

Journal of Proceedings

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

September 9, 2025

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, September 3, 2025 at 6:35 p.m.

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

ABSENT: *None*

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, and Michiko McElfresh, Mayor's Secretary*

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

READING, CORRECTING, AND APPROVAL OF THE MINUTES OF THE PREVIOUS REGULAR MEETING

A motion to approve the minutes of the August 26, 2025 Regular Meeting was made by Alderman Robinson, seconded by Alderman Anastasia. Voice vote, ayes all. Motion carried.

COMMITTEE REPORTS & UNFINISHED COUNCIL BUSINESS

Report from Committee of the Whole on PL #94-25, 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. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #98-25, to authorize the transfer of \$82,880.55 from General Fund Balance to Capital Fund #102, Vehicle Replacement Fund. Item postponed indefinitely.

Report from Committee of the Whole on PL #99-25, 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. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #100-25, 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. Committee recommends approval. Referred to City Attorney for Resolution.

COMMUNICATIONS FROM THE MAYOR

Mayor Aiello explained he sent the Council the City's Industrial Pretreatment Annual Report, which the City must file annually. He explained this is important now especially with that is going on with Great Lakes Cheese. He explained we do have corporations in the City who do self-monitoring and who we monitor annually to make sure they are pretreating their waste in accordance with our pretreatment agreement.

MISCELLANEOUS COMMUNICATIONS

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Application for a Liquor License – Taco Mexican Olean LLC – 315 North Union Street, Olean

CITY OFFICIAL REPORTS

None

PROPOSED LEGISLATION AND REFERRALS

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. Referred to Committee of the Whole Tuesday, September 9, 2025 by Council President.

PL #95-25: (Aiello) To authorize and direct the City Auditor to close Capital Fund #119, OATS Reserve, and Capital Fund #186, OATS bus. Referred to Regular Meeting Tuesday, September 9, 2025 for Resolution by Council President.

PL #96-25: (Aiello) To authorize the creation of Capital Fund #255, Code Enforcement Cleanup Fund. Referred to Regular Meeting Tuesday, September 9, 2025 for Resolution by Council President.

PL #97-25: (Aiello) To authorize the transfer of funds from General, Water, and Sewer Fund Balances to Capital Fund #180 for costs associated with IT Upgrades and budgeting software. Referred to Regular Meeting Tuesday, September 9, 2025 for Resolution by Council President.

PL #98-25: (Aiello) To authorize the transfer of \$82,880.55 from General Fund Balance to Capital Fund #102, Vehicle Replacement Fund. Referred to Committee of the Whole Tuesday, September 9, 2025 by Council President.

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. Referred to Committee of the Whole Tuesday, September 9, 2025 by Council President.

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. Referred to Committee of the Whole Tuesday, September 9, 2025 by Council President.

FINANCE / BILLS

None

RESOLUTIONS

RESOLUTION #41-25
PL #41-25

REVISED

By Alderman Anastasia, Seconded by Alderman Keary

**RESOLUTION ESTABLISHING THE STANDARD WORK DAYS PURSUANT TO NEW YORK STATE
AND LOCAL RETIREMENT SYSTEM REGULATION 315.4**

BE IT RESOLVED, that the City of Olean / Location code 20039 hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System

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based on the record of activities maintained and submitted by these officials to the Clerk of this body. This information is pursuant to Regulation 315.4(b).

