

# **REGULAR MEETING OF THE COMMON COUNCIL**

**Tuesday, April 14, 2026 – 6:10 p.m.**

**Council Chambers – Olean Municipal Building**

## **1. ROLL-CALL**

## **2. INVOCATION**

## **3. PLEDGE**

## **4. READING, CORRECTING, AND APPROVAL OF THE MINUTES OF THE PREVIOUS REGULAR MEETING:**

“The Regular Meeting of the Olean Common Council 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.

## **5. COMMITTEE REPORTS AND UNFINISHED COUNCIL BUSINESS**

## **6. COMMUNICATIONS FROM THE MAYOR**

Veto – Finance Committee Motion

Special Proclamation for Earth Day

Special Proclamation for National Volunteer Month

## **7. MISCELLANEOUS COMMUNICATIONS**

## **8. CITY OFFICIAL REPORTS**

Monthly Report of the City Auditor – month ended March 2026

Financial Summary as of March 31, 2026

## **9. PROPOSED LEGISLATION & REFERRALS**

PL #27-26: (Sherburne) To enact a Local Law authorizing the City of Olean to override the tax levy limit. *Referred to Committee of the Whole Tuesday, April 14, 2026 by Council President.*

PL #28-26: (Sherburne) To amend water and sewer rates in accordance with Sections 27-22 and 27-167, respectively, of the City of Olean Code of Ordinances. *Referred to Committee of the Whole Tuesday, April 14, 2026 by Council President.*

PL #29-26: (Sherburne) To amend ambulance billing rates in accordance with the schedule provided by Professional Ambulance Billing, LLC. *Referred to Committee of the Whole Tuesday, April 14, 2026 by Council President.*

PL #30-26: (Sherburne) To authorize the transfer of funds from Capital Fund #255 to line items 3620.440 and 3650.440. *Referred to Committee of the Whole Tuesday, April 14, 2026 by Council President.*

PL #31-26: (Sherburne) To authorize the transfer of \$22,400 from line item 3120.100 to line item 3120.462 for tuition costs for four new Police Department employees. *Referred to Committee of the Whole Tuesday, April 14, 2026 by Council President.*

PL #32-26: (Sherburne) To amend the Water and Sewer Infrastructure and Billing Policy to amend the fee for rolling unpaid balances to taxes each year to \$500 for commercial and industrial accounts. *Referred to Committee of the Whole Tuesday, April 14, 2026 by Council President.*

PL #33-26: (Sherburne) To confirm the Mayoral appointment of Gilbert Witte to the Planning Board. *Referred to Committee of the Whole Tuesday, April 14, 2026 by Council President.*

PL #34-26: (Sherburne) To confirm the Mayoral appointment of Kathleen Martel to the Planning Board. *Referred to Committee of the Whole Tuesday, April 14, 2026 by Council President.*

PL #35-26: (Sherburne) To confirm the Mayoral appointment of Alan Bernstein to the Planning Board. *Referred to Committee of the Whole Tuesday, April 14, 2026 by Council President.*

PL #36-26: (Sherburne) To authorize the transfer of funds from various Capital Funds to revenue line item A01-4-2020, Community Development. *Referred to Committee of the Whole Tuesday, April 14, 2026 by Council President.*

## **10. FINANCE-BILLS**

## **11. PUBLIC COMMENT/INPUT (3 MINUTE LIMIT PER SPEAKER)**

## **12. RESOLUTIONS**

### **LOCAL LAW #01-2026**

#### **PL #27-26**

By Alderman \_\_\_\_\_, Seconded by Alderman \_\_\_\_\_

**A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL  
LAW §3-C**

**BE IT ENACTED** by the Common Council of the City of Olean as follows:

**Section 1. Legislative Intent:** It is the intent of this local law to override the limit on the amount of real property taxes that may be levied by the City of Olean, County of Cattaraugus pursuant to General Municipal Law §3-c, and to allow the City of Olean, County of Cattaraugus to adopt a City budget for City purposes governed by the Common Council for the fiscal year beginning June 1, 2026 and ending May 31, 2027 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law §3-c.

**Section 2. Authority:** This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes the Common Council of the City of Olean to override the tax levy limit by the adoption of a local law approved by vote of at least sixty percent (60%) of the Common Council.

**Section 3. Tax Levy Limit Override:** The Common Council of the City of Olean, County of Cattaraugus is hereby authorized to adopt a budget for the fiscal year 2026-2027 that requires a real property tax levy in excess of the limit specified in General Municipal Law §3-c.

**Section 4. Severability:** If any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance, shall be adjusted by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 5. Effective Date:** This local law shall take effect immediately upon adoption pursuant to the Municipal Home Rule Law and General Municipal Law and shall be applicable only to the City budget and real property tax levy for the next City fiscal year commencing on or after such effective date.

