

## PUBLIC SAFETY

Tuesday, October 6, 2020 – 6:35 p.m.

Council Chambers – Olean Municipal Building

Present: Members: Chairman Witte, Vice Chairman Dougherty, Alderman Gonzalez (via teleconference), Alderman Crawford, Alderman Robinson, and Alderman Anastasia. Others: Bob Ring, Director of Public Works; Tim Richardson, Fire Chief; Jeff Rowley, Police Chief, and Tiffany Taylor, Managerial Confidential Administrative Secretary.

### 1. Roll Call

Alderman Witte called the meeting to order at 6:35 p.m. and asked that the record show that all committee members were present except Alderman Panus, who was excused.

### 2. Approval of Minutes of the Previous Committee Meetings (Tuesday, September 15, 2020)

A motion to approve the minutes of the September 15, 2020 meeting was made by Alderman Witte, seconded by Alderman Anastasia. Voice vote, ayes all. Motion carried.

### 3. Unfinished Business

- a. PL #49-20: (Robinson) To amend the City of Olean Code of Ordinances Chapter 15, Noise.

Alderman Robinson explained that this was discussed a couple of weeks ago, and everyone provided feedback on things that they would like to see or have omitted. He explained that he has made these changes in the legislation, and this is the revised version. He explained that he did put penalties in for offenses, including that the first offense would be a verbal warning with understanding of the ordinance, and the second and subsequent offenses would be a \$100 fine. Alderman Robinson explained that he has included language that this fine shall not be suspended, waived or otherwise reduced below this amount, because he feels that if an offender has already had a verbal warning, that they should face a penalty. He doesn't feel that someone should get away with this the second time if they got away with it the first.

Alderman Crawford asked if there is any change that a judge will still not follow this verbiage, and Alderman Robinson explained that he still needs to talk to the City Attorney about this.

Alderman Robinson explained that Alderman Witte had received complaints about generators, and he has received similar complaints and passed them on to Code Enforcement. He explained that he is trying to establish a time for peace, from time A to time B, and anytime during the

day we need to realize that we are a City and there will be noise, as long as it is not loud, unnecessary, unreasonable or unusual.

Chief Rowley explained that as far as restrictions that are put on the judge, there are sections of law that state what the judge can do, but in terms of saying he can't do this or make the fine less than that, the judge can always arbitrarily dismiss the ticket. He explained that tying the judge's hands is not always a good thing. Alderman Robinson explained that it would be good to have some legal background here. He asked if the legislation would go to the City Attorney for review, and Alderman Crawford explained that it would. The committee agreed that they would like to allow the City Attorney to review this prior to moving forward.

A motion to refer PL #49-20 to the City Attorney for review, and to postpone to the next Public Safety Committee, was made by Alderman Witte, seconded by Alderman Robinson. Voice vote, ayes all. Motion carried.

#### 4. New Referrals for Consideration

##### a. Discussion – School Zone / Speed Limit, Main Street (Boardmanville) (Witte)

Alderman Witte explained that BOCES has gone through the Planning and Zoning Boards in relation to relocating their school from the IJN building to Boardmanville. She explained that they have also leased the parking lot out back so that there are no issues with parking.

Alderman Witte explained that she has spoken with Mr. Ring regarding this and that she feels that the City really needs to get some type of school signage up in the area, as there is a handful of kids and buses that come and go during the day. She would like to remind people that a school is there.

Mr. Ring explained that from a regulatory standpoint, he thought that this was as simple as passing a couple of resolutions to change the speed limit. He has since found out with aid from State guidance what needs to be done to establish a school zone. He explained that the school must serve students under the age of 21, and some of the children have to walk or bike to the facility. He explained that there is no need to reduce speed unless people are crossing the street. He explained that both the facility and jurisdiction (City of Olean) responsible will need to provide written documentation of support of a school zone, in addition to establishing the core hours of school. He noted that the State recommends 7 a.m. to 6 p.m. but he feels that the Council should decide what time frame it should be.

