

Journal of Proceedings

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

April 28, 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, April 28, 2026 at 6:20 p.m.

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

ABSENT: *None*

OFFICIALS: *Mayor Amy Sherburne; Frank Caputo, City Clerk; Lens Martial, City Auditor; James Sprague, Director of Public Works; Keri Kerper, Community Development Program Coordinator; Mike Morgan, City Attorney, 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 April 14, 2026 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 #36-26, to authorize the transfer of funds from various Capital Funds to revenue line item A01-4-2020, Community Development. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #37-26, to declare the month of April 2026 as Fair Housing Month in the City of Olean. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #38-26, to establish the Standard Work Days pursuant to New York State and Local Retirement System Regulations 315.4. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #39-26, to amend the reimbursement for the Sidewalk Program to 50% of the City of Olean's contractor's cost per eligible square foot. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #40-26, to amend the City of Olean Code of Ordinances Section 24-136, Seasonal restrictions, to amend parking restrictions for street sweeping. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #41-26, to authorize the appointment of Allison Barnish as City Auditor. Committee recommends approval. Referred to City Attorney for Resolution.

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Report from Committee of the Whole on PL #42-26, to authorize the appointment of Lens Martial as City Clerk. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #45-26, to authorize the Mayor to enter into a contract between the County of Cattaraugus and the City of Olean for mosquito spraying services for the term May 1, 2026 through December 31, 2026. Committee recommends approval. Referred to City Attorney for Resolution.

COMMUNICATIONS FROM THE MAYOR

Mayor Sherburne explained on May 1, 2026 the bathrooms officially open during the day in the parks. She explained she was able to take a tour of some of our parks to see where we are at and what we are going to need. She explained she would like to request that the Lincoln Park restrooms remain closed unless we have an event or someone renting the pavilion, as many people have concerns about that restroom and how it is being used when it is open. She explained she discussed this with the Police Chief and the board of the Farmers' Market, and explained there is not a playground there to say we need to have them open for that. She explained we will be discussing portable toilets for other parks at a future meeting.

Special Proclamation for Fair Housing Month – April 2026

MISCELLANEOUS COMMUNICATIONS

None

CITY OFFICIAL REPORTS

None

PROPOSED LEGISLATION AND REFERRALS

PL #37-26: (Sherburne) To declare the month of April 2026 as Fair Housing Month in the City of Olean. Referred to Committee of the Whole Tuesday, April 28, 2026 by Council President.

PL #38-26: (Sherburne) To establish the Standard Work Days pursuant to New York State and Local Retirement System Regulations 315.4. Referred to Committee of the Whole Tuesday, April 28, 2026 by Council President.

PL #39-26: (Sherburne) To amend the reimbursement for the Sidewalk Program to 50% of the City of Olean's contractor's cost per eligible square foot. Referred to Committee of the Whole Tuesday, April 28, 2026 by Council President.

PL #40-26: (Sherburne) To amend the City of Olean Code of Ordinances Section 24-136, Seasonal restrictions, to amend parking restrictions for street sweeping. Referred to Committee of the Whole Tuesday, April 28, 2026 by Council President.

PL #41-26: (Sherburne) To authorize the appointment of Allison Barnish as City Auditor. Referred to Committee of the Whole Tuesday, April 28, 2026 by Council President.

PL #42-26: (Sherburne) To authorize the appointment of Lens Martial as City Clerk. Referred to Committee of the Whole Tuesday, April 28, 2026 by Council President.

PL #43-26: (Sherburne) To enact a Local Law establishing an Administrative Civil Penalty System and Daily Fee Schedule for Property Maintenance and Building Code Violations. Referred to Public Safety Committee by Council President.

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PL #44-26: (Sherburne) To enact a Local Law establishing a permitting process to ensure Brownfield Opportunity Area (BOA) remediation is conducted safely and that the developer – not taxpayers – bears the cost of municipal oversight and maintenance. Referred to Finance Committee by Council President.

PL #45-26: (Sherburne) To authorize the Mayor to enter into a contract between the County of Cattaraugus and the City of Olean for mosquito spraying services for the term May 1, 2026 through December 31, 2026. Referred to Committee of the Whole Tuesday, April 28, 2026 by Council President.

FINANCE / BILLS

Alderman McCall explained in looking over the finances that were sent out, she sees a lot of departments are required to have paper towels, rags, and similar things. She suggested looking at bulk purchases for these things for all departments to see if we can get a better rate. She explained the city should look at how we are spending money each year and see if there is a better way of collaborating or spending.

By Alderman Robinson, 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 \$1,022,124.84 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 Anastasia congratulated Mr. Caputo on his retirement.

Alderman Keary explained there will be a Moving Day for Parkinson's disease on May 2, 2026 at Good Times of Olean. He explained this event is a powerful show of support for those with Parkinson's and their families in the local area. He explained we are working together for better treatments and ultimately a cure. He invited everyone to stop by from 10:00 a.m. until noon Saturday. Alderman McCall explained there is also a monthly support meeting for those with Parkinson's and their caregivers and loved ones, and it is an amazing group of individuals and professionals.

