

Journal of Proceedings

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

September 23, 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 23, 2025 at 6:33 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, Gregg Piechota, Assessor 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 9, 2025 Regular Meeting was made by Alderman Robinson, seconded by Alderman Anastasia. Voice vote, ayes all. Motion carried.

COMMITTEE REPORTS & UNFINISHED COUNCIL BUSINESS

None

COMMUNICATIONS FROM THE MAYOR

Recognition of Special Olympic Athletes

MISCELLANEOUS COMMUNICATIONS

None

CITY OFFICIAL REPORTS

Monthly Report of the City Auditor – month ended August 2025

Quarterly Report of the City Auditor – three months ended August 31, 2025

Financial Summary as of August 31, 2025

PROPOSED LEGISLATION AND REFERRAL

PL #101-25: (Aiello) To authorize the use of \$82,880.55 of Capital Fund NY CLASS interest to purchase a mower for the Parks Department. Referred to Regular Meeting Tuesday, September 23, 2025 for Resolution by Council President.

PL #102-25: (Aiello) To confirm the Mayoral reappointment of Gregg Piechota as City Assessor for the term October 1, 2025 through September 30, 2031. Referred to Committee of the Whole Tuesday, September 23 2025 by Council President.

PL #103-25: (Aiello) To authorize the Mayor to enter into the updated Order on Consent as submitted by the New York State Department of Environmental Conservation. Referred

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to Committee of the Whole Tuesday, September 23, 2025 by Council President.

FINANCE / BILLS

By Alderman McCall Seconded by Alderman Bennion

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 \$2,548,322.11 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

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RESOLUTION #99-25

PL #101-25

By Alderman Keary, Seconded by Alderman Robinson

TO AUTHORIZE THE USE OF \$82,880.55 OF CAPITAL FUND NY CLASS INTEREST TO PURCHASE A MOWER FOR THE PARKS DEPARTMENT

RESOLVED, that the Common Council authorizes the City of Olean to use \$82,880.55 of Capital Fund NY CLASS interest to purchase a mower for the Parks Department.

RESOLVED, that this Resolutions is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED

RESOLUTION #100-25

PL #102-25

By Alderman Anastasia, Seconded by Alderman Keary

TO CONFIRM THE MAYORAL REAPPOINTMENT OF GREGG PIECHOTA AS CITY ASSESSOR FOR THE TERM OCTOBER 1, 2025 THROUGH SEPTEMBER 30, 2031

RESOLVED, that the Common Council of the City of Olean hereby confirms the Mayoral reappointment of Gregg Piechota as City Assessor for the term October 1, 2025 through September 30, 2031.

RESOLVED, that the Common Council hereby authorizes and directs the Mayor to submit this reappointment information to the New York State Department of Taxation and Finance, as required.

RESOLVED, that this Resolution is effective October 1, 2025.

ROLL CALL, AYES ALL. MOTION CARRIED.

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RESOLUTION #101-25

PL #103-25

By Alderman Robinson, Seconded by Alderman McCall

TO AUTHORIZE THE MAYOR TO ENTER INTO THE UPDATED ORDER ON CONSENT AS SUBMITTED BY THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

WHEREAS, since 2001 the City of Olean owns, operates, and maintains control of a publicly owned treatment works including various sanitary sewers and sanitary outfalls as well as a wastewater treatment plant located on South 19th Street, Olean, New York; and

WHEREAS, the City of Olean is subject to Article 17 of the New York State Department of Environmental Conservation Law, and the regulations promulgated thereto, which govern the control and prevention of water pollution; and

WHEREAS, the City of Olean operates the publicly owned treatment works pursuant to SPDES Permit No. NY0027162, and is authorized to discharge from the publicly owned treatment works in accordance with effluent limitations, monitoring and reporting requirements, other provisions and conditions set forth in the SPDES Permit, and Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York 750-1 and 750-2; and

WHEREAS, the publicly owned treatment works is authorized under the SPDES Permit to discharge treated wastewater via Outfall 001 into the Allegheny River, deemed a Class "C" waterway; and

WHEREAS, the City of Olean operates and maintains nine lift stations, three (South 4th Street, Adams Street, and Martha Avenue) capable of bypassing during heavy storm events that exceed the pumping capacity resulting in Sanitary Sewer Overflows (into the Allegheny River, Olean Creek, and McCann Brook, respectfully); and

