

Journal of Proceedings

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

March 10, 2026

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 March, February 10, 2026 at 6:25 p.m.

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

ABSENT: *Alderman Crawford*

OFFICIALS: *Mayor Amy Sherburne; Frank Caputo, City Clerk; Lens Martial, City Auditor; Michael Morgan, City Attorney; Jennifer Fairbanks-Black, Chief of Staff; James Sprague, Director of Public Works; Jerry Volz, IT Network Coordinator; Stephanie Olson, Principal Account Clerk; Eric Maurouard, Fire Chief, and Tiffany Taylor, Managerial Confidential Administrative 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 February 24, 2026 Regular Meeting was made by Alderman Robinson, seconded by Alderman Keary. Voice vote, ayes all. Motion carried.

COMMITTEE REPORTS & UNFINISHED COUNCIL BUSINESS

Report from Committee of the Whole on PL #16-26, to call on Governor Hochul to declare an "Energy State of Emergency" related to escalating energy costs. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #17-26, to authorize the transfer of \$5,000 from line item 1640.250, Other Equipment, to line item 1640.101, Overtime, for costs associated with overtime in the City Garage. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #18-26, to authorize the Mayor to enter into a Service Agreement with Purrfect Kitty Mission for the provision of trap-neuter-release (TNR) and emergency feline care services within the City of Olean for a cost of \$5,000. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #19-26, to authorize the application for funding to the New York State Drinking Water State Revolving Loan Fund for the lead service line inventory and replacement. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #20-26, to authorize the application for funding to the New York State Clean Water State Revolving Loan Fund as required by the NYSDEC Order on Consent for the sanitary sewer collection system. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #21-26, to authorize the Mayor to execute an Undertaking Agreement between the City of Olean and the New York State Department of Transportation for working within the State rights-of-way within the City of Olean. Committee recommends approval. Referred to City Attorney for Resolution.

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Report from Committee of the Whole on PL #22-26, to authorize the Mayor to sign and submit grant applications for Congressional Directed Spending Grants through Senator Chuck Schumer and Senator Kirsten Gillibrand for funding associated with security cameras for the Olean Municipal Building. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #23-26, to confirm the Mayoral Appointment of Frank Caputo as City Clerk retroactively to January 2, 2026. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #24-26, to authorize the creation of Capital Fund #028, Interest. Committee recommends approval. Referred to City Attorney for Resolution.

COMMUNICATIONS FROM THE MAYOR

None

MISCELLANEOUS COMMUNICATIONS

None

CITY OFFICIAL REPORTS

None

PROPOSED LEGISLATION AND REFERRALS

PL #17-26: (Sherburne) To authorize and direct the Director of Public Works to contact the New York State Department of Transportation to terminate the Wayne Street Shared Use Path Grant Agreement, Project ID No. 5764.70, and to contact Erdman Anthony to terminate their Architectural / Engineering Consultant Contract for said project in order to discontinue the Wayne Street Shared Use Path Project. Referred to Committee of the Whole Tuesday, March 10, 2026 by Council President.

PL #18-26: (Sherburne) To authorize the Mayor to enter into a Service Agreement with Purrfect Kitty Mission for the provision of trap-neuter-release (TNR) and emergency feline care services within the City of Olean for a cost of \$5,000. Referred to Committee of the Whole Tuesday, March 10, 2026 by Council President.

PL #19-26: (Sherburne) To authorize the application for funding to the New York State Drinking Water State Revolving Loan Fund for the lead service line inventory and replacement. Referred to Committee of the Whole Tuesday, March 10, 2026 by Council President.

PL #20-26: (Sherburne) To authorize the application for funding to the New York State Clean Water State Revolving Loan Fund as required by the NYSDEC Order on Consent for the sanitary sewer collection system. Referred to Committee of the Whole Tuesday, March 10, 2026 by Council President.

PL #21-26: (Sherburne) To authorize the Mayor to execute an Undertaking Agreement between the City of Olean and the New York State Department of Transportation for working within the State rights-of-way within the City of Olean. Referred to Committee of the Whole Tuesday, March 10, 2026 by Council President.

