

Journal of Proceedings

OF THE COMMON COUNCIL OF THE CITY OF OLEAN, N.Y.

July 22, 2025

**COMMON COUNCIL CHAMBERS
COUNTY OF CATTARAUGUS
STATE OF NEW YORK**

A Regular Meeting of the Olean Common Council of the City of Olean was held on Tuesday, July 22, 2025 at 8:30 p.m.

PRESENT: *Aldermen Crawford, Bennion, McCall, Robinson, and Anastasia*

ABSENT: *Alderman Forney (Ward 2 vacant)*

OFFICIALS: *Mayor William Aiello; Frank Caputo, City Clerk; Lens Martial, City Auditor; Bridget Marshall, City Attorney; James Sprague, Director of Public Works, and Tiffany Taylor, Managerial Confidential Administrative Secretary.*

At this time a prayer was given by Frank Caputo, followed by a salute to the flag.

**READING, CORRECTING & APPROVAL OF THE MINUTES OF THE
PREVIOUS REGULAR MEETING**

A motion to approve the minutes of the July 8, 2025 meeting was made by Alderman Crawford, seconded by Alderman Bennion. Voice vote, ayes all. Motion carried.

COMMITTEE REPORTS & UNFINISHED COUNCIL BUSINESS

Report from Committee of the Whole on PL #84-25, to authorize the transfer of \$19,495 from General Fund Contingency to line item 4068.462 for costs associated with mosquito spraying. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #84-25, to award the Marcus Park Collaboration Project electrical portion to KelKur Electrical Contracting, LLC in an amount not to exceed \$219,645. Committee recommends approval. Referred to City Attorney for Resolution.

COMMUNICATIONS FROM THE MAYOR

Notice of Retirement – James Comstock, Olean Police Department

MISCELLANEOUS COMMUNICATIONS

None

CITY OFFICIAL REPORTS

Monthly Report of the City Auditor – month ended June 2025

Financial Summary as of June 30, 2025

PROPOSED LEGISLATION AND REFERRALS

PL #79-25: (Crawford) To amend the City of Olean Code of Ordinances Chapter 13 to include Division 8, Food Trucks. Referred to Regular Meeting Tuesday, July 22, 2025 for Resolution by Council President.

*PL #80-25: (Aiello) To authorize the creation of the following Capital Funds:
Capital Fund #029 Chips;*

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*Capital Fund #102 Vehicle Replacement;
Capital Fund #103 Police Equipment Replacement;
Capital Fund #119 OATS Bus Reverse;
Capital Fund #132 Parking Lots Maint. Reserve;
Capital Fund #146 Airport Master Plan;
Capital Fund #150 Sidewalk Improvements;
Capital Fund #180 IT Upgrade;
Capital Fund #181 Zombie Grant;
Capital Fund #186 OATS Bus;
Capital Fund #193 Washington Street;
Capital Fund #195 East State Street Phase 3;
Capital Fund #201 N. Union Streetscape;
Capital Fund #213 Stimulus Fund.*

Referred to Regular Meeting Tuesday, July 22, 2025 for Resolution by Council President.

PL #81-25: (Crawford) To amend the City of Olean Sidewalk Rebate Program to open the program to all residential properties and to increase the rebate cap to \$1,500 per property. Referred to Regular Meeting Tuesday, July 22, 2025 for Resolution by Council President.

PL #82-25: (Aiello) To authorize the transfer of \$2,250 from General Fund Contingency to line item 7110.447 for costs associated with portable toilets for City parks. Referred to Regular Meeting Tuesday, July 22, 2025 for Resolution by Council President.

PL #83-25: (Robinson) To authorize the removal of Deaf Child signs from South 14th Street at West Henley Street and North 21st Street at Washington Street. Referred to Regular Meeting Tuesday, July 22, 2025 for Resolution by Council President.

PL #84-25: (Aiello) To authorize the transfer of \$19,495.53 from General Fund Contingency to line item 4068.462 for costs associated with mosquito spraying. Referred to Committee of the Whole Tuesday, July 22, 2025 by Council President.

PL #85-25: (Aiello) To award the Marcus Park Collaboration Project electrical portion to KelKur Electrical Contracting, LLC in an amount not to exceed \$219,645. Referred to Committee of the Whole Tuesday, July 22, 2025 by Council President.

