

COMMITTEE OF THE WHOLE MEETING MINUTES

TUESDAY, SEPTEMBER 9, 2025 – 6:00 p.m.

COUNCIL CHAMBERS – OLEAN MUNICIPAL BUILDING

IN ATTENDANCE WERE: ALDERMEN ROBINSON, BENNION, KEARY, FORNEY, McCALL, CRAWFORD, AND ANASTASIA. OTHERS: MAYOR WILLIAM AIELLO; FRANK CAPUTO, CITY CLERK; BRIDGET MARSHALL, CITY ATTORNEY; LENS MARTIAL, CITY AUDITOR; JAMES SPRAGUE, DIRECTOR OF PUBLIC WORKS, AND TIFFANY TAYLOR, MANAGERIAL CONFIDENTIAL ADMINISTRATIVE SECRETARY.

Alderman Robinson called the meeting to order at 6:00 p.m. and asked that the record show that all Aldermen were present.

1. PL #87-25: (Bennion) To authorize the removal of unused, non-working lighting on North Union Street.

Director Sprague explained he has spoken with the vendor and they will be setting the schedule Thursday of this week to be here next week to do the testing. Alderman McCall thanked Director Sprague for the update and explained this has been a long process. She explained she has spoken with business owners on the street and they are hopeful the lights will work and think it will look good. She explained she hopes the lights work next week, but if they do not then the Council is done with the project.

Alderman Bennion explained we have a tight budget but now we need \$15,000 to hodge podge this together. He explained we keep kicking this down the road and saying the next time is the last time, but it is always on a delay. He asked if we have found out what we can do with the control boxes that do not work with the current system. Director Sprague explained once we know what we are doing with the new vendor, the initial approach will be to market the control boxes via auction. Alderman Robinson explained we keep waiting, and we thought it was a great idea to have the lights up and running but we keep setting deadlines that we cannot meet. He explained he thinks it is a waste to take the lights down without knowing if they work, and asked if we should postpone this for an update or postpone indefinitely. Alderman Anastasia asked if there is a fee to have the lights looked at next week, and Director Sprague explained the City agreed to purchase one set of control boxes while the vendor volunteered to provide staff to assist with the testing. He explained the control box the City is purchasing for this is around \$480. Alderman Anastasia explained he is willing to spend the money if they work but if they do not work we need to just take them down. Alderman Keary asked in the meantime that we investigate the resale value of what we have and that may help us make a decision.

A motion to approve postpone PL #92-25 until Committee of the Whole Tuesday, September 23, 2025 was made by Alderman Robinson, seconded by Alderman Keary. Voice vote, ayes all except Alderman Bennion, who voted no. Motion carried.

2. PL #92-25: (Aiello) To reassign the City of Olean Tree Removal Contract 2025-2026 to Decker Tree Services.

Alderman Robinson explained the Council was looking for an update from Code Enforcement that the Order to Remedy has been cleared. Alderman Anastasia explained a week or two ago when he looked at the property on Fall Road there were woodchips all over and logs still piled there. He explained he sent an email to the Council and Code Enforcement replied that the Order to Remedy has been cleared although he does not feel the property is in compliance with the Code. He explained he is also upset that he received a call from a Police Captain questioning why he was on the road taking photos on private property, but he does not feel he was on private property. He explained when the Fire Chief said the Order to Remedy was satisfied he disagrees. He explained he was told the debris was hauled there by Decker Tree Services and was not cleaned up.

Alderman McCall explained she receive an email from residents who have concerns about Decker Tree Service. Alderman Keary explained residents have addressed their concerns with Code Enforcement and the Police Department, but feel that no action has been taken. Alderman Robinson explained in the email from Code Enforcement, it was noted the purpose of the Code is to ensure the property is safe, not necessarily aesthetically pleasing. He explained there are still small piles of logs on the property and sawdust, and he feels they should be required to clean it up. He explained while this was satisfied for Codes, this was not satisfied for him as a City resident.

Alderman Bennion explained Decker did not have permission to haul the trees and debris there and when the area is 100% cleared then we can give the contract to them. Alderman Crawford asked if we are discussing a private action or if the situation on the property has anything to do with the City. Alderman Bennion explained this area was being used to dump debris from the jobs they were doing and is not City property. Alderman Crawford explained he is confused why we are mixing private matters being handled and cleaned up by Codes for consideration of awarding a tree contract. He explained the City has a service to provide. He explained if there are issues then it should be handled internally by administration. Alderman McCall explained Codes says the issue is closed, while the Council feels it appears the work was not done.

Alderman Robinson explained there is a mindset here that we need to separate the public issue from the private issue. He explained we have a contractor the City wants to utilize and we gave them two weeks to clean up, but they did the bare minimum, which says a lot about their mindset. He explained if they can get this property cleaned up then he would be fine awarding them the contract. He explained he understands we are pressing for time to get trees done. He asked if we want to say the contractor should clean up the area completely, or go out for a new RFP for tree services.