Mr. Ring explained that he has spoken briefly with Chief Rowley regarding the liability associated with this, and there is some indication that a crossing guard should be put in when a

school zone is established. He explained that a traffic study should be done to see if there is enough justification to make a change despite the impact on liability.

Chief Rowley explained that he and Mr. Ring have spoken with the Council on many occasions to say that they look at things from an evidentiary point of view and rely on data to make decisions. He explained that a traffic study was done in this area less than a year ago and no issue with speeding was found. He explained that more information is needed, but in his opinion he doesn't know if he can justify reducing the speed. He explained that there are no problems with either location besides parking. There may now be some, but on a regular basis we don't see that school regularly walked to. Alderman Witte noted that five students currently walk to school, and a teacher will take a group of kids to walk down the street, but they don't cross. There is a lot of property out back of the building. She noted that the school houses students in kindergarten to 12<sup>th</sup> grade, but as far as crossing it is mostly just staff.

Chief Rowley explained that warning signs could be placed, but when it comes to speed reduction, everyone will want it and so the Council needs to be very careful about these types of things. He explained that he can get another survey if need be. Alderman Witte explained that there are 60 employees so at least that many more cars travel this corridor daily. He explained that there is a School Resource Officer there, and that besides the busses coming and going, there is no change and there have been no complaints from neighbors.

b. Discussion – Funding for Dispatch Computers

Chief Rowley explained that a situation happened recently, where one of the two computers that handle all of the radio transmissions in the City went down. He explained that Eagle Radio was able to get it up and running again, but they have recommended that the computers be replaced. He explained that they run 24/7/365 and never get shut off. He explained that the quote to replace both is \$6,650 and includes installation. He is asking the Council for funding for this transaction.

Alderman Crawford asked if there is any availability for this funding in the Police Department or Dispatch budgets, and Chief Rowley explained that this is an unexpected expense that was not budgeted for. Alderman Anastasia asked if there is a grant that could cover these costs, and Chief Rowley explained that he is not aware of any. He explained that the only equipment grants he has ever seen are for bullet proof vests and body cameras.

Chief Rowley explained that even though it seems expensive, these are desktop computers that like police cars need to be replaced on occasion. Alderman Robinson asked if they have taken into account that the new computers will have new software, and Chief Rowley explained that they have, and that this is the same company that installed the computers we currently have. Chief Rowley noted that he had questioned the high labor costs and was advised that the

company must pay prevailing wages for a job such as this. He explained that we have worked with this company for a long time.

Chief Rowley asked the Council to keep in mind that this is not just for the Police Department but for all departments. Alderman Witte asked if he is requesting that the funding come from contingency, and Chief Rowley explained that it is a long way until the end of the budget year and he doesn't want to have to rob Peter to pay Paul to pay for something unexpected like this. He explained that when the Council asked Department Heads to trim their budgets every year, unexpected things like this happen and there is no funding. He explained that fortunately we have two computers, but they are recommending a replacement.

Alderman Crawford asked about the turnaround, and Chief Rowley explained that they have to order the computers. He explained that Eagle Radio is quick with their service so any delay would be in how long it takes to get the equipment.

Alderman Witte asked if the new computers will have the same life expectancy of 8 to 10 years, and Chief Rowley explained that they would. He explained that Eagle has recommended a type of service plan so that each year they come in and service the computers. Alderman Witte asked if this will give the computers more life, and Chief Rowley responded that it could, but with electronics you don't know.

Alderman Crawford asked if the Police Department has started the leasing program for police cars yet. Chief Rowley explained that agreements have been signed and cars have been ordered, but the delivery time keeps getting pushed back because of the COVID-related shutdown. He explained that it is hard to get needed parts.

#### 5. Approval of Committee Reports

None

#### 6. Adjournment

A motion to adjourn was made by Alderman Crawford, seconded by Alderman Robinson. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 7:15 p.m.