

CITY OPERATIONS

Tuesday, May 19, 2026 – 6:00 p.m.

Council Chambers – Olean Municipal Building

Present: Members: Chairman Bennion, Vice Chairman Anastasia, Alderman Keary, Alderman McCall, and Alderman Crawford. Others: Alderman Forney; Alderman Anastasia; Mayor Amy Sherburne; Allison Barnish, City Auditor; James Sprague, Director of Public Works, and Tiffany Taylor, Managerial Confidential Administrative Secretary.

1. Roll Call

Alderman Bennion called the meeting to order at 6:00 p.m. and asked that the record show that all committee members were present.

2. Approval of Minutes of the Previous Committee Meeting (Tuesday, May 5, 2026)

A motion to approve the minutes of the May 5, 2026 meeting was made by Alderman Bennion, seconded by Alderman Keary. Voice vote, ayes all. Motion carried.

3. Unfinished Business

a. Levee Reaccreditation

Director Sprague explained we really do not have any update at this point. He explained FEMA has not moved anything forward, and we are waiting on our consultant to complete their modeling report on our levee system.

b. Shared Use Path Maintenance

Ms. Taylor explained the Council wanted to discuss who is responsible for repairing and replacing a shared use path if it is damaged. Alderman Bennion explained the way the Code is written, it is the property owner's responsibility. He explained he feels it should not be their responsibility because requiring a property owner to pay the cost to repair or replace an eight to ten foot sidewalk that the City chose to install is unfair. He asked what direction the Council wants to go in. Alderman McCall explained we could consider a larger rebate under the sidewalk program for the shared use paths. Alderman Bennion explained he doesn't feel this would work because the property owner would still be paying their portion for the larger sidewalk. He explained he feels if the property owner needs to clear snow from the first four feet that they should only have to maintain the first four feet. Alderman Robinson explained if it is only a six foot wide path that it would not work to just say the property owner needs to maintain half. He explained he does not know how this should be worded. Alderman Bennion asked if we can write the legislation that

the property owner maintains to the first joint, and Director Sprague explained it should be worded to the first longitudinal joint. Alderman Bennion explained he will be moving forward with a PL to amend this.

c. Ash Tree Reimbursement Issue

Mayor Sherburne explained she has come up with a plan and wants to make sure the ash trees that are diseased are removed so we can eliminate this fund. She explained this disease affected a lot of ash trees and questioned if it was the intention of the Council to take care of both the diseased and the still healthy ash trees. Alderman Robinson explained the reason this discussion topic is being brought up is because there was an ash tree removed from a constituent's property. He explained the constituent had to pay half for its removal which is how the tree program legislation is written; however, if this tree was included in the list of ash trees for the City to remove, then the property owner should not have had to pay, and we owe them a refund of the amount they contributed. He explained if this was not on the list of ash trees that the City planned to remove, then the funding was taken from the wrong account and the funds need to be transferred back into the Oak Hill Park capital fund. He explained we either need to refund the resident or transfer the funds. Alderman Bennion explained the Council appropriated funds to remove ash trees on all City property, and the question is if trees in the public right-of-way were included in that inventory. Alderman Robinson explained he also fees someone from the City should be updating this inventory as trees are removed. Alderman Bennion explained he would also like to find out how many ash trees were surveyed, how many are down and how many are left to remove.

d. Front Street / Seneca Avenue Repaving

Director Sprague explained they modified the CHIPS street list and put Front Street on the list in its entirety. He explained they also retained portions of Seneca Avenue that were previously on the list, and as a result a few streets were taken off the list. He explained both lists were emailed to the Council so they could compare. He explained we are working on contract documents to go out to bid for the street repaving this year. Alderman Bennion explained North 1st Street from Wayne Street to Union Street, Fourth Avenue from School Street to Center Street, Root Street from 200' east of Keating Street to North First Street, North 15th Street from West State Street to West Sullivan Street and then West Sullivan Street to the Intandem driveway, and North 19th Street from West State Street to Washington Street and Washington Street to the dead end were removed. He explained we need to ensure that these are put on the CHIPS list next year. Director Sprague explained the listed cost is an estimate, and we will not know the exact cost until we receive bids. Alderman Bennion explained he appreciates the work done on this.

