

REGULAR MEETING OF THE COMMON COUNCIL

Tuesday, May 12, 2026 – 6:00 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, April 28, 2026 at 7:20 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.

5. COMMITTEE REPORTS AND UNFINISHED COUNCIL BUSINESS

Report from Public Safety Committee on PL #43-26, to enact a Local Law establishing an Administrative Civil Penalty System and Daily Fee Schedule for Property Maintenance and Building Code Violations. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Finance Committee on PL #44-26, to enact a Local Law establishing a permitting process to ensure Brownfield Opportunity Area (BOA) remediation is conducted safely and that the developer – not the taxpayers – bears the cost of municipal oversight and road maintenance. Committee recommends approval. Referred to City Attorney for Resolution.

6. COMMUNICATIONS FROM THE MAYOR

Special Proclamation for National Nurses Week

Special Proclamation for National Military Appreciation Month

Special Proclamation for Mental Health Awareness Month

Special Proclamation for Memorial Day

7. MISCELLANEOUS COMMUNICATIONS

Notification of Adult-Use Retail Dispensary License Application – Honey’s Cannabis LLC –
815 West State Street, Olean

8. CITY OFFICIAL REPORTS

Monthly Report of the City Auditor – month ended April 2026

Financial Summary as of April 30, 2026

9. PROPOSED LEGISLATION & REFERRALS

PL #46-26: (Robinson) To authorize the transfer of \$200,000 from Sewer Fund Balance to a newly created Reserve Fund for costs associated with Intermunicipal Agreement litigation. *Referred to Finance Committee by Council President.*

PL #47-26: (Crawford) To designate the admission fee for the Splash Park to be \$5 for two hours. *Referred to Youth and Recreation Committee by Council President.*

PL #48-26: (Sherburne) To adopt the 2025 Cattaraugus County Hazard Mitigation Plan. *Referred to Regular Meeting Tuesday, May 12, 2026 for Resolution by Council President.*

PL #49-26: (Sherburne) To authorize the Mayor to execute the Intermunicipal Agreement for the Allegheny River Valley Trail between the City of Olean, Town of Olean, and Town of Allegany. *Referred to Youth and Recreation Committee by Council President.*

PL #51-26: (Sherburne) To amend the City of Olean Code of Ordinances Section 13-376, Conditions for maintenance of license, to amend requirements for a contractor’s license in accordance with the New York State Correction Law Article 23-A. *Referred to Public Safety Committee by Council President.*

PL #52-26: (Robinson) To authorize the transfer of funds from the Bed Tax Revenue line to Capital Fund #252, Bed Tax. *Referred to Committee of the Whole Tuesday, May 12, 2026 by Council President.*

PL #53-26: (Robinson) To authorize the transfer of funds from Water Purification Capital Outlay to Capital Fund #243, Water Line Repair and Replacement, and Sewer Maintenance Capital Outlay to Capital Fund #244, Sewer Line Repair and Replacement. *Referred to Committee of the Whole Tuesday, May 12, 2026 by Council President.*

PL #54-26: (Robinson) To amend the City of Olean Code of Ordinances Section 24-173, NO blocking of driveways, to include 1615 West State Street. *Referred to Public Safety Committee by Council President.*

PL #55-26: (Bennion) To amend the City of Olean Code of Ordinances Section 24-134 to prohibit parking on both sides of Forest Hills Ave. for a distance of 200 feet from its intersection with Grandview Avenue. *Referred to Public Safety Committee by Council President.*

10. FINANCE-BILLS

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

12. RESOLUTIONS

LOCAL LAW #02-2026

PL #44-26

By Alderman Keary, Seconded by Alderman Robinson

TO ENACT A LOCAL LAW ESTABLISHING A PERMITTING PROCESS TO ENSURE BROWNFIELD OPPORTUNITY AREA (BOA) REMEDIATION IS CONDUCTED SAGELY AND THAT THE DEVELOPER – NOT THE TAXPAYER – BEARS THE COST OF MUNICIPAL OVERSIGHT AND ROAD MAINTENANCE

Section 1. Purpose and Intent

The City of Olean recognizes that brownfield cleanups are vital for economic redevelopment but impose significant administrative, environmental, and infrastructure costs on the municipality. This law establishes a permitting process to ensure that remediation is conducted safely and that the developer-not the taxpayers-bears the cost of municipal oversight and road maintenance.