PL #22-26: (Sherburne) To authorize the Mayor to sign and submit grant applications for Congressional Directed Spending Grants through Senator Chuck Schumer and Senator Kirsten Gillibrand for funding associated with security cameras for the Olean

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Municipal Building. Referred to Committee of the Whole Tuesday, March 10, 2026 by Council President.

PL #23-26: (Sherburne) To confirm the Mayoral Appointment of Frank Caputo as City Clerk retroactively to January 2, 2026. Referred to Committee of the Whole Tuesday, March 10, 2026 by Council President.

PUBLIC COMMENT/INPUT

John Dahlgren of 1324 North Union Street explained he is concerned with a property near his. He explained 122 East Pine Street was recently purchased, and explained the property was previously owned by the Kingsmen Motorcycle Club and was raided previously by the FBI and ATF. He explained he would like the City to prevent this property from becoming a nuisance again.

FINANCE / BILLS

None

RESOLUTIONS

RESOLUTION #15-26
PL #14-26

By Alderman Bennion, Seconded by Alderman Forney

TO AMEND THE CITY OF OLEAN CODE OF ORDINANCES SECTION 24-142 TO REMOVE THE SOUTH SIDE OF EAST ELM STREET FROM NATIONAL GRID POLE #4 EAST 140 FEET TO NATIONAL GRID POLE #5, AND TO AUTHORIZE AND DIRECT THE DEPARTMENT OF PUBLIC WORKS TO REMOVE “NO PARKING” SIGNAGE IN SAID AREA

RESOLVED, that the City of Olean Code of Ordinances Section 24-142 is hereby amended to remove the following:

<u>Street</u>	<u>Side</u>	<u>Length</u>
Elm Street, East	South	From National Grid Pole #4 east 140 feet to National Grid Pole #5

RESOLVED, the Department of Public Works is hereby authorized and directed to remove “No Parking” signage in said area.

RESOLVED, that this Resolution is hereby effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #16-26
PL #16-26

By Alderman Crawford, Seconded by Alderman Keary

TO CALL ON GOVERNOR HOCHUL TO DECLARE AN “ENERGY STATE OF EMERGENCY” RELATED TO ESCALATING ELECTRICITY COSTS

WHEREAS, New York State’s utility costs are among the highest in the country; and

WHEREAS, New York State residents have been facing escalating electricity delivery charges, supply costs, and regulatory mandates for several months contributing to all-time high and unsustainable electricity costs causing financial hardship for our residents, businesses and manufacturers; and

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***WHEREAS**, New York State’s lack of electric generation putting the electrical system under severe strain and wholesale energy prices are becoming dangerously volatile; and*

***WHEREAS**, New York Independent System Operator (NYISO) recently released white paper on the drivers of rising electricity prices, making it clear that these increases are not isolated events, but are the result of systemic pressures including declining generation supply and plant retirements, rising fuel costs and pipeline constraints, and growing demand driven by electrification without adequate replacement of base load capacity; and*

***WHEREAS**, the City of Olean’s request to declare an “Energy State of Emergency” would allow immediate action to lower bills, place safeguards on utility bills to protect our consumers from extreme price spikes, initiate suspension of taxes, fees, and surcharges on energy bills to provide direct financial relief, and expedite the siting, permitting, and construction of base load generation including firm, dispatchable resources that ensure reliability and stabilize prices;*

***NOW, THEREFORE, BE IT RESOLVED**, that the Common Council of the City of Olean urges the Governor to declare an “Energy State of Emergency” to protect City of Olean residents and all New York State ratepayers from extreme and unsustainable price spikes, promote stabilization of the power grid, and to promote affordable energy;*

***RESOLVED**, that the Clerk of the common Council will forward certified copies of this resolution to Governor Hochul, Senator George M. Borello, Assemblyman Joe Sempolinski, NYSAC, and any other party deemed necessary and proper.*

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #17-26

PL #17-26

By Alderman Robinson, Seconded by Alderman Forney

**RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM LINE ITEM 1640.250 TO LINE
ITEM 1640.101**

***RESOLVED**, that the following transfer be authorized for costs associated with overtime in the City Garage:*

<i>Account #</i>	<i>Description – General</i>	<i>Transferred From</i>	<i>Transferred to</i>
A-01-5-1640.250	City Garage – Other Equipment	\$5,000	
A-01-5-1640.101	City Garage – Overtime		\$5,000

