarding changing all meeting times to 6:00 p.m. to be consistent and to avoid confusion for the public. He explained that there will be a resolution on the next Council agenda to authorize this.

c. Civilian Review Board Work Session

Alderman Crawford explained that we have our latest draft of the policy that was put together by himself, Alderman Panus and Alderman Robinson. He explained that the Mayor sent the draft off to the Patrol and Command Unit Union Representatives who provided feedback, which is being provided to the Council. He explained that a memo has also been drafted as far as recommendations from the City's labor attorney, which is also being provided for the Council and which is able to be referenced during the meeting.

Mayor Aiello explained that Mr. Braccio explained that it may be easier to get him in person for a meeting to answer questions directly. Alderman Crawford explained that this is something that we can certainly request. He explained that we have all of these different options, at this time he would like to offer the Council the chance to comment on the draft proposal before getting into some of the feedback that was received.

Alderman Witte explained that she read through the draft a couple of times, and about a month ago it was mentioned simplifying things. She explained that this really does that. She explained that she went through what Mr. Braccio sent, and she sees the point of what he sent but she thinks that the last draft is more simplified and makes more sense. She explained that we should keep it simple and uncomplicated. Alderman Anastasia added that he likes the draft that was done.

Alderman Crawford recommends that, since feedback was received late from Mr. Braccio and he doesn't know how beneficial it would be for the entire Council to work through the draft line by line again, this be kicked to a smaller group or subcommittee to go through the material. He explained that he is open for other suggestions but he is wondering if this will be more beneficial for everyone's time for a smaller group to get together and go through the nuts and bolts of the feedback. He explained that it is important to take into consideration what the attorneys are suggesting, but at the same time we need to do what is best for our residents as well as partnering with our police force. He suggested the same members for the subcommittee that put together the most recent draft.

Alderman Witte explained that she feels that this is fine, and in the meantime the rest of the Council can read through all of the material and send questions and suggestion to Alderman Crawford. Alderman Panus explained that he is all for doing this, and that the subcommittee can read through everything and decide what advice to take and what advice not to take, then take suggestions back to the Council. He explained that we need to kick this back and forth and think about it. Alderman Robinson agreed and explained that he has no problem getting together to have a subcommittee. He explained that he would like the collective bargaining agreements that are referenced in the Union's document, and Mayor Aiello explained that he will be sure that everyone receives this.

Alderman Crawford explained that at the end of the day, we have never gone down this road before. He explained that we need to collaborate and we don't need to do all the back and forth. He explained that there is a lot of advice, and some advice you take and some you don't. He explained that they will try to come up with the best quality item that is most effective for the community.

Alderman Panus explained that he always hears about a referendum, but he is confused by this. Alderman Crawford explained that this is when something goes out to the community for a vote. He explained that any time something is proposed that goes against the basic constitution or Charter of the City, a referendum is needed. He explained that for example, the City has a strong mayor, weak council form of government and the Mayor appoints members to committees with Council approval. He explained that any limitation to the individuals that the Mayor can appoint could actually be considered to be circumventing the strong mayor form of government and circumventing the Mayor's right to appoint who he wants to appoint. He explained that in order to do this, there would need to be a public referendum. He explained that if we decided to change to a city manager, which goes against the basic structure of the City, a public vote would need to be held.

Alderman Anastasia explained that this can be very expensive if it is not held during a regular election. Alderman Panus asked if a referendum is held separate from an election time, if the City would need to foot the bill, and Mayor Aiello explained that we would. He noted that there are five referendums on the ballot this year. Alderman Robinson explained that there was a good summary in the Times Herald about these recently. Alderman Crawford explained that if we pursue out of the election cycle, we would need to go through the Board of Elections and there is a big fee for the polling sites and polling workers. He explained that if it coincides with an election it is not bad but it is still something that we wonder if we really want to do.

Mayor Aiello explained that we have received a third check for \$354.25 from Bird Rides so to date we have received \$978.25.

Mayor Aiello explained that tomorrow he will be going to Buffalo to give testimony on redistricting. He explained that they want to merge us with Niagara Falls and Buffalo, and he is giving testimony to try and keep it separate. He explained that comment can also be given on the New York State Independent Redistricting Committee website.

4. Approval of Committee Reports

None

5. Adjournment

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