Section 2. Background

The City of Olean Department of Community Development received a grant through the New York State Department of State Brownfield Opportunity Area (BOA) Program to conduct an area-wide revitalization plan for the northwest quadrant of the City. The purpose of the Northwest Quadrant Revitalization Study is to provide a framework for how underutilized, vacant and brownfield properties can lead to redevelopment initiatives that improve the economy and quality of life for residents and businesses.

Section 3. Brownfield Remediation Operating Permit

No person or entity shall commence remediation of a designated brownfield site without obtaining a Remediation Operating Permit from the [Building/Environmental] Department.

A. Application Fee: A base administrative fee of \$500 shall accompany the application.

B. Volumetric Oversight Fee: To cover the cost of technical review and site monitoring, a fee shall be assessed based on the total volume of contaminated material excavated or remediated:

- Up to 1,000 cubic yards: \$1.00 per cubic yard.
- 1,001 to 10,000 cubic yards: \$0.75 per cubic yard.
- Over 10,000 cubic yards: \$0.50 per cubic yard.

C. Technical Escrow: For projects exceeding 5,000 cubic yards, the applicant must deposit \$5,000 into an escrow account to reimburse the municipality for third-party engineering or environmental consultants.

Section 4. Heavy Haul and Road Use Permit

Recognizing the impact of heavy equipment on municipal roads, any cleanup involving the off-site transport of material must obtain a Road Use Permit.

A. Truck Size Fees: Fees are assessed per vehicle per day of operation based on the Gross Vehicle Weight Rating (GVWR):

Medium Duty (Class 4-6; up to 26,000 lbs.): \$25 per truck/day.

Heavy Duty (Class 7-8; 26,001+lbs/ Dump Trucks): \$75 per truck/day.

B. Infrastructure Security Bond: The applicant shall post a performance bond or letter of credit in an amount determined by the Highway Superintendent (minimum \$25,000) to cover potential damage to municipal roadways along the designated haul route.

Section 5. Project Location & Boundary

The Northwest Quadrant study area includes approximately 904 acres. The study area includes lands west of Olean Creek, north of Wayne Street and Constitution Avenue, south of Fountain Street and east of North 24th Street.

Redevelopment Potential: The study area includes significant opportunities to attract new development interest, most notably within close proximity to the I-86 corridor. The largest and most prominent industrial zone within the study area is located between Buffalo Street, Wayne Street, and east-west Western New York and Pennsylvania railroad corridor. Historic industrial uses located in this portion of the study area date back over 150 years and included:

- Acme Glass • Van Der Horst • Agway Felmont • Exxon/Mobil Legacy Site (Works #1 and Works #2)

Among the study area's many advantages are the site amenities and conditions provided across many acres of flat available land, including close proximity to the interstate system, rail access and the lack of development encumbrances such as wetland and flood zones. There are also a number of existing industrial businesses in the Northwest Quadrant Revitalization area that provide the potential for associated suppliers and services to locate nearby. The study area must build on

surrounding assets and positive momentum generated from projects such as the Downtown Revitalization Initiative Streetscape Projects.

Section 6. Reporting and Enforcement

The permittee must submit weekly “Manifest Summaries” documenting the total cubic yardage removed and the number of truck trips by class.

Failure to obtain a permit or under-reporting volume shall result in a fine of \$1,000 per day and immediate suspension of the operating permit.

Section 7. Effective Date

This Local Law shall take effect immediately upon filing with the New York State Department of State.

RESOLUTION #41-26

PL #38-26

By Alderman McCall, Seconded by Alderman Forney

RESOLUTION ESTABLISHING THE STANDARD WORK DAYS PURSUANT TO NEW YORK STATE AND LOCAL RETIREMENT SYSTEM REGULATION 315.4

BE IT RESOLVED, that the City of Olean / Location code 20039 hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body. This information is pursuant to Regulation 315.4(b).

Title and Name	Standard Work Day 315.4(b)(i)	Term Begin/End 315.4(b)(ii)	Days/Mths based on record 315.4(b)(iv)	No ROA Received
Elected Officials				
John Crawford, Alderman	6	8/12/25-12/31/26		X
Jennifer Forney, Alderman	6	1/1/25-12/31/26		X
Appointed Officials				
Michael Morgan, City Attorney	6	01/02/26-12/31/29	5.25	
Steven Rogers, Zoning Board	6	1/1/25-12/31/31	.42	
Kelly Sweet Zoning Board	6	11/18/22-11/18/29	.35	

RESOLVED, that this resolution will be effective immediately.

