

COMMITTEE OF THE WHOLE MEETING MINUTES

TUESDAY, NOVEMBER 24, 2020 – 6:30 p.m.
VIA ZOOM

IN ATTENDANCE WERE: ALDERMEN GONZALEZ, WITTE, PANUS, DOUGHERTY, CRAWFORD, ROBINSON, AND ANASTASIA. OTHERS: MAYOR WILLIAM AIELLO; LENS MARTIAL, CITY CLERK; NICHOLAS DICERBO, JR., CITY ATTORNEY; FRED SARADIN, CITY AUDITOR; BOB RING, DIRECTOR OF PUBLIC WORKS, AND TIFFANY TAYLOR, MANAGERIAL CONFIDENTIAL ADMINISTRATIVE SECRETARY.

Alderman Gonzalez called the meeting to order at 6:30 p.m. and asked that the record show that all Aldermen were present.

1. Finance and Bills

Alderman Robinson asked if the Police and Fire Departments receive an annual clothing allowance. Mayor Aiello explained that they do in accordance with their respective collective bargaining agreements. He explained that employees of the Police Department receive \$600 per year and employees of the Fire Department receive \$500 per year to purchase uniform items that they are required to wear.

A motion to approve Finance and Bills was made by Alderman Witte, seconded by Alderman Anastasia. Voice vote, ayes all. Motion carried. Referred to Regular Meeting for Resolution.

2. PL #61-20: (Crawford) To amend the City of Olean Code of Ordinances Chapter 12, Housing Code, to include Article VI, Short-Term Rental Registration and Licensing.

Alderman Crawford explained that the Council has discussed this at length and that based on feedback received during the last discussion where recommendations were made to include the Zoning Board instead of the Planning Board, the City Attorney amended the legislation and it has been sent to the Council for review prior to the meeting. Alderman Crawford noted that this is the only major change that was addressed, and Mr. DiCerbo added that all else remained the same.

Mayor Aiello explained that he has received no additional comments or suggestions since the last meeting. Mr. DiCerbo explained that he would anticipate that if there was any great increase in activity for the Zoning Board that it would occur shortly after this legislation is adopted and then it would taper off. He explained that he feels that this is something that they can handle within their purview.

Alderman Crawford asked if it was established that existing short-term rentals would be grandfathered, or if they would follow the rules of this law. Mr. DiCerbo explained that there was

nothing carved out in regards to an existing exemption for short-term rentals but most that are currently in business have had no complaints or issues, so he does not anticipate there being any issues to getting them approved. Alderman Gonzalez explained that he does not like the idea of grandfathering in existing short-term rentals, as they should not go immune from the law indefinitely. He explained that once this passes, there should be a timeline in place in order for them to get licensed.

Alderman Dougherty asked if there are any additional fees for the Zoning Board, and Alderman Gonzalez explained that there is only the initial \$150 fee for the application and then a \$60 fee in subsequent years for the annual property inspection. Alderman Crawford explained that referral to the Zoning Board is only for R1, R2, and R3 districts, and rentals in the downtown area bypass the ZBA. Mr. DiCerbo explained that it was the intention to allow neighbors in a residential neighborhood to have a say regarding the short-term rental. Alderman Gonzalez explained that if someone wants to turn a second floor apartment on North Union Street into a short-term rental, they do not need to go to the Zoning Board. Mr. DiCerbo explained that is correct, and Code Enforcement will make the determination on their own.

Alderman Crawford thanked everyone who helped him with this legislation. He explained that there are not currently a lot of short-term rentals in Olean, but if the City goes in the direction that we want it to go, there could be a lot more. He explained that it is great to be a little proactive, even though we are a little bit behind the curve. He explained that it is better than waiting until the City is having problems with short-term rentals.

A motion to approve PL #61-20 was made by Alderman Crawford, seconded by Alderman Gonzalez. Voice vote, ayes all. Motion carried. Referred to Regular Meeting Tuesday, December 22, 2020 for Resolution following necessary publication of proposed legislation.

3. PL #76-20: (Aiello) To authorize the transfer of \$1,322 from F06-8340-412 to A01-5110.412 for funding needed to pay the Water Department's share of pavement openings.