FINANCE / BILLS

By Alderman Crawford, Seconded by Alderman McCall

The Auditor has processed bills and claims against the City of Olean as per list submitted to each Alderman and recommends payment thereof.

WHEREAS, the Auditor has presented to the Common Council, bills and claims against the City of Olean totaling \$804,982.56 for the budget and recommends payment thereof.

NOW, THEREFORE, BE IT RESOLVED, that the same be and are hereby audited and allowed, and the Auditor is hereby authorized and directed to draw warrants for the payment thereof at the amounts set opposite each respective claim.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTIONS

RESOLUTION #77-25

PL #79-25

By Alderman Crawford, Seconded by Alderman Bennion

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TO AMEND THE CITY OF OLEAN CODE OF ORDINANCES CHAPTER 13 TO INCLUDE DIVISION 8, FOOD TRUCKS

BE IT RESOLVED, that the City of Olean Code of Ordinances Chapter 13 is hereby amended to include the following:

DIVISION 8. FOOD TRUCKS

Sec. 13-304. License required.

- (a) It shall be unlawful for any person to operate a food truck within the City without having first obtained a license and paid the license fee, hereinafter provided.
- (b) The license provided in this division shall be in addition to and not in lieu of any other consent or permit as may be otherwise required by law.

Sec. 13-305. Applications.

- (a) An application for a license pursuant to this division shall be submitted no later than 30 days prior to the start date requested for this license.
- (b) This application shall be in a form prescribed by the City Clerk and shall contain the information as set forth in Section 13-248 of this Code.

Sec. 13-306. License fee.

The license fee for a food truck shall be specified below, payable in advance; no refunds will be given for failure to use the license on the date(s) it is issued for.

- (a) The license fee per day shall be \$20.
- (b) The license fee for a continuous thirty day period shall be \$250.
- (c) The license fee for a continuous six month period shall be \$1,250.
- (d) The license fee for a continuous twelve month period shall be \$2,000.

Sec. 13-307. Restrictions.

- (a) Food trucks shall not be parked on North Union Street between State Street and the railroad tracks or on South Street without prior consent of the City of Olean.
- (b) Food trucks shall not be parked on the street where operating overnight.
- (c) Food trucks shall not operate after 10:00 p.m. without prior consent of the City of Olean.

RESOLVED, that this Resolution shall be effective August 1, 2025.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #78-25

PL #80-25

By Alderman McCall, Seconded by Alderman Crawford

TO AUTHORIZE THE CREATION OF CAPITAL FUNDS

RESOLVED, that the Common Council authorizes the creation of the following Capital Funds:

Capital Fund #029 Chips;
Capital Fund #102 Vehicle Replacement;
Capital Fund #103 Police Equipment Replacement;
Capital Fund #119 OATS Bus Reverse;
Capital Fund #132 Parking Lots Maint. Reserve;
Capital Fund #146 Airport Master Plan;
Capital Fund #150 Sidewalk Improvements;
Capital Fund #180 IT Upgrade;
Capital Fund #181 Zombie Grant;
Capital Fund #186 OATS Bus;
Capital Fund #193 Washington Street;
Capital Fund #195 East State Street Phase 3;

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Capital Fund #201 N. Union Streetscape;
Capital Fund #213 Stimulus Fund.

RESOLVED, that this Resolution is hereby effective immediately.
ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #79-25
PL #81-25

By Alderman Crawford, Seconded by Alderman McCall

TO AMEND THE CITY OF OLEAN SIDEWALK REBATE PROGRAM

WHEREAS, the Common Council, through Resolution #28-19, established the Sidewalk Rebate Program to aid in the improvement and enhancement of the safety, walking conditions and ADA compliance of sidewalks through the City’s residential neighborhoods; and

WHEREAS, the Common Council wishes to amend the program;

RESOLVED, that the City of Olean Sidewalk Rebate Program is hereby amended to allow for applicants for all residential properties, regardless if the property is owner-occupied.

BE IT FURTHER RESOLVED, that the rebate amount of \$8 per square foot shall be available for the mainline sidewalk for residential properties with a \$1,500 cap per property.