***BE IT FURTHER RESOLVED**, that this Resolution is effective immediately.*

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #18-26

PL #18-26

By Alderman McCall Seconded by Alderman Crawford

**TO AUTHORIZE THE MAYOR TO ENTER INTO A ONE-TIME SERVICE AGREEMENT WITH
PURRFECT KITTY MISSION FOR THE PROVISION OF TRAP-NEUTER-RELEASE (TNR) AND
EMERGENCY FELINE CARE SERVICES WITHIN THE CITY OF OLEAN FOR A COST OF
\$5,000**

***WHEREAS**, the City of Olean recognizes the need to humanely manage and reduce the free-roaming feline population within the City of Olean limits; and*

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WHEREAS, Purrfect Kitty Mission is a nonprofit organization experienced in providing Trap-Neuter-Return (TNR) and emergency feline care services; and

WHEREAS, Purrfect Kitty Mission has submitted a Service Agreement to the City of Olean to provide the following services:

- a. Humane trapping of community cats,
- b. Spay/neuter surgery by licensed veterinarians,
- c. Rabies vaccination as required by law,
- d. Ear-tipping for identification,
- e. Return of sterilized cats to colony locations,
- f. Emergency veterinary coordination for injured or critically ill stray/community cats,
- g. Humane euthanasia when medically necessary as determined by a licensed veterinarian, and
- h. Community education and colony management support; and

WHEREAS, in exchange for said services, the City of Olean will make a one-time payment of \$5,000 to Purrfect Kitty Mission;

BE IT RESOLVED, that the Common Council authorizes the Mayor to enter into a one-time Service Agreement with Purrfect Kitty Mission for the provision of trap-neuter-release (TNR) and emergency feline care services within the City of Olean for a cost of \$5,000.

RESOLVED, that this Resolution is hereby effective immediately.

ROLL CALL, AYES ALL EXCEPT ALDERMAN BENNION, WHO ABSTAINED. MOTION CARRIED.

RESOLUTION #19-26

PL #19-26

By Alderman Robinson, Seconded by Alderman Forney

TO AUTHORIZE THE APPLICATION FOR FUNDING TO THE NEW YORK STATE DRINKING WATER STATE REVOLVING LOAN FUND FOR THE LEAD SERVICE LINE INVENTORY AND REPLACEMENT

WHEREAS, a Drinking Water State Revolving Loan Fund (DWSRF) was created in 1996 as a result of State legislation and legislation enacted by the U.S. Congress to provide a significant financial incentive for municipally and privately owned drinking water systems to finance needed drinking water infrastructure improvements; and

WHEREAS, this program provides subsidized low interest rate financing for construction of eligible water system projects; and

WHEREAS, the Environmental Protection Agency's Lead and Copper Rule Revision requires that public water systems develop lead service line replacement plans by November 1, 2027 and then complete replacement plans within a ten year period; and

WHEREAS, lead service line replacement is an eligible activity for funding through the DWSRF;

BE IT RESOLVED, that the Common Council authorizes the application for funding to the New York State Drinking Water State Revolving Loan Fund for the lead service line inventory and replacement.

RESOLVED, that this Resolution is hereby effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #20-26

PL #20-26

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By Alderman McCall, Seconded by Alderman Keary

TO AUTHORIZE THE APPLICATION FOR FUNDING TO THE NEW YORK STATE CLEAN WATER STATE REVOLVING LOAN FUND AS REQUIRED BY THE NYSDEC ORDER ON CONSENT FOR THE SANITARY SEWER COLLECTION SYSTEM

WHEREAS, the Clean Water State Revolving Fund (CWSRF) empowers local governments and public authorities to undertake critical sewer and wastewater projects, offering significant financial advantages and supportive technological assistance to communities by providing financing at below-market rates with long repayment periods to keep loans affordable; and

WHEREAS, the New York State Department of Environmental Conservation's Order on Consent with the City of Olean requires the City of Olean to obtain funding for its sanitary sewer collection system; and

WHEREAS, improvements necessary to the sanitary sewer collection system to comply with the Order on Consent are eligible activities for funding through the CWSRF;

BE IT RESOLVED, that the Common Council authorizes the application for funding to the New York State Clean Water State Revolving Fund as required by the NYSDEC Order on Consent for the Sanitary Sewer Collection System.