Mayor Aiello explained that this is housekeeping. Mr. Ring explained that this is for utility openings that we do around the City, and that we are billed by the blacktop company through blacktop slips that are paid from the General Fund. He explained that there is then a transfer from the Water Fund to the General Fund to pay the Water Fund's share. Mayor Aiello added that a resolution from the Council is required because funds are being transferred from one fund to another.

A motion to approve PL #76-20 was made by Alderman Witte, seconded by Alderman Gonzalez. Voice vote, ayes all. Motion carried. Referred to Regular Meeting for Resolution.

4. PL #77-20: (Robinson) To authorize the installation of a handicapped parking space and related signage on West State Street in the first parking spot on the northeast corner of its intersection with North 12th Street.

Alderman Robinson explained that he is looking to put a handicapped parking spot in the area described by the PL for a veteran-owned security company who has been in Olean for quite some time. He explained that they are expanding their operations to 1214 West State Street, and this building will be used for training purposes. He explained that he got information from surrounding businesses as the Council previously requested, and he found that all of the surrounding businesses pretty much have the same landlord. He explained that he has received a letter from the landlord requesting a handicapped spot in front of the building where this business is located. He explained that there are customers that use the other businesses, including the cell phone provider, who would utilize the handicapped spot.

Alderman Robinson explained that he looked up information regarding handicapped parking spots from the DMV. He explained that he found that reserved spaces on the street are installed via local law or ordinance and that handicapped parking spaces in lots are handled with different legislation. He explained that we do not need to worry about curb cuts or width regulations for handicapped spots, as those regulations apply to parking lots.

Alderman Robinson explained that the City Code Section 24-113 lists handicapped spaces in the City that are already on the books, and he went to each and every one. There are four that are similar to this one proposed on West State Street, and they are actually in the street with no curb cut and for some the closest route to a corner curb is about a car length away. He explained that the length to the corner from this proposed spot is closer than some in the Code. He explained that we already have ordinances that require businesses keep the sidewalk area clean from snow and other debris so that would take care of anything that would block the area.

Alderman Robinson explained that we need to update the Code because some of the streets listed with handicapped spaces were incorrect. He explained that he sent out an email with the new list to be discussed at a different time, as the entire list needs to be redone. He explained that he would recruit DPW to verify what he sent to make sure that everything he has is correct.

Alderman Gonzalez explained that Alderman Robinson has done a great job, and he agrees that the list should be updated. Mayor Aiello explained that DPW has a sign book and that what is in this book may not be the same as the Code. He explained that they will assist in getting this correct.

Alderman Gonzalez explained that he seems to remember a discussion about going through a project for a sign inventory, which would involve going through all of the records and checking every street to make sure that signs are where they are supposed to be. Mr. DiCerbo explained that he remembers this three or four years ago, or maybe longer. He explained that it was envisioned cataloging where every sign is throughout the City. He explained that he can't remember if this is something that was asked for in the budget but not funded, but we really need to do something about signage, especially from an enforceability standpoint.

Mayor Aiello explained that we need a complete inventory of what is out there and what is not, and we need to replace signs that we can't read anymore. He explained that it would be a project,

and we will have to see how we would be able to do this. Alderman Gonzalez explained that he does not know where this falls in our priorities since we have a finite amount of resources like money and time and other more pressing things going on, but Alderman Robinson's comments had him thinking of that. Mayor Aiello explained that we could also possibly search for an intern, such as someone going into that field looking for an internship that could assist us.

Alderman Dougherty explained that there are a ton of things coming up every year that we don't have money for. He understands unfunded mandates, but at the same time twenty years ago we had someone that could walk around and ding sidewalks and trees. He thinks that this is a good idea, but like anything else you have to wonder where you find the money for it.

A motion to approve PL #77-20 was made by Alderman Robinson, seconded by Alderman Crawford. Voice vote, ayes all. Motion carried.

5. Adjournment

A motion to adjourn was made by Alderman Gonzalez, seconded by Alderman Witte. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 6:55 p.m.