RESOLVED, that this Resolution is hereby effective immediately.
ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #80-25
PL #82-25

By Alderman McCall, Seconded by Alderman Robinson

**RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM GENERAL FUND
CONTINGENCY TO LINE ITEM 7110.557 FOR COSTS ASSOCIATED WITH PORTABLE
TOILETS FOR CITY PARKS**

RESOLVED, that the following transfer be authorized:

Account #	Description – General	Transferred From	Transferred to
A-01-5-1990.590	General Fund Contingency	\$2,250	
A-01-5-7110.447	Parks – Misc. Fees for Services		\$2,250

BE IT FURTHER RESOLVED, that this Resolution is effective immediately.
ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #81-25
PL #83-25

By Alderman Robinson, Seconded by Alderman Anastasia

TO AUTHORIZE THE REMOVAL OF DEAF CHILD SIGNS

BE IT RESOLVED, that the Common Council authorizes the removal of Deaf Child signs from the following locations:

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South 14th Street at West Henley Street; and
North 21st Street at Washington Street.

RESOLVED, that this Resolution is hereby effective immediately.
ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #82-25
PL #84-25

By Alderman Robinson, Seconded by Alderman Bennion

**RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM GENERAL FUND
CONTINGENCY TO LINE ITEM 4068.462**

RESOLVED, that the following transfer be authorized for costs associated with mosquito larvae spraying:

Account #	Description – General	Transferred From	Transferred to
A-01-5-1990.590	General Fund Contingency	\$19,495.53	
A-01-5-4068.462	Insect Control		\$19,495.53

BE IT FURTHER RESOLVED, that this Resolution is effective immediately.
ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #83-25
PL #85-25

By Alderman Robinson, Seconded by Alderman McCall

**TO AWARD THE MARCUS PARK COLLABORATION PROJECT ELECTRICAL CONTRACT
TO KELKUR ELECTRICAL CONTRACTING, LLC IN AN AMOUNT NOT TO EXCEED
\$219,645**

WHEREAS, the City of Olean Common Council desires to proceed with a project to rehabilitate Marcus Park into an accessible park, the first of its kind in the City of Olean, to include a playground, dog park, restroom, picnic areas, connections to the existing Allegheny River Valley Trail, and accessible parking area, identified a priority project in the draft 2025-2045 Comprehensive Development Plan; and

WHEREAS, the park is a much needed recreational resource for families and children, both disabled and non-disabled, to play together like all children should be able to do; and

WHEREAS, the City of Olean is collaborating with Intandem, created in 2017 by the joining of The Rehabilitation Center, based in Olean, New York, and Opportunities Unlimited, based in Niagara Falls, New York, is a unified brand honoring a six-decade history within the communities in which it serves, honoring both the heritage of each agency and the combined mission to improve the lives of individuals with disabilities; and

WHEREAS, through Intandem fundraising efforts, businesses, individuals, and families within the community who understand the importance of having an inclusive playground in Olean have come together to support the Project to provide a total contribution of \$600,000 towards the Project; and

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WHEREAS, in order to proceed with the project; the City of Olean Common Council entered into an agreement with Molly Vendura Landscape and Design Architects, PLLC for the design and construction administration of the Marcus Park Collaboration Project with Intandem; and

WHEREAS, the Common Council and Intandem have received and reviewed the design plan from Molly Vendura Landscape and Design Architects, PLLC and desire to continue with the construction phase of the Marcus Park Collaboration Project; and

WHEREAS, funding currently available for said Project is as follows:

Empire State Development	\$752,675.20,
NYS Office of Parks	\$500,000,
Intandem	\$600,000;
City of Olean	\$205,853;
Cattaraugus Region Community Foundation	\$23,803.51; and

Whereas, the City of Olean awarded the site work portion of said project to Gardenville, LLC on June 24, 2025 via Resolution #70-25; and

WHEREAS, the City of Olean advertised for proposals for site lighting and electrical work including, but not limited to: site lighting poles and associated foundations, fixtures, branch circuits and lighting controls; receptacles, lighting and associated branch circuits in the new shelter pavilion; coordination with site contractor for phasing of work; and site restoration of areas required for electrical trenching where no site grading is being performed by others or in areas where electrical contractor did not perform trenching and backfill prior to site contractor completing the restoration work; and

WHEREAS, the City has received and reviewed said bids and recommends the contract for site work be awarded to KelKur Electrical Contracting, LLC, the lowest responsible bidder, in an amount not to exceed \$219,645;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council authorizes the award of the Marcus Park Collaboration Project electrical portion to KelKur Electrical Contracting, LLC in an amount not to exceed \$219,645.