Alderman Crawford thanked Mr. Martial for his years of service as City Auditor, which is an extremely difficult position with a tough crowd to work with.

RESOLUTIONS

RESOLUTION #38-26

PL #36-26

By Alderman McCall, Seconded by Alderman Crawford

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

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RESOLVED, that the following transfer be authorized:

<i>Account #</i>	<i>Description – General</i>	<i>Transferred From</i>	<i>Transferred to</i>
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.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #40-26

PL #37-26

By Alderman Crawford, Seconded by Alderman Anastasia

TO DECLARE THE MONTH OF APRIL 2026 AS FAIR HOUSING MONTH IN THE CITY OF OLEAN

WHEREAS, the Fair Housing Act prohibits discrimination from any property owner, landlord, property manager or other person in relation to the sale, rental, and financing of dwellings, and in other housing-related transactions because of, but are not limited to, race, color, religion, sex (including gender identity and sexual orientation), familial status, national origin, and disability; and

WHEREAS, the need for shelter is one of the most basic and fundamental human needs and plays a pivotal role in ensuring a safe and thriving community; the right freely to choose a place to live is a basic human right, and discrimination in housing-related activities is not only against the law, it goes against the core principles of our City, State, and Country, undermines economic opportunity though housing, and threatens the well-being of our community; and

WHEREAS, Fair Housing Month provides an opportunity to highlight the importance of equal and fair access to housing, reaffirm the City’s commitment to these principles, and to recognize all neighbors, businesses, property managers and property owners who reside within our community, acknowledging their vital contributions, as well as the richness created by a mix of young and old, male and female, disabled and non-disabled, people of all colors, ethnic and cultural backgrounds, and religious traditions in our community;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Olean, New York that the month of April 2025 is to be observed as Fair Housing Month.

ROLL CALL, AYES ALL. MOTION CARRIED.

A motion to postpone Resolution #41-26 was made by Alderman Bennion, seconded by Alderman Keary. Voice vote, ayes all. Motion carried. Resolution #41-26 postponed to next Regular Meeting.

A motion to postpone Resolution #42-26 was made by Alderman Robinson, seconded by Alderman Anastasia. Voice vote, ayes all. Motion carried. Resolution #42-26 postponed to next Regular Meeting.

RESOLUTION #43-26

PL #41-26

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By Alderman Robinson, Seconded by Alderman McCall

TO CONFIRM THE MAYORAL APPOINTMENT OF ALLISON BARNISH AS CITY AUDITOR

WHEREAS, the Mayor of the City of Olean, New York, is authorized to appoint a City Auditor; and

WHEREAS, pursuant to Section 3.002 of the Charter of the City of Olean, New York, any appointment of a City Auditor by the Mayor must be confirmed by a majority vote of the Common Council; and

WHEREAS, the Common Council feels that the appointment has been made with the best interests of the City of Olean staff and residents in mind;

NOW, THEREFORE, BE IT RESOLVED, that the City of Olean Common Council hereby confirms the Mayoral appointment of Allison Barnish as City Auditor.

RESOLVED, that this Resolution is effective May 11, 2026.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #44-26

PL #42-26

By Alderman Robinson, Seconded by Alderman Anastasia

TO CONFIRM THE MAYORAL APPOINTMENT OF LENS MARTIAL AS CITY CLERK

WHEREAS, the Mayor of the City of Olean, New York, is authorized to appoint a City Clerk; and

WHEREAS, pursuant to Section 3.002 of the Charter of the City of Olean, New York, any appointment of a City Clerk by the Mayor must be confirmed by a majority vote of the Common Council; and

WHEREAS, the Common Council feels that the appointment has been made with the best interests of the City of Olean staff and residents in mind;

NOW, THEREFORE, BE IT RESOLVED, that the City of Olean Common Council hereby confirms the Mayoral appointment of Lens Martial as City Clerk.

RESOLVED, that this Resolution is effective May 11, 2026.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #45-26

PL #45-26

By Alderman McCall, Seconded by Alderman Keary

TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT BETWEEN THE COUNTY OF CATTARAUGUS AND THE CITY OF OLEAN FOR MOSQUITO SPRAYING SERVICES FOR THE TERM MAY 1, 2026 THROUGH DECEMBER 31, 2026

WHEREAS, the County of Cattaraugus and the City of Olean have historically entered a contract to spray for mosquitoes; and

WHEREAS, the contract is beneficial to the City because of the health risks that mosquitoes may cause;

BE IT RESOLVED, that the Mayor is authorized to enter into and execute a contract between the County of Cattaraugus and the City of Olean for mosquito spraying services for the term May 1, 2026 through December 31, 2026.

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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 Bennion.
Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 7:45 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