4. New Referrals for Consideration

a. Curb / Frontage Fees

Alderman Bennion explained this was put on the agenda during budget talks, and explained he, Alderman Robinson, and Alderman Crawford have discussed the idea of using curb or frontage fees for things like street maintenance, so the cost is shared by everybody. He explained right now we have a total taxable value that includes every property in the City but less than half that has tax paid on it, which is a large amount of debt for us to carry. He explained this is a way other municipalities share that burden, including on tax-exempt property owners. He explained all property owners use our roads and services, but tax-exempt owners do not have to pay anything into the tax base, so this is a way for them to do that.

Mayor Sherburne explained we have discussed this before, and some cities break it down into districts. She explained there is a fee associated where everyone pitches in, for example, to make progress with trees and sidewalks. She explained it is definitely something worth looking into and see if there is a way to do this to take care of issues.

Alderman Crawford explained he wants to clarify and make sure we have our priorities straight as we look forward because just last week the Council failed to move a resolution forward which would help with revenue for road damage because the Council felt it would be targeting. He explained as the County is approaching for-profit corporations one way, with the damage to roadways and countless hours of personnel oversight falling on the taxpayers, we have to make sure we are not targeting not-for-profits. He explained a “money grab” will not do well for our community. He explained he wants to make sure we take a step back and see what the money is going to be used towards. He explained there are ways we can approach curb usage such as for putting in new sidewalks and curb line drainage. He explained then all of the properties on the street can help contribute to the improvements in that area. He explained he does not agree with the curb fee going out to all not-for-profits in the community. He explained he thinks this is something that should include feedback and communication from not-for-profits in our community. He explained they are the ones having federal, state and local funds ripped away from them, and we have to ensure that we stay open and transparent with these agencies.

Alderman Robinson explained he has been on record talking about not-for-profits and how much they do for the community, but also the unfairness of their tax burden on the City and its residents. He explained he has always been in favor of some type of curb fee, but he does refer back to last week and think that if we can’t put fees or requirements on an organization when the purpose was focused on the environment alone, then we can’t possibly put anything in writing for a not-for-profit. He explained he would like to see how this would be structured and written, as well as see the legislation that did not pass last week be rewritten. Alderman Bennion explained the difference with this is that every property would pay these fees. He explained last week’s law was too narrow and was not to recuperate perceived damages. He explained he

would be in favor of an escrow for potential damage to our roads. He explained we would all pay these curb fees, and then taxes would be adjusted accordingly. He explained he feels these are two completely different things.

Alderman Bennion asked if a couple of Aldermen should work with the Mayor, and Mayor Sherburne explained she will consult with the City Attorney and City Assessor and will gather information. She explained she feels it would be best if someone from the Council were a part of these discussions. Alderman Bennion explained he agrees that a collaborative approach would be best, and explained a couple of Council members should be active in the discussion as well as consulting NYCOM to see what we have to do. He explained he would be happy to get a subcommittee put together to work forward towards this.

b. Railroad Underpass

Alderman Bennion explained he would like to know where we are at with the advanced warning system for the railroad. He explained he, the Mayor, Director Sprague and Ms. Kerper met with an engineer from the railroad and the president of the railroad to discuss what the next stages are. He explained it was also put out there that the railroad never really wanted to raise the bridge, as they questioned the ability and success to raise it without compromising the structure. Director Sprague explained they definitely have some technical challenges to raise the bridge. Alderman Bennion explained they discussed not doing the bridge, and then the railroad would pay for an advance warning system that would trigger lights for vehicles of a certain height. He explained people have talked about lights that flash all the time and how you become immune to it, and the lights activated by vehicles of a certain height would prevent this. He explained there is a history of trucks, semis and campers striking the bridge, and one thing to remember is the bridge was never lost. He explained before someone hits the bridge, they have passed three signs that say no trucks. He explained Front Street has never been a permanent truck route, and was used temporarily during North Union Street construction. He explained most bridge accidents happen from the hospital side, because when you turn onto Front Street from East State Street you see the bridge and have an opportunity to turn around. He explained bridge accidents have been reduced since the additional STOP signs were installed on Front Street. He explained the prior administration wanted to raise the bridge in order to make Front Street a truck route, and that is a residential neighborhood that should not be a truck route. He explained a public hearing was held at 10:00 a.m. in Buffalo so many residents were unable to attend. He explained Front Street is not assigned or paved to be a truck route, and we need active enforcement to keep trucks off the road.