<i>Title and Name</i>	<i>Standard Work Day 315.4(b)(i)</i>	<i>Term Begin/End 315.4(b)(ii)</i>	<i>Days/Mths based on record 315.4(b)(iv)</i>	<i>No ROA Received</i>
<i>Elected Officials</i>				
<i>John Crawford, Alderman</i>	6	8/12/25-12/31/26	5.01	
<i>Jennifer Forney, Alderman</i>	6	1/1/23-12/31/25		X
<i>Appointed Officials</i>				
<i>Steven Rogers, Zoning Board</i>	6	1/1/25-12/31/31	.42	
<i>Kelly Sweet Zoning Board</i>	6	11/18/22-11/18/29	.35	

RESOLVED, that this resolution will be effective immediately.
ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #92-25
PL #94-25

By Alderman Keary, Seconded by Alderman Bennion

**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**

WHEREAS, in the course of the City of Olean’s business it has an established relationship with a bank for purposes including, but not limited to, depository of City funds; and

WHEREAS, the City of Olean has found it is in the best interests of the City to switch financial institutions moving forward;

BE IT RESOLVED, that the Common Council of the City of Olean authorizes the City to transfer its accounts to Community Bank, N.A.

RESOLVED, that the Common Council authorizes the Mayor and City Auditor to execute all contracts, agreements, and forms required and related to said transfer.

RESOLVED, that the Common Council authorizes the City Clerk, City Auditor and Mayor to be authorized signatories on said transferred accounts.

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

RESOLUTION #93-25
PL #95-25

By Alderman McCall, Seconded by Alderman Keary

**TO AUTHORIZE AND DIRECT THE CITY AUDITOR TO CLOSE CAPITAL FUNDS #119 AND
#186**

WHEREAS, the City of Olean has determined Capital Fund #119, OATS Reserve, and Capital Fund #186, OATS Bus, have no balance and are no longer being used,

RESOLVED, that the Common Council authorizes and directs the City Auditor to close Capital Fund #119, OATS Reserve, and Capital Fund #186, OATS Bus.

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

RESOLUTION #94-25
PL #96-25

By Alderman Robinson, Seconded by Alderman Bennion

**RESOLUTION AUTHORIZING THE CREATION OF CAPITAL FUND #255, CODE ENFORCEMENT
CLEANUP FUND**

RESOLVED, that the following Capital Fund be created:

Capital Fund #255 – Code Enforcement Cleanup Fund.

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

Alderman Crawford explained he is concerned about dipping into the fund balance. He explained he feels interest from NY CLASS in the capital funds could pay for this as well and he will not vote in support of taking money out of the general fund. He explained he feels these projects and upgrades should be built into the budget and the general fund should be preserved and money found elsewhere. Alderman McCall explained there is enough money in the interest. She explained we have all talked about the importance of the exchange server and the budgeting software. She explained she would support utilizing the interest, but we definitely need these upgrades. Alderman Robinson explained when you have something substantial break down at home but are down to your last dollar, you need to spend your last dollar to fix it. He explained we do need to get these things back in the budget so we don't have to worry about these issues coming from fund balance in the future.

A motion to suspend the rules was made by Alderman Robinson, seconded by Alderman McCall. Voice vote, ayes all. Motion carried.

A motion to amend Resolution #95-25 to utilize NY CLASS interest instead of General Fund Balance was made by Alderman Robinson, seconded by Alderman McCall. Voice vote, ayes all. Motion carried.

RESOLUTION #95-25
PL #97-25

By Alderman McCall, Seconded by Alderman Robinson

**RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM GENERAL, WATER, AND
SEWER FUND BALANCES TO CAPITAL FUND #180**

RESOLVED, that the following transfer be authorized for costs associated with upgrading the Exchange server, budgeting software, data server upgrades and replacement of wireless access points throughout the Municipal Building:

<i>Account #</i>	<i>Description – General</i>	<i>Transferred From</i>	<i>Transferred to</i>
	NY CLASS Interest Income	\$62,500	

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<i>F-06-3-909.000</i>	<i>Water Fund Balance</i>	<i>\$31,250</i>	
<i>G-07-3-909.000</i>	<i>Sewer Fund Balance</i>	<i>\$31,250</i>	
<i>Capital Fund #180</i>	<i>IT Upgrades</i>		<i>\$125,000</i>