RESOLUTION #42-26

PL #39-26

By Alderman Robinson, Seconded by Alderman Bennion

TO AMEND THE CITY OF OLEAN SIDEWALK REBATE PROGRAM

WHEREAS, the Common Council, through Resolution #28-19, established the Sidewalk Rebate Program to aid in the improvement and enhancement of the safety, walking conditions and ADA compliance of sidewalks through the City's residential neighborhoods; and

WHEREAS, the Common Council wishes to amend the program;

RESOLVED, that the City of Olean Sidewalk Rebate Program is hereby amended to allow for applicants for all residential properties, regardless if the property is owner-occupied.

BE IT FURTHER RESOLVED, that the rebate amount of 50% of the City of Olean's approved contractor's cost per eligible square foot not to exceed 50% of the City's contractor's cost shall be available for the mainline sidewalk for residential properties with a \$1,500 cap per property (driveway aprons and approach sidewalks are ineligible for this program).

RESOLVED, that this Resolution is hereby effective immediately.

RESOLUTION #46-26

PL #40-26

By Alderman Bennion, Seconded by Alderman Robinson

TO AMEND THE CITY OF OLEAN CODE OF ORDINANCES SECTION 24-136, SEASONAL RESTRICTIONS, TO AMEND PARKING RESTRICTIONS FOR STREET SWEEPING

BE IT RESOLVED, that the City of Olean Code of Ordinances Section 24-136 is hereby amended as follows:

Sec. 24-136. Seasonal restrictions

The standing or parking of vehicles upon the streets of the City shall be prohibited from May 15 until October 15 in each year, according to the following biweekly schedule:\

No parking shall be permitted from 12:00 a.m. until 6:00 a.m. on the following streets in the City:

a. Week A:

Sunday night/Monday morning: Center Street; School Street; Genesee Street; Inwood Drive; Woodview Avenue; Woodview Court; Oviatt Street; Hamilton Avenue; Euclid Avenue; VanBuren Avenue; Willow Street; Rosedale Terrace; East and West Baldwin Avenue; Madison Avenue; Delaware Avenue; (from North

Union Street to Olean Creek); Root Street; East Connell Street; Brookview Avenue; Gardiner Avenue; East and West Forest Avenue; East and West Water Street; East and West Elm Street; East and West Oak Street; E Pine Street; Thorn Street; West Arland Avenue; Highland Terrace; Stardust Lane; Skyview Drive; Satellite Circle; Gemini Drive.

Monday night/Tuesday morning: Higgins Avenue; North 4th Street (from Wayne St to Spruce St); Spruce Street; North 1st Street (from Wayne Street to North Union Street); Keating Avenue; Maple Street; Walnut Street; River Street (from East Forest Avenue to Pine Street); Martin Street; North Barry Street (from Main Street to Delaware Avenue); Main Street; Front Street (from Main Street to School Street); Fifth Avenue; Fourth Avenue; Third Avenue; Second Avenue; First Avenue; Fairview Avenue.

Tuesday night/Wednesday morning: Wayne Street; Buffalo Street (from 12th Street to City line); Homer Street; Fountain Street; Johnson Street; Franklin Street; Coleman Street; North 5th Street; North 6th Street; North 7th Street; North 8th Street.

Wednesday night/Thursday morning: North Barry Street (East State Street to dead end); South Barry Street; North Clinton Street; South Clinton Street; Fulton Street; East Riverside Drive (from South Union Street to end of curbing); Indiana Avenue; Bradley Drive; Carolina Street; Vermont Street; Virginia Street; East and West Ohio Street; York Street; Garfield Court; Grant Court; Monroe Terrace; West Riverside Drive; Martha Avenue; North 1st Street (from State Street to Wayne Street); South 1st Street; North and South 2nd Street; North and South 3rd Street; North 4th Street (from State to Reed Street); South 4th Street (from State Street to Green Street).