Alderman Crawford explained in his time here no one has proposed that Front Street be made a truck route, and if that was the desire of the prior administration, no PL was brought forward to address that. He explained this does present a public safety hazard to the community. He

explained whether or not there are challenges to fix the bridge, it comes at no cost to City taxpayers. He explained he feels this is a much larger conversation. He explained in 2018 the Council passed a resolution unanimously to allow the City to enter into an agreement with the railroad to close the Queen Street underpass in exchange for raising the Front Street bridge. He explained vehicles hitting the bridge are an enforcement issue, and signs and beacons should not replace enforcement. He explained Front Street is not a truck route. He explained raising the bridge would also allow the ladder truck to pass below it. He explained the concern is that this unanimous agreement was passed following numerous public meetings and presentations with the railroad present, and it sounds like the plan has changed and he is sure the railroad is on board for the huge cost savings. He explained he feels we need to slow down and request the railroad be present at a future meeting so all Aldermen can ask questions and so we can inform the public more transparently before deciding the best option.

Alderman Forney explained she did not realize there was an official contract and explained she would appreciate some gaps being filled in. She asked if the flashing lights and beacons would stop accidents completely. Alderman Bennion explained it will not be a fool-proof system. He explained it will trigger lights to hopefully cut down on hitting the bridge, but someone did stop at the STOP sign and sat eye level with the bridge, and still continued driving to hit the bridge. Alderman Forney explained enforcement will be a big thing no matter which way we decide to go. Alderman Anastasia explained he does not see an issue if the railroad wants to install the beacon lights, and we should let them proceed with the installation. He explained it will take us forever to come to an agreement with them, and noted they don't even cut their grass. He explained this would be a good safety measure.

Mayor Sherburne explained she has been looking into alternatives, and this came out because the railroad put the project out to bid and we met with them to hear what the plan is. She explained we will have more information about this and will hear about alternatives when the railroad receives their bid responses, and we can have the railroad come and give the results of that as well as offering a plan B to fulfil their obligation. She explained she can send information to the Council so they are filled in regarding what was previously discussed.

Alderman Robinson explained CDL drivers are taught to scan so many feet ahead for pedestrians, safety incidents, and bridges. He explained when a bridge is marked with the height it is not a standard bridge and they should be aware of whether or not their vehicle will fit under the bridge. He explained there are multiple "no trucks" signs on the road and there should be repercussions just for driving trucks down the road. He explained he would love to see a beacon put in to act as another early warning system. He explained it is good the lights will not be constantly flashing so we do not become complacent. He explained we do need to look at the prior resolution because

if there is one out there saying the railroad should be raising the bridge, then we need to see the agreement with the railroad and change the legislation, if needed.

Alderman Forney asked why we are looking at a plan B if the railroad is making steps to fulfil their contractual obligation. Mayor Sherburne explained there are concerns logistically about raising the bridge, and the cost came in higher with some issues that could cause the cost to come in even higher. Director Sprague explained there are restrictions on how steep a railroad can be and to the west is the bridge over Olean Creek so the Front Street bridge can only go up to a maximum grade. Alderman Bennion explained they discussed that with every inch of elevation, they are supposed to have 100 feet of railroad to increase the height by one inch. He explained they would need 1,800 feet to raise 18 inches. He explained the Olean Creek bridge is 860 feet back so they would need to make it outside of the grade, and would need to rework the King Street intersection as well. Ms. Taylor noted the City also agreed at the time to reduce the height of the roadway, and Alderman Bennion added the City agreed to go down 18 inches as well which is a cost to taxpayers. He explained if we are not going to make this a truck route but we are passive in enforcement, then it will become a truck route.

Alderman Anastasia asked if the bridge is raised if Front Street will become a truck route, and asked why the City would pay to lower the roadway. He explained we should look into beacons and not move the bridge. Alderman Robinson explained regardless what route is taken, we need to ensure and document that we do not want Front Street to become a truck route. Alderman Bennion explained he understands it is impossible for the Police Department to sit there all day writing tickets to trucks on the street, but something needs to be done.

c. Queen Street Pedestrian Tunnel

Alderman Bennion explained the railroad had indicated they would pay for illumination inside the tunnel, which was in the prior scope but then crossed out by a prior DPW Director. He explained the original agreement was to illuminate the inside of the tunnel, and they should pay for that as well as pay for the advance warning system for Front Street. He asked if we can see if they can hook this into our electric and Director Sprague explained he will look into this.

5. Committee Reports

None

6. Adjournment

A motion to adjourn was made by Alderman Bennion, seconded by Alderman McCall. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 6:55 p.m.