Alderman Crawford asked if there is a next lowest bidder. Alderman Robinson explained the original contractor the City chose had to reject the award due to medical reasons, and Decker is the only other bidder. Alderman McCall explained if you were up for a potential contract with the City and had something left undone, it would seem to her that you'd want to make sure it was spotless and to everyone's satisfaction. Alderman Bennion asked if we were going to have a new RFP ready to go out, and Director Sprague explained we can use the prior RFP and just change the dates. He explained he has not received direction yet to send it out. Alderman Bennion explained the agreement was to give them two weeks and then go out for RFP. Alderman Anastasia explained he feels we should refuse the contract with Decker, do another RFP, and then have the Mayor reach out to them. Alderman Robinson explained we should give them another two weeks and Alderman Bennion explained he agrees and that we will have no leverage to get the property cleaned up if we go right to RFP.

A motion to postpone PL #92-25 until the Committee of the Whole Tuesday, September 23, 2025 was made by Alderman Robinson, seconded by Alderman Bennion. Voice vote, ayes all. Motion carried.

3. PL #94-25: (Aiello) To authorize the transfer of banks to Community Bank, N.A., and to authorize the execution of all contracts and forms required for said transfer.

Mayor Aiello explained a month or so ago, the City was notified by Five Star Bank that we would need to take our money to Allegany as they would no longer have their bank in Olean. He explained that is a major inconvenience for the City. He explained they stated we would still be able to deposit our money in Olean but they did not know for how long. He explained we started having communications with Community Bank, N.A. as we already have obligations with the bank for the antenna on their building. He explained we did meet with Five Star and notified them that we did not receive any official notice that they are leaving. He explained we would like to switch to Community Bank, N.A. Mr. Martial explained if we do this, we are going to be able to have a bank in two the Clerk can easily deposit money at rather than having to find an available City car and using it to take money to Allegany to deposit. He explained Community Bank, N.A. should be a good fit for the City.

Alderman Bennion asked about payment of tax bills since they can currently be paid at Five Star Bank. Mr. Martial explained they are paid until the end of this tax period to Five Star Bank and then we will work on getting payments switched to Community Bank.

A motion to approve PL #94-25 was made by Alderman Bennion, seconded by Alderman Keary. Voice vote, ayes all. Motion carried. Referred to Regular Meeting for Resolution.

4. PL #98-25: (Aiello) To authorize the transfer of \$82,880.55 from General Fund Balance to Capital Fund #102, Vehicle Replacement Fund.

Mayor Aiello explained he has been looking into this with Mr. Martial, and they have found an option that does not involve taking these funds from Fund Balance. He explained we have enough money in NY CLASS interest in the Capital Funds that we can use this to fund the mower. Alderman Crawford explained that given the status of our fund balance, we should not use the funds unless it is a dire emergency. He explained he is aware of the situation with the mower and explained we need to be additionally conservative on these purchase. He explained he is not in favor of dipping into the fund balance whether it is interest or not and explained we still have not received our reports from the New York State auditors. He explained a highlight of their report will be that we have fallen below 15% in the fund balance. He explained we do not have a long-term plan in place to build that up and he doesn't believe we should touch the fund balance for anything besides emergencies. Mayor Aiello explained this is interest in the capital funds and would need to stay in capital funds, and Mr. Martial explained it has nothing to do with the fund balance. Alderman Crawford asked if this purchase is of utmost importance as it related to the variety of items the City needs right now and explained one mower is down and can't be repaired, while the other is in dire need of repairs that may not fix it.

A motion to postpone PL #*98-25 indefinitely was made by Alderman Robinson, seconded by Alderman Bennion. Voice vote, ayes all. Motion carried.

5. PL #99-25: (Aiello) To approve the following Commercial Property Improvement Program (CPIP) application for financial assistance as recommended by the Commercial Loan Fund Committee: CPIP #75-03, in an amount not to exceed \$30,000.

Mayor Aiello explained Ms. Kerper provided confidential information about this application to the Council. He explained on September 2, 2025 the Commercial Loan Fund Committee meet and reviewed the completed application, contractor proposal, and financial information. He explained the business owner will be replacing the roof on a business on North Union Street. He explained the committee recommends approval of the loan with a prime rate over 7 years and a 20% deferred portion. Alderman Robinson explained this is a great program and Alderman McCall agreed that we have to do whatever we can to help out small businesses in the City.

A motion to approve PL #99-25 was made by Alderman McCall, seconded by Alderman Anastasia. Voice vote, ayes all. Motion carried. Referred to Regular Meeting for Resolution.

6. PL #100-25: (Aiello) To authorize the transfer of \$15,000 from General Fund Contingency to line item 5110.301 for costs associated with the salt shed foundation design.

Director Sprague explained this is funding for the consultant selection done two weeks ago. He explained we have been in contact with the consultant and as soon as this fund transfer takes place contracts will be signed and the design work will begin.

A motion to approve PL #100-25 was made by Alderman Robinson, seconded by Alderman Bennion. Voice vote, ayes all. Motion carried.

7. Adjournment

A motion to adjourn was made by Alderman Robinson, seconded by Alderman Anastasia. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 6:35 p.m.