RESOLVED, that this Resolution is hereby effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

PUBLIC COMMENT

Alderman Robinson explained he was on vacation during the last meeting and attended via Zoom, and he realized we need to, at some point, invest in new microphones. HE explained he can hear every creak in the chairs and hears more of that than talking. He explained we should upgrade the microphones for those watching on YouTube. Alderman Crawford asked if we have closed captioning, and Mr. Wells explained we do but it does not work well because people do not speak into the microphones.

Alderman McCall explained there is a music and art walk downtown on August 1st from 3:00 p.m. to 7:00 p.m. and invited everyone to attend.

Alderman Crawford explained the City is continuing to disconnect basins listed two weeks ago during the I&I update. He explained we have received an update from the Seneca Nation that we need to reschedule the August 22, 2025 taskforce meeting. He explained we are waiting to hear from the DEC as they are in the selection process to find an engineering firm to work on the ongoing I&I issues within the City. He explained once we have more

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information from the DEC the Mayor will reconnect with the Seneca Nation to reschedule the meeting, hopefully for early September. Alderman McCall asked that we also include moving forward what Code Enforcement is doing to disconnect downspouts tied into the sanitary sewer. Mayor Aiello explained he did give an update previously and can update the Council as they inspect properties.

Rebecca Price of 126 Arland Avenue explained a new sidewalk was put in, in front of her home five years ago and when it was done, they realized at the end of Arland and Fairview there was no handicapped accessibility. She explained she spoke with an employee of the engineering department who assured her it would be fixed but it still has not been. She asked that someone at the City take care of this issue before she is forced to go out and fix it herself.

Paul Jones of 320 Laurel Avenue explained the house next to his is disgusting and he notified the City in September that the whole frame has twisted and the outside has collapsed. He explained he knows the City won't approve the money to tear it down, but it is in danger of coming down on his house and the City can provide new housing for him if it does since the City is on notice of the issue. He explained he has seen several contractors looking at the house to give demolition bids and the City needs to move forward with the demolition.

Brittany Vince explained there are a lot of urgent needs in Olean, such as public transportation that is non-existent, roads that are cracked, sidewalks that are deficient, and a water system that is outdated. She questioned how acceptable it is that in 2025 residents are still reporting discolored water and fowl smells. She explained the concerns about water quality have gone unanswered for too long.

Jessica Davies of North Olean explained she is here about the water quality. She explained the Council talked for an hour about parking but the City has bigger issues such as drugs, homelessness, and a local representative voting "yes" on a bill that will close our hospital. She explained the City needs more code enforcement who respects and enforces the laws that the City puts into place and fines collected can help with the water issues.

Deb Jimerson of the Seneca Nation of Indians explained it is the end of July and it does not look like the sewage problem will be fixed before winter. She explained she appreciates the updates but would like to know a timeframe of when fixes can be anticipated. She explained they again will not be able to fish, canoe, swim, or watch wildlife thrive because of this issue.

A member of the Seneca Nation of Indians explained he is here in disappointment and frustration and wished the City had as much urgency and rhetoric as they do for parking. He thanked the City for the update provided and explained he is going to be reaching out to the Nation to try to get some information and see where they are at. He explained we have been waiting for over a year for this to be fixed and this is an urgent matter that needs to be taken care of.

ADJOURNMENT

Motion to adjourn was made by Alderman Crawford, seconded by Alderman McCall. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 8:35 p.m.

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Frank Caputo, City Clerk

Mayor William J. Aiello

*John Crawford, Council
President*

I hereby approve the foregoing minutes
Dated: ____/____/____

STATE OF NEW YORK
COUNTY OF CATTARAUGUS
CITY OF OLEAN

I, Frank Caputo, City Clerk of the City of Olean, do hereby certify that the foregoing minutes of the Common Council of the City of Olean is the true and correct copy of the whole thereof.

Frank Caputo, City Clerk