

Journal of Proceedings

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

March 24, 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 Tuesday, March 24, 2026 at 6:05 p.m.

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

ABSENT: *None*

OFFICIALS: *Mayor Amy Sherburne; Jennifer Fairbanks-Black, Chief of Staff; Frank Caputo, City Clerk; Lens Martial, City Auditor; James Sprague, Director of Public Works; Keri Kerper, Community Development Program Coordinator; Mike Morgan, City Attorney; Stephanie Olson, Principal Account Clerk, 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 March 10, 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 #25-26, to authorize the Mayor to execute agreements between the City of Olean and the County of Cattaraugus for funding to offset operating costs at the airport. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #26-26, to approve the following Commercial Property Improvement Program (CPIP) application for financial assistance as recommended by the Commercial Loan Fund Committee: CPIP #77-03, in an amount not to exceed \$25,000. Committee recommends approval. Referred to City Attorney for Resolution.

COMMUNICATIONS FROM THE MAYOR

Special Proclamation for World Down Syndrome Day

Special Proclamation for Women's History Month

MISCELLANEOUS COMMUNICATIONS

None

CITY OFFICIAL REPORTS

Monthly Report of the City Auditor – month ended February 2026

Quarterly Report of the City Auditor – three months ended February 28, 2026

Fiscal Summary as of January 31, 2026

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PROPOSED LEGISLATION AND REFERRALS

PL #25-26: (Sherburne) To authorize the Mayor to execute agreements between the City of Olean and the County of Cattaraugus for funding to offset operating costs at the airport. Referred to Committee of the Whole Tuesday, March 24, 2026 by Council President.

PL #26-26: (Sherburne) To approve the following Commercial Property Improvement Program (CPIP) application for financial assistance as recommended by the Commercial Loan Fund Committee: CPIP #77-03, in an amount not to exceed \$25,000. Referred to Committee of the Whole Tuesday, March 24, 2026 by Council President.

FINANCE / BILLS

By Alderman Robinson, Seconded by Alderman Anastasia

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 \$890,235.92 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.

PUBLIC COMMENT/INPUT

Alderman Crawford read:

" Five years ago, we sat here and asked a different Council to consider adding a CPA requirement for the auditor's role. That motion was voted down 4-3. Last week, we unanimously increased the auditor's pay range to potentially attract a CPA or equivalent. I commend the mayor's proposal and the Council's support for working to raise the standards of our local government and reduce future risk to the city. Speaking of risk...

As the only alderman on this Council with direct memory of the events that led to the creation of the Water and Sewer Superintendent's position, I feel an obligation to provide historical context.

This position was not created arbitrarily—it was created in response to a major failure.

During the North Union Street project, the city failed to properly track and pay over \$1.5 million dollars in invoices and change orders. The result cost the taxpayers well over \$1 million. For reference, I joined the Council after the project ended and we had just been served. The new DPW Director's root cause analysis identified the central issue: the Public Works Director was overextended and overwhelmed.

The Director's role is one of the most expansive in city government—it oversees the day-to-day operations of three major funds: general, water & sewer, as well as all their infrastructure, fleet, personnel, and major capital projects. At that time, the position had significantly more responsibility and staff than any other department head. Quite simply, too much was placed on one person, and critical items fell through

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the cracks.

If you review the March 2019 minutes, you'll see that this Council recognized the reality and took corrective action by creating the Superintendent position to provide specialized oversight of water and sewer operations and major infrastructure-related projects, thereby taking this off the Director's plate.

There is also an important historical detail: the City once had a Deputy DPW Director position, which was eliminated in the 1990s. From that point forward, responsibilities were consolidated onto a single individual. That structure ultimately contributed to the failure we saw during the North Union Street project.

What concerns me today is something I've seen repeatedly in financial and organizational crises.

When a failure occurs, people respond, assess risk, and implement corrective measures—but over time, institutional memory fades, and people begin to question why those safeguards were put in place.

I believe that is exactly where we are now. We are forgetting what we fixed in the first place.

The city is embarking on a project on West State Street that is four times larger than the one on North Union Street – it involves major water & sewer infrastructure upgrades, too. To suggest that we should once again consolidate that level of responsibility onto a single individual is not just unrealistic; it is risky.

No one person can reasonably be an expert in streets, water systems, sewer systems, engineering coordination, fleet management, personnel management, and large-scale capital planning. Structuring our government in a way that expects that is setting someone up to fail—and putting the City at risk in the process. Not to mention the risk of individual burnout, mental, and physical stress – leading to recruitment and retention problems.

If there are concerns about how the Superintendent's position is currently functioning, then do not eliminate it—improve the role's structure and utilization. While I appreciate the mayor's efforts to improve efficiency, I would ask that we have meaningful conversations about performance and expectations rather than removing the safeguard entirely.

I also want to be clear: I do not believe that this role can be replaced by a junior or even a senior engineer. In 2019, when this position was created, the City had a DPW Director, two senior engineers, and a junior engineer in addition to this role. Proper infrastructure management requires both technical engineering support and dedicated operational oversight — they are not interchangeable.

At a minimum, I believe the City should maintain engineering capacity alongside a position like this, not instead of it. I will say this plainly: eliminating this position risks repeating the very failure that led to its creation.

And that is not a risk I believe this City should take.

So, I would ask my fellow Aldermen — who else is not comfortable with removing this safeguard, knowing exactly why it was put in place and what it cost this City the last time we didn't have it?"