RESOLVED, that this Resolution is hereby effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #21-26

PL #21-26

By Alderman Robinson, Seconded by Alderman McCall

TO AUTHORIZE THE MAYOR TO EXECUTE AN UNDERTAKING AGREEMENT BETWEEN THE CITY OF OLEAN AND THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION FOR WORKING WITHIN THE STATE RIGHTS-OF-WAY WITHIN THE CITY OF OLEAN.

WHEREAS, the City of Olean from time to time receives permits from the New York State Department of Transportation and otherwise conducts activities and operations upon the highways and/or within right-of-way controlled by the State of New York for such purposes as the obstruction, installation, construction, maintenance and/or operation of facilities; and

WHEREAS, the City of Olean's access and operation upon state right-of-way is conditioned upon compliance with Highway Law Sections 52, 103, 203 and/or 234, including the conditions that the City of Olean assume all responsibility for (a) the temporary control of all modes of traffic (including motorized and non-motorized travel) affected by the City's operations, (b) complete restoration of state facilities to their condition prior to permitted use or activity, and (c) all claims, damages, losses, and expenses;

BE IT RESOLVED, that the Common Council authorizes the Mayor to execute an Undertaking Agreement between the City of Olean and the New York State Department of Transportation outlining all terms and conditions applicable for operations or activities affecting the state right-of-way.

RESOLVED, that this Resolution is hereby effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #22-26

PL #22-26

By Alderman Forney, Seconded by Alderman McCall

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***TO AUTHORIZE THE MAYOR TO SIGN AND SUBMIT GRANT APPLICATIONS FOR
CONGRESSIONAL DIRECTED SPENDING GRANTS THROUGH SENATOR CHUCK SCHUMER
AND SENATOR KIRSTEN GILLIBRAND FOR FUNDING ASSOCIATED WITH SECURITY
CAMERAS FOR THE OLEAN MUNICIPAL BUILDING***

WHEREAS, Congressional Directed Spending Grants (CDS) allow senators to drive federal funding to high-impact projects in their states and local communities, promoting economic development, infrastructure, public safety, education, health care initiatives, and other worthy investments in communities; and

WHEREAS, funding to recipients is generally provided through grant agreements or cooperative agreements, the terms and conditions of which are based on the statutory and regulatory provisions of the grant program used to administer the funding; and

WHEREAS, the purchase and installation of new security cameras both within and outside of the Olean Municipal Building provide necessary public safety and cost-savings benefits necessary to make the action eligible for funding under the CDS;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council authorizes the Mayor to sign and submit grant applications for Congressional Directed Spending Grants through Senator Chuck Schumer and Senator Kirsten Gillibrand for funding associated with security cameras for the Olean Municipal Building.

RESOLVED, that this Resolution is hereby effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #23-26

PL #23-26

By Alderman Robinson, Seconded by Alderman Forney

***RESOLUTION CONFIRMING THE MAYORAL APPOINTMENT OF FRANK CAPUTO AS CITY
CLERK***

RESOLVED, that the appointment of Frank Caputo as Clerk of the City of Olean is hereby approved.

IT IS FURTHER RESOLVED, that this appointment shall be effective retroactively to January 2, 2026.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #24-26

PL #24-26

By Alderman Crawford, Seconded by Alderman Robinson

RESOLUTION AUTHORIZING THE CREATION OF CAPITAL FUND #028

RESOLVED, that the following Capital Fund be created:

Capital Fund #028 – Interest.

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

ADJOURNMENT

Motion to adjourn was made by Alderman Robinson, seconded by Alderman McCall.
Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 6:45 p.m.

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Frank Caputo, City Clerk

Mayor Amy Sherburne

*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