**RESOLUTION #29-26**

**PL #28-26**

By Alderman \_\_\_\_\_, Seconded by Alderman \_\_\_\_\_

**TO AMEND THE WATER RATES PURSUANT TO SECTION 27-22 AND SEWER RATES PURSUANT TO SECTION 27-167(A) OF THE CITY OF OLEAN CODE OF ORDINANCES**

**WHEREAS**, the Common Council will adopt the 2026-2027 budget reflecting amendments in the water rates; and

**WHEREAS**, a public hearing was held on Tuesday, April 14, 2026 in the Council Chambers of the Olean Municipal Building at 6:05 p.m. pursuant to Section 27-22(1) and 27-167(a) of the City of Olean Code of Ordinances; and

**WHEREAS**, water services provided by the City of Olean shall from time to time in each case be established by the Common Council pursuant to Chapter 27, Article II, Division 1, Section 27-22; and

**WHEREAS**, sewer rates provided by the City of Olean shall from time to time in each case be established by the Common Council pursuant to Chapter 27, Article III, Division 5, Section 27-167;

**RESOLVED**, that water and sewer services provided within the boundaries of the City, water rates shall be as follows:

Monthly:

**RESIDENTIAL RATES**

WATER:

.011776 dollars per gallon

SEWER:

.01084 dollars per gallon

*MINIMUM MONTHLY CHARGE: 1,600 gallons*

**COMMERCIAL RATES**

WATER:

.011776 dollars per gallon

SEWER:

.01138 dollars per gallon

*MINIMUM MONTHLY CHARGE: 2,600 gallons*

**INDUSTRIAL RATES**

WATER:

|       |                 |                            |
|-------|-----------------|----------------------------|
| First | 250,000 gallons | .010599 dollars per gallon |
|-------|-----------------|----------------------------|

|      |                 |                            |
|------|-----------------|----------------------------|
| Next | 250,000 gallons | .010010 dollars per gallon |
|------|-----------------|----------------------------|

|             |  |                            |
|-------------|--|----------------------------|
| Thereafter; |  | .009420 dollars per gallon |
|-------------|--|----------------------------|

SEWER:

.00888 dollars per gallon

*MINIMUM MONTHLY CHARGE: 75,000 gallons*

**RESIDENTIAL RATES OUTSIDE THE CITY**

WATER:

.017664 dollars per gallon

SEWER:

.01626 dollars per gallon

*MINIMUM MONTHLY CHARGE: 1,600 gallons*

**COMMERICAL RATES OUTSIDE THE CITY**

WATER:

.017664 dollars per gallon

SEWER:

.01707 dollars per gallon

*MINIMUM MONTHLY CHARGE: 2,600 gallons*

**INDUSTRIAL RATES OUTSIDE THE CITY**

WATER:

|             |                 |                            |
|-------------|-----------------|----------------------------|
| First       | 250,000 gallons | .015898 dollars per gallon |
| Next        | 250,000 gallons | .015015 dollars per gallon |
| Thereafter; |                 | .014130 dollars per gallon |

SEWER:

.01332 dollars per gallon

*MINIMUM MONTHLY CHARGE: 75,000 gallons*

**SPRINKLER RATES**

|            |          |
|------------|----------|
| 3" & under | \$18.70  |
| 4"         | \$29.28  |
| 6"         | \$38.79  |
| 8"         | \$48.54  |
| 10"        | \$557.24 |

**IT IS FURTHER RESOLVED**, that the water and sewer rates set forth above shall take effect May 1, 2026 and will be reflected in the billing sent out beginning July 1, 2026.

**RESOLUTION #30-26**

**PL #29-26**

By Alderman \_\_\_\_\_, Seconded by Alderman \_\_\_\_\_

**TO AMEND AMBULANCE BILLING RATES IN ACCORDANCE WITH THE SCHEDULE PROVIDED BY  
PROFESSIONAL AMBULANCE BILLING, LLC**

**RESOLVED**, that the City of Olean Common Council hereby amends Resolution #37-25 and revises and established the fees for ambulance services by the City of Olean Fire Department as follows:

| <i>Service Level</i> | <i>New Rate</i> |
|----------------------|-----------------|
| ALS2                 | \$2,500         |
| ALS1                 | \$2,000         |
| BLS                  | \$1,750         |
| PI                   | \$985           |
| MLS                  | \$48            |
| TR                   | \$500           |

**RESOLVED**, that this Resolution shall be effective immediately.

**RESOLUTION #31-26**

**PL #15-26**

By Alderman \_\_\_\_\_, Seconded by Alderman \_\_\_\_\_

**BUDGET 2026-2027**

**RESOLVED**, that the 2026-2027 Budget as submitted be accepted and that the total amount of said budget be reduced in writing and entered on the minutes of the proceedings of this meeting, to wit: The total Budget for the fiscal year 2026-2027 shall be **\$32,216,630** inclusive of the **General, Water, and Sewer Funds**, subject to legal opinion.