Alderman Forney explained she would like to share that she does not support removing the Water and Sewer Superintendent position. She explained the role is

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essential to the operation of our City, especially given the number on ongoing and future projects in the pipeline. She explained during her time on the Council we have repeatedly discussed issues with the water and sewer infrastructure and this is not a new issue and not one that can be managed without a dedicated position. She explained she does not question the DPW Director's abilities; however, asking one individual to manage three major departments is unrealistic and not sustainable. She explained the scope of the responsibility of the DPW Director is already extensive and adding oversight of water and sewer systems compromises our abilities to properly manage both areas. She explained eliminating a key role is not an effective budget strategy and if the concern is redundancy in supervisors' positions, then the appropriate action would be to evaluate lower level supervisory roles and determine if responsibilities can be consolidated there without removing a critical department head. She explained on her time with the Council she does not recall any personnel issues from that department being brought to the Council, and it is her opinion that no one should ever be blindsided by the elimination of their position. She explained effective leadership requires communication when issues arise followed by job coaching and following procedures as outlined in our organization's policies and / or employee contracts. She explained that process ensures transparency, fairness, and accountability on all sides. She explained for these reasons she does not support the removal of the role of the Water and Sewer Superintendent from the budget and she feels many residents of Olean feel the same way based on letters and messages the Council has been receiving calling for the reinstatement of that position.

Mr. Keary explained he supports the restoring of the Water and Sewer Superintendent position for the City of Olean as well. He explained this is a necessary step to meet our growing regulatory demands. He explained the requirements we have from the Consent Order from the New York Department of State and our responsibility to protect the river and the importance of maintaining our relationship with the Seneca Nation of Indians all require consistent, knowledgeable oversight. He explained in addition our aging infrastructure and ongoing physical challenges between Olean and the village make dedicated leadership in this role critical in ensuing compliance, consistency, and long-term sustainability.

Alderman Anastasia explained he agrees with Aldermen Crawford, Keary, and Forney's statements. He explained he disagrees with the elimination of the Water and Sewer Superintendent. He explained we have a DEC mandate and the Seneca Nation is upset, so he feels we need to have this position. He explained we have lead pipes, we have water wells throughout the City that need to be repaired, and we have water meters that need to be replaced, just to name a few, as well as if we get started on West State Street with the RAISE Grant. He explained he, too, disagrees with the elimination of that position and he would like to talk about this again in Finance when we open that meeting. He explained what he would like to do, and he thinks he has the authority to do this as an Alderman, is he would like to make a motion that we reinstate, that the Finance Committee reinstates the position of the Water and Sewer Superintendent.

Ms. Taylor explained that is not a power the Council has. He explained the Council is able to fund positions, but the Council cannot ask for reinstatement and explained employees are entirely up to the Mayor and it is her decision whether or not a person is in that position.

Alderman Anastasia explained he is requesting the funding be restored back into the budget for the Water and Sewer Superintendent that came out of the water and sewer funds, and if that same person is reinstated, I would like to request that the stipend given a couple years ago for overseeing personnel between \$15,000 and \$20,000 is removed and that position's base salary be restored.

Alderman Bennion explained a motion such as this cannot be made during Public

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Comment, and has to wait for the appropriate time. Alderman Anastasia asked for clarification of when that can be done, and explained if not he will request Ms. Taylor put a PL and Resolution in for this for the first meeting in April.

Robert Kennedy of Seneca Avenue explained he is requesting heavy contractor bags to begin cleanup. He explained he will be starting at Constitution Avenue and Independence Drive, and will be working his way down the trail towards town, He explained smoking is not allowed outside the Municipal Building and he feels City employees smoking outside the building should be ticketed and fined the same as if they were smoking in a City park.

John Dahlgren of 1324 North Union Street explained he is concerned about the actions of a neighbor at 122 East Pine Street. He explained there is a house in the neighborhood for sale but they will not be able to sell it with what the owner of 122 East Pine is doing with the property. He explained he is upset Alderman Anastasia has not returned his phone calls regarding this.

Alderman Robinson reminded the Council and public that there is no back and forth during Public Comment.

RESOLUTIONS

RESOLUTION #27-26

PL #25-26

By Alderman Robinson, Seconded by Alderman McCall

TO AUTHORIZE THE MAYOR TO EXECUTE AGREEMENTS BETWEEN THE CITY OF OLEAN AND THE COUNTY OF CATTARAUGUS FOR FUNDING TO OFFSET OPERATING COSTS AT THE AIRPORT

WHEREAS, the City of Olean funds the operation of the Cattaraugus County – Olean Airport; and

WHEREAS, Cattaraugus County has submitted to the City of Olean the following agreements to provide funding to the City of Olean for operating costs at the Cattaraugus County – Olean Airport:

01/01/2025 – 12/31/2025 in an amount of \$95,000; and
01/01/2026 – 12/31/2026 in an amount of \$95,000;

BE IT RESOLVED, that the Common Council authorizes the Mayor to execute agreements between the City of Olean and the County of Cattaraugus for funding to offset operating costs at the Cattaraugus County – Olean Airport.

RESOLVED, that this Resolution is hereby effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #28-26

PL #26-26

By Alderman Anastasia, Seconded by Alderman Keary

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

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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 #77-03, in an amount not to exceed \$25,000;

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.

ADJOURNMENT

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

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