WHEREAS, Sanitary Sewer Overflows are prohibited discharges of raw sewage from sanitary sewers and can expose people to bacteria that may cause illness through contaminated water sources or recreation in waterbodies, and may also cause impairment of the best usages of the receiving water as specified by the water classification at the location of the discharge and other locations that may be affected by the discharge; and

WHEREAS, potential adverse impacts associated with Sanitary Sewer Overflows are one of the reasons for the promulgation of the Sewage Pollution Right to Know law which requires the reporting of Sanitary Sewer Overflows to the Department of Environmental Conservation, and the local health department or New York State Department of Health immediately, but no later than two hours from discovery of the discharge; and

WHEREAS, the New York State Department of Environmental Conservation has jurisdiction over the environmental policy and programs of the State pursuant to provisions of the New York State Department of Environmental Conservation Law and Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York and includes the abatement and prevention of pollution of State waters pursuant to Article 17 of the Environmental Conservation law and Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York Part 750, et seq., the jurisdiction of which authorizes the Department, as a State agency with an approved program pursuant to Sections 318, 402 and 405 of the federal Clean Water Act. 33 U.S.C. Section 1251 et seq.,

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to regulate the discharge of pollutants from point sources into the waters of the State in conformity with the Clean Water Act; and

WHEREAS, *the City of Olean entered in Order on Consent R9-2013-0426-37, with an effective date of November 7, 2014 and a 2017 amendment requiring, among other obligations, a submission of approvable annual reports; and*

WHEREAS, *in July 2025, the Department of Environmental Conservation initiated a study of Inflow and Infiltration with a consultant to identify all major sources of Inflow and Infiltration that contribute to the City of Olean's sanitary sewer system and develop recommendations to eliminate all Sanitary Sewer Overflows; and*

WHEREAS, *the New York State Department of Environmental Conservation has submitted to the City of Olean Order on Consent R9-20250509-36, including an updated compliance schedule including, but not limited to, such tasks as: provide an Engineering Report regarding inflow and infiltration sources, prioritization and planning for projects to eliminate inflow and infiltration, and providing a schedule for project implementation; implementing projects outlined in the Engineering Report; disconnecting all municipal stormwater systems from the sanitary sewer system; holding meetings and providing quarterly reports; developing a Capacity, Management, Operations and Maintenance Program, and develop an Asset Management Program; and*

WHEREAS, *City Officials have reviewed the submitted Order on Consent and recommend the Common Council authorize the Mayor to enter into the Order;*

NOW, THEREFORE, BE IT RESOLVED, *that the Common Council of the City of Olean authorizes the Mayor to enter into and execute the New York State Department of Environmental Conservation Order on Consent R9-2025059-36.*

RESOLVED, *that this Resolution is hereby effective immediately.*

ROLL CALL, AYES ALL. MOTION CARRIED.

PUBLIC COMMENT

Alderman McCall discussed the results from the RAM clinic and thank all involved. She added that there was a special need for dentistry. She also said that she is working with the merchants for the Art Music Walk that will take place on October 3, 2025. In addition, there will be a Halloween event on 10/25. She said that the shops are trying to come together.

Alderman Keary said that there will be a Walk to End Alzheimer's Disease that will take place on October 27, 2025 at the JCC campus.

James Christopher Keefe stated that he wanted to thank City and Mayor Aiello for replacing the trees that he had planted to memorialize his parents. He also wanted to thank Patrolman Campbell who responded to when he and his dog were attacked by the four pit bulls of his next-door neighbor. Patrol officer Campbell responded immediately and cited the neighbor for licensing and having unleashed dogs. Mr. Keefe notified his other neighbors and Casa Trinity about the dogs. His dog suffered puncture wounds.

Rebecca Price of 126 Garland Avenue complained that she was promised a handicapped accessible sidewalk years ago and it still has not been installed. She has been getting updates from Alderman Bennion. She was told that it was going to be installed on September 1, 2025, but it still has not been installed.

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Steve Rogers of 867 North 4th Street explained td 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.

Robert Kennedy of 917 Seneca Street reported on his progress with cleaning up the river and asked that the City provide paint as he planes to paint over the graffiti in the bridges.

ADJOURNMENT

Motion to adjourn was made by Alderman Robinson, seconded by Alderman McCall. Voice vote, ayes all. Motion carried. Meeting adjourned at 7:02 p.m.

Frank Caputo, City Clerk

Mayor William J. Aiello

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