**RESOLVED**, that this Resolution will be effective immediately.

**RESOLUTION #32-26**

**PL #30-26**

By Alderman \_\_\_\_\_, Seconded by Alderman \_\_\_\_\_

**RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM CAPITAL FUND #255 TO LINE  
ITEMS 3620.440 AND 3650.440**

**RESOLVED**, that the following transfer be authorized:

| <b>Account #</b>  | <b>Description – General</b>                                  | <b>Transferred<br/>From</b> | <b>Transferred to</b> |
|-------------------|---------------------------------------------------------------|-----------------------------|-----------------------|
| Capital Fund #255 | Code Enforcement Cleanup                                      | \$45,916                    |                       |
| A-01-5-3620.440   | Safety Inspection –<br>Misc. Contracted Services              |                             | \$34,816              |
| A-01-5-3650.440   | Demolition of Unsafe Buildings –<br>Misc. Contracted Services |                             | \$11,100              |

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

**RESOLUTION #33-26**

**PL #31-26**

By Alderman \_\_\_\_\_, Seconded by Alderman \_\_\_\_\_

**RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM LINE ITEM 3120.100 TO LINE ITEM 3120.462 FOR COSTS ASSOCIATED WITH POLICE ACADEMY TUITION FOR FOUR NEW HIRES**

**RESOLVED**, that the following transfer be authorized:

| <b>Account #</b> | <b>Description – General</b>         | <b>Transferred From</b> | <b>Transferred to</b> |
|------------------|--------------------------------------|-------------------------|-----------------------|
| A-01-5-3120.100  | Police Department – Personal Service | \$22,400                |                       |
| A-01-5-3120.462  | Police Department – Travel, Training |                         | \$22,400              |

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

**RESOLUTION #34-26**

**PL #32-26**

By Alderman \_\_\_\_\_, Seconded by Alderman \_\_\_\_\_

**TO AMEND THE WATER AND SEWER INFRASTRUCTURE AND BILLING POLICY TO AMEND THE FEE FOR ROLLING UNPAID BALANCES TO TAXES EACH YEAR TO \$500 FOR COMMERCIAL AND INDUSTRIAL ACCOUNTS**

**RESOLVED**, that the following amendment be made to the Water and Sewer Infrastructure and Billing Policy:

13. Unpaid balances by February 20<sup>th</sup> will be rolled to taxes each year. This will include any usage through the second of January of the current year. There will be a \$250.00 fee added to the account for residential accounts, and a \$500.00 fee added to the account for commercial and industrial accounts for processing billing through tax roll.

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

**RESOLUTION #35-26**

**PL #33-26**

By Alderman \_\_\_\_\_, Seconded by Alderman \_\_\_\_\_

**TO CONFIRM THE MAYORAL APPOINTMENT OF GILBERT WITTE TO THE PLANNING BOARD**

**RESOLVED**, that the Common Council hereby confirms the appointment of Gilbert Witte to the Planning Board for a term expiring December 31, 2033.

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

**RESOLUTION #36-26**

**PL #34-26**

By Alderman \_\_\_\_\_, Seconded by Alderman \_\_\_\_\_

**TO CONFIRM THE MAYORAL APPOINTMENT OF KATHLEEN MARTEL TO THE PLANNING BOARD**

**RESOLVED**, that the Common Council hereby confirms the appointment of Kathleen Martel to the Planning Board for a term expiring December 31, 2033.

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

**RESOLUTION #37-26**

**PL #35-26**

By Alderman \_\_\_\_\_, Seconded by Alderman \_\_\_\_\_

**TO CONFIRM THE MAYORAL APPOINTMENT OF ALAN BERNSTEIN TO THE PLANNING BOARD**

**RESOLVED**, that the Common Council hereby confirms the appointment of Alan Bernstein to the Planning Board for a term expiring December 31, 2033.

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

**RESOLUTION #38-26**

**PL #36-26**

By Alderman \_\_\_\_\_, Seconded by Alderman \_\_\_\_\_

**RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM VARIOUS CAPITAL FUNDS TO  
REVENUE LINE A01-4-2020**

**RESOLVED**, that the following transfer be authorized:

| <b>Account #</b>  | <b>Description – General</b>    | <b>Transferred<br/>From</b> | <b>Transferred to</b> |
|-------------------|---------------------------------|-----------------------------|-----------------------|
| Capital Fund #185 | Tree Pruning / Removal          | \$8,761.50                  |                       |
| Capital Fund #198 | Times Square Repairs            | \$14,711                    |                       |
| Capital Fund #219 | Oak Hill Park                   | \$100,000                   |                       |
| A01-4-2020        | Revenue – Community Development |                             | \$123,472.50          |

**BE IT FURTHER RESOLVED**, that this Resolution is effective June 1, 2026.

### **13. ADJOURNMENT**