

COMMITTEE OF THE WHOLE MEETING MINUTES

TUESDAY, JUNE 24, 2025 – 8:30 p.m.

COUNCIL CHAMBERS – OLEAN MUNICIPAL BUILDING

IN ATTENDANCE WERE: ALDERMEN CRAWFORD, BENNION, FORNEY, McCALL, ROBINSON, AND ANASTASIA. OTHERS: MAYOR WILLIAM AIELLO; FRANK CAPUTO, CITY CLERK; LENS MARTIAL, CITY AUDITOR; BRIDGET MARSHALL, CITY ATTORNEY; JAMES SPRAGUE, DIRECTOR OF PUBLIC WORKS; KRIS SHEWAIRY, YOUTH AND RECREATION SUPERVISOR; ERIC MAUROUARD, FIRE CHIEF; CAPT. DAVE BAUER, CODE ENFORCEMENT SUPERVISOR; KERI KERPER, COMMUNITY DEVELOPMENT PROGRAM COORDINATOR, AND TIFFANY TAYLOR, MANAGERIAL CONFIDENTIAL ADMINISTRATIVE SECRETARY.

Alderman Crawford called the meeting to order at 8:30 p.m. and asked that the record show that all Aldermen were present with the exception of the vacancy in Ward 2.

1. NY BRICKS Grant Application

Ms. Kerper explained as the Council may recall, her office has been working with Plywood Studio and sought permission from the Council to hire Tammy Hilmye last year. She explained we are at a place in the design process that we can apply for grant funding as we have a responsible budget. She explained the NY BRICKS Grant is administered through DASNY and Parks and was just created by the Governor's office similar to the NY SWIMS Grant. She explained the total project cost is \$15 million and the grant portion is \$12 million with a \$3 million local share. She explained applications open on July 14, 2025 and the deadline is August 15, 2025 with award announcements in the fall. She explained the intent of the project is to combine the senior center along with the youth center that is currently rented in the former school on North Union Street. He explained this would combine all of the populations and programming. She explained she and Mr. Shewairy met with Ms. Hilmye to figure out what the needs are and explained we always hear there is nothing to do in Olean, and this is a community development project to help that issue with a plan, a budget, and a funding source. She explained she received and provided information for funding to the Council, and is seeking clarification from Hodgson Russ as to whether we can go out ten or fifteen years for payments. Alderman Crawford explained Ms. Kerper's office sent the Council a lot of information on this, and explained this is for the center at the Olean Mall. Ms. Kerper explained there is \$100 million in funding statewide, and only 3 grant awards for \$15 million are available. She explained she is not asking for the overall \$15 million, just \$12 million.

Alderman McCall explained she wants to thank Ms. Kerper for always having a vision for the City and bringing projects forward. She explained she thinks there is merit here, but she can't see putting \$3 million into a project when our residents and the Seneca Nation would rather see us put

that money into the sewer issue. She explained she recognizes we need to do things to attract new businesses and people, but we need to first show we have a plan with fiscal responsibility to fix the sewer issue. She explained she would not support this,

Alderman Bennion explained there are other issues like the wall at the filtration plant, syphon pumps, the city garage, and the condemned salt shed. He explained a lot of that is critical and desperately needs to be done, and he thinks this is a misguided project as great as it is. He explained we need to be looking at funding streets and spending time on crumbling City streets and other things. He explained this is something he feels we do not need and we should be spending this money elsewhere. He explained he will not support this or support City funds being used in a private development.

Alderman Anastasia explained he agrees and explained we just came off of a spending freeze and are now talking about spending \$3 million for something we don't need. He explained we have a senior center and kids are being taken care of at St. John's. He explained he wants to thank Ms. Kerper for putting time and effort into this and explained she does a great job, but we need to put our priorities where priorities are.

Alderman Robinson explained when this was discussed initially the Council questioned what we would do with a vacant building that we just spent \$180,000 on for HVAC, and we wanted to find out what possibilities there were for the building. He explained we did not receive feedback on that. He explained we are just finding out the potential dollar amount for the project tonight. He explained it was said a feasibility study was being done to determine if the centers would make sense at the mall and there has been no discussion since then. He explained we have a monthly and yearly bond payment and we should find out what that is compared with what we spend now. He explained if anything, this is a privately owned building that the City should not be spending funding on. He explained he likes the idea of a collaborative are and bringing everything together, but there are clearly other areas that need out attention. He explained this was a waste of Ms. Kerper's time and expertise.