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

RESOLUTION #97-25
PL #99-25

By Alderman McCall, Seconded by Alderman Anastasia

RESOLUTION APPROVING A COMMERCIAL PROPERTY IMPROVEMENT PROGRAM LOAN TO A LOCAL BUSINESS

WHEREAS, the City of Olean has designed a Commercial Property Improvement Program (CPIP) that provides financial incentives for commercial property owners and businesses to rehabilitate their buildings, reduce downtown commercial vacancy rates, create employment opportunities, and preserve and expand the tax base of the City of Olean; and

WHEREAS, assistance to property owners and businesses will be in the form of low interest loans/grants for commercial/business improvement projects; and

WHEREAS, the Olean Commercial Loan Fund Committee has reviewed an application for assistance and has recommended approval of:

CPIP #75-03, in an amount not to exceed \$30,000;

BE IT RESOLVED, that the Common Council of the City of Olean has approved said application for assistance under the Commercial Property Improvement Program.

IT IS FURTHER RESOLVED, that this Resolution will be effective immediately.
ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #98-25
PL #100-25

By Alderman Robinson, Seconded by Alderman Bennion

RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM GENERAL FUND CONTINGENCY TO LINE ITEM 5110.301

RESOLVED, that the following transfer be authorized for costs associated with the salt shed foundation design:

<i>Account #</i>	<i>Description – General</i>	<i>Transferred From</i>	<i>Transferred to</i>
<i>A-01-5-1990.590</i>	<i>General Fund Contingency</i>	<i>\$15,000</i>	
<i>A-01-5-5110.301</i>	<i>Maintenance of Streets – Capital Outlay</i>		<i>\$15,000</i>

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

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PUBLIC COMMENT

Alderman McCall encouraged the public to attend the rural area medical clinic this Saturday and Sunday. She explained she was sad to miss the build day at Marcus Park. Alderman Robinson explained the build day had a great turn out and the community made a lot of progress. He explained he can't wait for the project to get done as it will benefit a lot of people in multiple communities. Mayor Aiello gave kudos to Ms. Kerper and the Olean Fire Department on duty crew who were there to help.

Tom Morgan of 1721 West Fall Road thanked Alderman Anastasia for the work he did for him in regards to issues they have been having with a property in his ward. He explained the vacant lot has been neglected over the years, the owner lives out of state and nothing has been done by Code Enforcement. He explained the City should not contract with a company that left the lot in the state that it is in.

Kevin Bartholomew of 737 Bishop Street explained there is a large issue in Olean with the homeless population. He explained people need to be ticketed for doing drugs and drinking in the park, or setting up camp in the parks. He explained it is barely visible down North Union Street at night and this is a safety issue.

Glen Wahl of Little Valley explained he is confident the issues with sewage discharge will be taken care of now that the DEC has taken charge and supplied money for an engineering firm. He explained he is appreciative of the short-term solution of manning the pump stations for manual oversight during heavy rains. He explained the City needs to educate property owners to have their downspout drains removed from the sanitary sewer.

A member of the Seneca Nation of Indians explained one day, thanks the Seneca Nation, the Ohi:yo will be free of sewage, but due to past lack of communication, respect, and transparency, she still feels the need to attend these meetings.

Steve Rogers of 867 North 4th Street explained he has been trying to find a peaceful resolution to an issue in his neighborhood but feels he is living in an environment of selective response. He explained he advocates for the immediate creation of a review board over Code Enforcement to audit current policies and practices and to review permits through the City. He explained processes should be documented meticulously, questions should not be unanswered, and complaints should not be uninvestigated.

Ryan Clark explained he is an employee of Five Star Bank. He explained he wants to assure the City Five Star Bank has no intention of leaving Olean and intends to maintain their presence on State Street. He explained if there is any opportunity for the City to keep their business with Five Star, they would appreciate it.

ADJOURNMENT

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

Frank Caputo, City Clerk

Mayor William J. Aiello

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*Vernon Robinson. Jr., 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