

PUBLIC SAFETY

Tuesday, November 7, 2017 – 6:15 p.m.

Police Training Room – Olean Municipal Building

Present: Members: Chairman Gonzalez, Vice Chairman Andreano, Alderman Witte, Alderman Dougherty, Alderman Crawford, Alderman Smith, and Alderman George. Others: Mayor William Aiello; Nicholas DiCerbo, Jr., City Attorney; Bob Ring, Director of Public Works; Ed Jennings, Code Enforcement Supervisor, and Tiffany Taylor, Managerial Confidential Administrative Secretary.

1. Roll Call

Alderman Gonzalez called the meeting to order at 6:15 p.m. and asked that the record show that all committee members were present.

2. Approval of Minutes of the Previous Committee Meeting (Tuesday, October 17, 2017)

A motion to approve the minutes of the October 17, 2017 committee meeting was made by Alderman Gonzalez, seconded by Alderman Smith. Voice vote, ayes all. Motion carried.

3. Unfinished Business

- a. PL #25-17: (Dougherty) To amend and replace the City of Olean Code of Ordinances Chapter 12 in its entirety with the following: Chapter 12, Property Maintenance and Residential Occupancy Code: Article I, Property Maintenance Code; Article II, Residential Occupancy Certificates; and Article III, Rental Dwelling Registration, Inspection and Occupancy permits.

Alderman Gonzalez stated that, as we last left this item, the committee voted to direct the City Attorney to make certain changes to the proposed chapter. Alderman Dougherty stated that he felt that the last conversation was a very good one.

Alderman Crawford asked if the changes could be reiterated. Alderman Dougherty stated that the inspections would occur (on rental dwellings) upon vacancy, and penalties will apply to the owner of the property only, not the tenant. Mr. DiCerbo added that the first inspection would not occur until the first vacancy after the effective date of the legislation. Mr. Crawford stated that we are working on the honor system, for owners of rentals to self report when vacancies occur. Alderman Gonzalez stated that if a property owner does not self report, they are subject to fines.

Mr. DiCerbo stated that we could use water bills and the landlord registration to monitor vacancies as well. He stated that he does not expect perfect enforcement right off the bat, but

this is the only way to implement the legislation without phasing it in. Alderman Dougherty stated that we could also work with the Assessor's office, and Alderman Crawford stated that there are multiple ways to police this. Mr. DiCerbo added that complaints could trigger inspections. Alderman Crawford stated that the teeth are in the punishment.

Alderman Smith questioned if every dwelling would receive a Certificate of Occupancy right out of the gate, or if this would not occur until the first inspection. Mr. DiCerbo replied that a Certificate of Occupancy would not be issued until the first inspection.

Alderman Crawford added that inspections will occur with the sale of property, as well.

Alderman Gonzalez stated that the cost for inspection will be \$60, and Mr. DiCerbo added that if there is a vacancy within one year of the inspection, subsequent inspections will cost \$30. Alderman George stated that the cost for a repeat inspection due to a failure is \$25.

Alderman Crawford questioned the \$10 fee for a status report. Mr. DiCerbo stated that when you sell a property in the City, Cattaraugus County requires a tax search to be done, which includes a \$10 fee. This is like this, when a property is sold, a search is done with the City to see if a Certificate of Occupancy was issued within the past twelve months.

After some discussion regarding voting the PL out of committee, it was decided to hold a public hearing on the legislation on November 21, 2017. The Resolution will be presented to the Council for a vote on November 28, 2017, and the legislation will take effect on June 1, 2018.

A motion to approve PL #25-17 was made by Alderman Gonzalez, seconded by Alderman Dougherty. Voice vote, ayes all. Motion carried.

4. New Referrals for Consideration

- a. PL #92-17: (Aiello) To authorize the removal of "No Parking 3 p.m. to 6 p.m." signs on the south side of East State Street between Clinton Street and Fulton Street, and on the north side of East State Street between Clinton Street and East State Street bridge.

Mayor Aiello stated that several years ago, East State Street was a two lane street in each direction. There were certain hours that no parking was allowed on either side of the 200 block in order to allow for traffic to move. Now that there is only one lane in each direction, these signs are not needed. He stated that the "No Parking Here to Corner" signs would remain. He stated that we may also remove other signs in the area. He needs to take another look prior to this occurring.

He continued in stating that there is no enforcement over there, and there has not been for years. The issue was brought to his attention by Mr. George Lapennas, and he would like to correct the situation.

Alderman Smith stated that he is fine with this. On this section of street, though, a lot of people try to cross on foot and it is a dangerous situation. Mr. Ring suggested bump outs, which would alleviate the issues of vehicles parking within 20 feet from the intersection, as well as making the crossing distance shorter. Mayor Aiello suggested cross hatching to alleviate the parking issue, and Mr. Ring stated that it could be a good start.

Alderman Gonzalez stated that he thought that the long term plan was to possibly put a roundabout at the State Street and Barry Street intersection in lieu of the light that is currently in place. He questioned if any of this would have an effect on that. Mayor Aiello stated that it wouldn't.

Alderman Smith stated that with a roundabout, there is no break in traffic, so he feels crossing is more difficult. Alderman Crawford disagreed, and stated that he feels that even when you do not have flashing lights, people stop at the roundabouts for pedestrians.

Mr. Ring stated that he is trying to get interns into his department to do traffic studies before any big decisions are made.

A motion to approve PL #92-17 was made by Alderman George, seconded by Alderman Dougherty. Voice vote, ayes all. Motion carried.

5. Approval of Committee Reports

A motion to approve committee reports was made by Alderman Gonzalez, seconded by Alderman Dougherty. Voice vote, ayes all. Motion carried.

6. Miscellaneous

Mr. John Pearl, an attorney with Phillips Lytle, stated that he represents the Stitt's in reference to the Hillside Development. He stated that it is his believe that the declarations and restriction in the subdivision bylaws prevent a new subdivision from taking effect. He and Mr. Bob Simon, another attorney from Phillips Lytle, will be coming to Common Council meetings moving forward to express their opinions in regards to this matter.

7. Adjournment

A motion to adjourn was made by Alderman Gonzalez, seconded by Alderman Crawford. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 6:45 p.m.