

PUBLIC SAFETY

Tuesday, September 4, 2018 – 5:30 p.m.

Police Training Room – Olean Municipal Building

Present: Members: Chairman Andreano, Vice Chairman Gonzalez, 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; Bob Bell, Fire Chief; Jeff Rowley, Police Chief, and Tiffany Taylor, Managerial Confidential Administrative Secretary.

1. Roll Call

Alderman Andreano called the meeting to order at 5:30 p.m. and asked that the record show that all committee members were present.

2. Approval of Minutes of the Previous Committee Meeting (Tuesday, July 17, 2018)

A motion to approve the minutes of the July 17, 2018 meeting was made by Alderman Andreano, seconded by Alderman Dougherty. Voice vote, ayes all. Motion carried.

3. Unfinished Business

None

4. New Referrals for Consideration

a. Discussions

i. No Parking Either Side – 500 Block of North Sixth Street

Alderman George explained that this is the portion of North Sixth Street which is across Wayne Street from the Olean Middle School. He received a call from a resident explaining that currently, on street parking is allowed on both sides of the roadway, making exiting driveways difficult. He has spoken with Mr. Ring, who advised that the roadway is only twenty feet wide. He canvassed the neighborhood and found that there is no opposition to adding “No Parking” signage on both sides of the roadway.

Alderman Gonzalez mentioned that Dresser Rand uses North Fifth and North Seventh Streets, but not North Sixth. Alderman Witte asked if this is the street that has the old bank on the corner, and Alderman George confirmed that it is. Alderman Witte mentioned that there is an empty parking lot there that could be used if the residents need short term parking for guests.

Alderman Crawford asked what the current parking rules are for the road, and Alderman George replied that there is currently parking on both sides of the street.

Mayor Aiello suggested eliminating parking on one side of the street to start, and reevaluating the situation down the road. Alderman George responded that the roadway is very narrow, and the way the driveways are directly across from one another is not set up very well. Alderman Andreano recommended biting the bullet and eliminating parking on both sides at once.

Alderman Gonzalez asked how many residents Alderman George has spoken with, and Alderman George replied that he has spoken with six of the seven residents on the street.

Alderman Crawford asked who recommended the “No Parking” on both sides of the road, and Alderman George responded that it was a request by the neighborhood. He has spoken with Mr. Ring, who recommended eliminating parking on one side to start, but the question is which side to eliminate parking on. Mr. Ring stated that there is no space to back out of the driveways. A fallback option would be curb cuts.

Alderman Smith asked, historically, how it was decided which side of the road would get the “No Parking” signs. Mr. Ring replied that it is typically the side with the least amount of parking; however, in this case, it would be the side with the least number of driveways.

Alderman George explained that he will look at the neighborhood one more time based on this discussion and come back to the committee with a recommendation.

ii. 4 Way STOP – Spruce Street and West Elm Street

Alderman George explained that he has spoken with Mr. Ring regarding this situation quite a bit lately. There are currently 4 way STOPs at Spruce and Water, and Spruce and Oak. Neighbors have asked for a four way stop at Spruce and Elm in order to slow down traffic and prevent near accidents that they have been witnessing. He has not heard anything in the contrary to this request, but he has sat on it for a while and continues to hear a lot of noise from the residents. He would also be interested in looking into other options.

Alderman George continues that there is no opposition to the four way STOP in the neighborhood, and most intersections are four way STOPs in that area. There was an initial concern regarding an increased traffic pattern due to the changes downtown.

Alderman Crawford asked if there have been any accidents or tickets at this intersection, and Mr. Ring replied that there have been close calls. He wanted to bring this up for the committee to discuss. He can see pros and cons of putting in the STOP signs, as well as of not making any change. He feels that this could lead to a larger conversation regarding STOP signs throughout the whole City.

Mr. Ring explained that he is concerned that as the Council adds more and more STOP signs through the City without removing any, they can become more and more ignored. He feels that when there is a request for a STOP sign, there should be a petition from residents that then triggers a study of the area and the situation. Residents ask to have STOP signs installed to control speed, but they really do not. In order to warrant a STOP sign, there should be five accidents a year at an intersection; however, close calls could be considered as well, depending on the circumstances. Traffic volume should also be considered.

Alderman George explained that he will be putting in a PL and getting a petition from the residents in order to trigger a study as Mr. Ring has laid out.

Alderman Crawford explained that he supports a process to determine if STOP signs are necessary. He prefers to back up his decisions with factual data.

Mr. Rowley explained that there are normally not a lot of accidents in this area. He suggests doing a study to see if speed really is an issue. He does not feel that we should put up signs just because one or two people want them, because they may not be necessary.

Alderman Gonzalez explained that we try to make people happy, but we have to remember that they are not the only ones using the street. He does recognize that signs have been put up in the past just to make people happy.

Mr. Rowley added that the more information that is provided regarding a potential issue, including any particular days or time periods when there is a problem, will aid in the study.