Thursday night/Friday morning: North and South Union Street; East and West State Street.

b. Week B:

Sunday night/Monday morning: Front Street; (from School Street to East State Street); Prospect Avenue; Grandview Avenue; Seneca Avenue; Garden Avenue; Bishop Street; Griffin Street; Plum Street; Goodrich Avenue; Brook Street; Prince Street; Crown Street (from Queen Street to King Street); Bell Street; Delaware Avenue (from Queen Street to Gulf Street); Kingston Drive; Division Street; East Spring Street.

Monday night/Tuesday morning: Rowland Avenue; Hoop Street; Grossman Avenue; Osgood Avenue; Jefferson Street; Richmond Avenue; Niagara Street; North and South Clark Street; Orchard Avenue; Chestnut Street; King Street; Queen Street; Alder Street; Stowell Avenue; Duke Street; Charles Street; James Street.

Tuesday night/Wednesday morning: Worden Avenue; Winters Avenue; North and South 9th; North and South 10th Street; North and South 11th Street; North and South 12th Street; Putnam Street (between 11th Street and 12th Street); North and South 13th Street; North and South 14th Street; North 15th Street; South 16th

Street; North and South 17th Street; North and South 18th Street; North and South 19th Street; North 20th Street; North 21st Street; North 24th Street; South 25th Street; South 26th Street.

Wednesday night/Thursday morning: Whitney Avenue; Reed Street (from 7th Street to 13th Street); W Sullivan Street; Laurens Street; Washington Street; Buffalo Street (from Washington Street to Wayne Street); West Henley Street; Irving Street; West Greene Street; Hamilton Street; Tompkins Street; Laurel Avenue; Times Square; South Street; East Henley Street; East Greene Street; Adams Street; Franchot Boulevard.

Thursday night/Friday morning: North and South Union Street; East and West State Street.

RESOLVED, that this Resolution shall be effective immediately.

RESOLUTION #49-26

PL #48-26

By Alderman _____, Seconded by Alderman _____

TO ADOPT THE 2025 CATTARAUGUS COUNTY HAZARD MITIGATION PLAN

WHEREAS, the City of Olean Common Council recognizes the threat that natural hazards pose to people and property within the City of Olean; and

WHEREAS, Cattaraugus County has prepared a multi-hazard mitigation plan, hereby known as the 2025 Cattaraugus County Hazard Mitigation Plan in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the 2025 Cattaraugus County Hazard Mitigation Plan identifies mitigation goals and actions to reduce or eliminate long-term risk to people and property in the City of Olean and Cattaraugus County from the impacts of future hazards and disasters; and

WHEREAS, adoption by the City of Olean Common Council demonstrates their commitment to hazard mitigation and achieving the goals outlined in the 2025 Cattaraugus County Hazard Mitigation Plan;

NOW, THEREFORE, BE IT RESOLVED by the Olean Common Council that in accordance with the City of Olean Code of Ordinances, the City of Olean Common Council adopts the 2025 Cattaraugus County Hazard Mitigation Plan.

BE IT RESOLVED, that this plan, approved by the community, may be edited or amended after submission for review, but will not require the community to re-adopt any further iterations; this only applies to this specific plan and does not absolve the community from updating the plan in five (5) years.

RESOLVED, that this Resolution is hereby effective immediately.

RESOLUTION #52-26**PL #53-26**

By Alderman _____, Seconded by Alderman _____

**RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM BED TAX REVENUE TO CAPITAL
FUND #252, BED TAX**

RESOLVED, that the following transfer be authorized:

Account #	Description – General	Transferred From	Transferred to
A-01-4-3004	Bed Tax Revenue	\$263,003	
Capital Fund #252	Bed Tax		\$263,003

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

RESOLUTION #54-26**PL #53-26**

By Alderman _____, Seconded by Alderman _____

**RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM LINE ITEM 8330.301 TO CAPITAL
FUND #243, WATER LINE REPAIR AND REPLACEMENT AND FROM LINE ITEM 8120.301 TO
CAPITAL FUND #242, SEWER LINE REPAIR AND REPLACEMENT**

RESOLVED, that the following transfer be authorized:

Account #	Description – General	Transferred From	Transferred to
F-06-5-8330.301	Water Purification – Capital Outlay	\$250,000	
G-07-5-8120.301	Sewer Maintenance – Capital Outlay	\$65,831	
Capital Fund #243	Water Line Repair and Replacement		\$250,000
Capital Fund #242	Sewer Line Repair and Replacement		\$65,831

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

13. ADJOURNMENT