Ms. Kerper explained she has been working on this, and the budget was just finalized with the concept when the grant opportunity was announced. She explained she doesn't think this could have gotten to the Council any sooner. Alderman Crawford asked if this is part of the Governor's budget that just passed and Ms. Kerper explained it is. Alderman Crawford explained we have multiple funds, and he knows water and sewer projects are more important at this time, but there are other funding sources for those that we are exploring. He explained DPW and Mr. Camp can apply for those grants and those funds as well, as that is not under Ms. Kerper's purview, as she is community development. He explained he is not saying other projects aren't important, but we need to find water and sewer grants for those. He explained from a feasibility standpoint, \$3 million of borrowing comes with a substantial bond payment, and he questions how we pay that back. He explained he would want to hear about the savings generated and potential revenue to see how the

City would pay for this. He explained we can't fit another \$3 million bond payment into the budget right now.

Alderman McCall explained we have a finite budget and finite resources, and she can only imagine what \$3 million would do for the City garage. She explained we keep hearing about issues over and over that we are getting nowhere on. She explained if we are going to bond for something, it needs to be something that we need to fix in the here and now. Mayor Aiello explained he feels we should not ask Ms. Kerper to continue working on this art this time.

2. Solar Farm Law Changes and Battery Storage Facility Law

Ms. Kerper explained as the Council may recall, the City was awarded a grant from the Department of State to do the entire Zoning Code update. She explained we recently received a contract package and they accepted it June 11, 2025, and we are currently waiting on the countersignature from the State. She explained we cannot proceed until we receive that. She explained she has scheduled a meeting with the Department of State for a project kick off with Code Enforcement and Ms. Taylor so we are ahead of the game in case the contract is finalized before September. She explained in the meantime, the solar moratorium has expired. Captain Bauer explained there is a big push for solar and battery energy storage systems in the State. He explained giant facilities with shipping containers full of batteries are buying electricity off the grid when it is off peak hours and cheaper, and then sell it back when it is within peak hours and more expensive, so they make money. He explained with solar, electricity not going to the grid goes to the battery systems and gets pulled from the battery system when usage increases. He explained these could potentially take up prime land for future development and when something goes wrong with a lithium battery facility, it goes wrong for a long time. He explained a recent fire near New York City burned for 15 days. He explained laws were put together based on model laws from the State, and Codes has gone through and made some changes.

Capt. Bauer explained a Tier 1 battery facility is up to 600 kWh, which includes everything from what someone has in their garage to enough to power the needs for a small industry for a short period of time, reducing their electrical costs if they have solar on the roof. He explained after that it goes to Tier 2. He explained this was discussed for private industries for expansion to make and store their own energy for on-site use only. He explained we have agreed to allow this as long as it is on site use for up to 1200 kWh. He explained after that, the law states you cannot have anything greater than 1200 kWh in the City. He explained they have also included language with the permitting process for a system between 600 and 1200 kWh that the company is responsible for training, specialized equipment, and maintenance of the equipment necessary to mitigate any fire issues through the life of the system.

Alderman McCall asked if there would be monitoring to ensure the business keeps that up, such as an annual review to ensure they have the proper equipment. Capt. Bauer explained they need to be inspected, not by Code Enforcement but by a third party inspector, and they require a new

operating permit every 2 years. Alderman Crawford explained he does not want to see whatever vacant land we have left in the City go to any more of these sorts of projects. He explained he is really glad to hear we are putting together a game plan to monitor and license these types of things. He explained he is hoping we are learning from the past in brownfield areas where businesses went bankrupt and left us high and dry. He explained he fully supports moving forward on these as soon as possible. Alderman Bennion asked about freestanding mounted solar in yards, and Ms. Kerper explained it was written that we could not have this, but the law can be amended to allow freestanding mounted solar in yards for on-site use.

3. PL #72-25: (Aiello) To award the Marcus Park Collaboration Project site work portion to Gardenville, LLC in an amount not to exceed \$849,000.

A motion to approve PL #72-25 was made by Alderman Robinson, seconded by Alderman McCall. Voice vote, ayes all. Motion carried. Referred to Regular Meeting for Resolution.

4. Adjournment

A motion to adjourn was made by Alderman Crawford, seconded by Alderman Robinson. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 9:00 p.m.