Alderman Crawford suggested creating a formal procedure moving forward.

iii. Do Not Block Driveway – North Union Street

Alderman George explained that this is on the block where the Mirchi Restaurant is located. There are very narrow strips on this block between the driveways to the houses, and they are often blocked by patrons of the restaurant. One resident has put a “Do Not Block Drive” sign up themselves in their yard. Mr. Ring has suggested striping the area, and he feels that the signs will aid when there is snow on the ground and striping is not visible.

Mr. Ring explained that he does not feel very strong either way on this, but that Alderman Crawford makes a good point.

Mayor Aiello asked if the residents have called the Police Department about the issue, and Alderman George responded that he believes that they have. The problem is remedied; however, it is not fixed.

Alderman George explained that he will be putting in a PL for this request.

iv. TNVR Program Legislation

Alderman Crawford presented a handout to the committee, and explained that there are still some gaps in the presented legislation; however, he wants to get the ball rolling on a big issue in the City.

Alderman Crawford continued that the first section addresses animals running at large. He does not know if the working presented is adequate to allow for stray felines to run at large. He believes that language should be added that if an individual allows their feline to run at large and it is put through the TNVR program, that the individual should be required to pay a fine or reimburse the cost of the program in order to get their cat back.

Alderman Crawford explained that the second section is based on the City of Buffalo and is legislation of the TNVR program itself. He explained that it is obvious that there are still some holes to be filled, but this is a very rough draft to talk about. He explained that he and the Mayor still need to reach out to the Cattaraugus County Catnippers for more information. A clinic on wheels has been brought to his attention, in addition to the low cost spay and neuter clinic in Buffalo.

Alderman Crawford continued that his concern is that this legislation does not mean free reign for everyone to feed feral and stray cats. The City should establish designated colonies.

Alderman Dougherty explained that he has two cats, and they do not run free. He does not feel that domesticated cats run free outside. We do not let our dogs run free. He does like that the legislation spells out that any feline running at large will be treated as a stray. He also feels that the City should do something about the people who are always feeding the stray cats.

Alderman Witte explained that the issue that repeatedly comes up is how we prove that a cat belongs to someone. Alderman Crawford responded that maybe if we are going down the path to address this issue, then it may be time to look into cat registration in the City. Alderman Witte mentioned that the fee collected to register the cats could go towards the TNVR program.

Alderman Smith asked if the registration of dogs is really complied with, as his thought is that it really isn't. He doesn't feel that cat registrations will work out any better. Alderman Witte added that if you look at revenues, there is little reported for dog licensing.

Alderman Andreano expressed that she was very concerned that animals running at large prohibited would be eliminated altogether, and she is very happy to see that it only applies to felines.

Alderman Crawford asked that the committee review the legislation and reach out to them with his comments.

v. Noxious Smoke Within City Limits

Alderman Crawford explained that he wanted to see if anyone else is dealing with this issue. He has a business in his ward that produces a lot of smoke, especially on the weekends. It engulfs a portion of the street and is very bothersome for the residents in the area. He wonders if this is considered noxious smoke, and wondered what laws we have regarding this on the books. He presented the current laws regarding smoke and odor to the committee.

Alderman Crawford continued that he has had conversations with Alderman Smith regarding recreational fires in neighborhoods that people are having issues with as well. He wonders if we need to reevaluate the laws currently on the books.

Mr. DiCerbo mentioned that the laws regarding recreational fires were updated two years ago, and it defines that only seasoned hardwoods could be burned. Alderman Gonzalez added that it defines the distance from a structure, and Alderman Smith added that it defines the size as well.

Alderman Andreano explained that she has driven down West State Street several times when the smoke from the business could potentially be a traffic hazard.

Alderman Crawford asked if there is a time limit on recreational fires, and Alderman Dougherty read from the legislation that no new materials are to be added after 10:00 p.m.

Alderman Smith explained that a distinction needs to be drawn between a business cooking and a recreational fire. Recreational fires are generally late at night and can be accompanied by partying, noise and music. He had spoken with the business owner earlier in the day, who was not aware that more than one person was upset regarding the smoke he was producing. He is willing to try to make things better, although he is not sure of the solution. There are about five weeks left before his business is closed for the season.

Mr. DiCerbo explained that we will not be able to distinguish between this business and others cooking similar things in other areas of the City. Alderman Gonzalez added that he worries that being too strict will create issues where neighbors are calling on other neighbors having a backyard barbeque. He feels that this is like the noise ordinance, and that the Council should tread lightly, as it can be difficult to enforce.

Alderman Crawford explained that he spoke with the business owner today as well, who is anxious to find a solution. He hopes to sit down with him to find a solution in the near future. Alderman Smith added that he was very gracious and wants to be a good neighbor.

Alderman Gonzalez explained that he does not want to be on the Council that passes a law that puts a small business out of business. Alderman Dougherty reiterated that it is important to distinguish between a cooking fire and a recreational fire.

Mr. Bell explained that if the law is changed, that it needs to be made clear. Mayor Aiello explained that he does not want to discourage business, but we do need to be sensitive to residents as well.

5. Approval of Committee Reports

None

6. Adjournment

A motion to adjourn was made by Alderman Andreano, seconded by Alderman Gonzalez. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 6:20 p.m.