

Journal of Proceedings

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

August 11, 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, August 11, 2026 at 6:00 p.m.

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

OFFICIALS: Mayor Amy Sherburne; Lens Martial, City Clerk; Michael Morgan, City Attorney; Allison Barnish, City Auditor; Keri Kerper, Community Development Program Coordinator, Robert Blovsky, Police Chief; Eric Maurouard, Fire Chief and Jennifer Fairbanks-Black, Chief of Staff

Call to Order, Roll Call, All Council members are present
Pledge of Allegiance

At this time a prayer was given by Mr. Martial,

***READING, CORRECTING, AND APPROVAL OF THE MINUTES OF
THE PREVIOUS REGULAR MEETING***

A motion to approval of previous minutes & committee reports approve the minutes of the July 28, 2026 was made by Alderman Robinson, seconded by Alderman Anastasia. Voice vote, ayes all. Motion carried.

****Council President Bennion:****

Reading, correcting the approval of the minutes of the previous regular meeting. The regular meeting of the Common Council was held on July 28, 2026 at 6:05 p.m. Present: Council President Robinson, Bennion, Keary, McCall and Anastasia.

Absent: Alderman Forney and Alderman Crawford

COMMITTEE REPORTS AND UNFINISHED COUNCIL BUSINESS

Finance Committee on PL 92-26: Committee recommends approval, referred to City Attorney for resolution.

City Operations Committee on PL 93-26: Committee recommends approval, referred to city resolution.

Compliance Committee on PL 94-26: Committee recommends approval, referred to city motion.

Finance Committee on PL 95-26: Committee recommends approval, referred to city clinical resolution.

Strategy Planning Committee on PL 96-26: Committee recommends approval, referred to city clinical resolution.

Committee of the Whole on PL 97-26: Committee recommends approval, referred to city resolution.

City Operations Committee on PL 98-26: Committee recommends approval, referred to city resolution.

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City Operations Committee on PL 99-26: Committee recommends approval, referred to city attorney.

City Operations Committee on PL 104-26: Committee recommends approval, referred to city.

City Operations Committee on PL 999-26: Committee recommends approval.

COMMUNICATION FROM THE MAYOR

Veto on Resolution 76-26 (War Vet Pool Project)

****Mayor Sherburne:****

Good evening. There are two significant decisions before the council tonight and both require us to consider not only what is desirable but what is responsible.

I want to begin by saying that I do not take the veto process lightly. The authority to veto legislative action carries with it a significant responsibility, and I believe it should only be exercised when there are substantial concerns that warrant further consideration. In this case, those concerns are very real.

The issue before us is not whether a community pool is desirable. The issue is whether we currently have sufficient information, funding, and oversight to responsibly proceed with a project of this magnitude. At this point, the city does not have all the necessary funding secured, nor do we have the reliable final cost for completing the reconstruction. There are still outstanding components—including the pool wall restoration, pool furniture, and a winter cover—that need to be incorporated into the total project cost.

We also need to consider the ongoing operational implications. The current budget does not include the full cost of chemicals or the labor required to operate the pool. Those are not one-time expenses; they are reoccurring financial obligations that will affect future city budgets and ultimately the taxpayers. Before we commit additional public resources, we have to establish the complete fiscal picture. The debt service and the operational costs associated with this project are substantial. We owe it to our residents to understand not only what the project will cost to build, but what it will cost to operate year after year.

There is also a matter of oversight that deserves serious consideration. The splash park remains incomplete, and we are still awaiting documentation from the engineer and planning firm identifying the scope of the necessary rework and the cost associated with correcting the errors of workmanship. At the same time, the same engineering firm is representing the City of Olean on the pool project. That circumstance does not by itself establish wrongdoing, but it does raise a legitimate question: Have we adequately addressed the deficiencies in oversight from one project before placing another substantial project in the hands of the same professional oversight? I believe every taxpayer would expect us to learn from our previous experience rather than repeat it.

This is not a veto against the pool; it is a veto for due diligence. Before we obligate the city to additional expenditures, we should know the complete scope of the project, the complete cost, the source of funding, ongoing operational impact, and who will be accountable for ensuring that the work is properly delivered. That is not obstruction; that is responsible municipal governance. As Mayor, I have an obligation to exercise that responsibility before asking the taxpayers of Olean to assume another significant financial commitment.

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The second matter before us tonight brings us to another responsibility we have as a city: protecting the public spaces that belong to all of us. We can all agree that our public property must remain public. No individual and no group of individuals should be permitted to claim public space in a way that prevents others from safely enjoying it, or that results in damage, degradation, or loss of access. Our parks, our river trail, and our other public spaces belong to everyone. Safety in our parks and along our river trail is not an unreasonable expectation; it is part of the quality of life our residents deserve. Protecting that quality of life requires us to be proactive, not simply respond after a problem has become difficult to address. That includes protecting our environment from litter, debris, and the damage that can occur when public spaces are not properly maintained or protected.

The purpose of this proposal is not to target individuals; it is to establish a clear and consistent standard for the use of public property. Public spaces must remain accessible, safe, clean, and available to the entire community. That is a basic responsibility of local government. I am asking the council to recognize that shared responsibility and help ensure that the public spaces entrusted to us, including our parks and river trail, remain places that every resident can safely use, enjoy, and take pride in. Tonight, we have an opportunity to demonstrate that responsible government means both protecting the public's investment and protecting the public's right to use the places that belong to all of us. I believe that is a responsibility we have been entrusted with, and it is a responsibility I intend to take seriously. Thank you.

Council Discussion & Veto Override Vote on Resolution 76-26 (City Pool Project)

Council President Bennion:
Veto resolution 76-26.

Alderman Keary:
Mr. Chairman, can I make a statement first?

Council President:
Yes, okay. We'll just open that up and then we can have discussion.

Clerk:
On July 28th, 2026, Resolution 76-26 was passed.

Council President Bennion:
Hang on just a second and read it first.

Clerk:
Resolution 76-26. Resolution 76-26, by Alderman [Joe/Sonia/etc.] to award the contract for the City of Olean Pool Upgrade Project, construction portion.

Council President:
Discussion?

Alderman Keary:
Yes. On July 28th, 2026, Resolution 76-26 was passed by the Common Council in a 4-1 vote. This resolution would repair the city's pool, making War Vet Park an excellent water park for all residents of all ages—for example, the splash pad for the younger children and a beautiful pool for all age groups to enjoy.

With that being said, the Mayor has made it known since the beginning of her term that she did not want the pool reopened. On July 30th, we received from the City Clerk an executive objection and disapproval memorandum, or basically a

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veto. The veto calls this decision and action by the Common Council "irresponsible" and "a mistake." It goes on to say that it is "unfunded" and "fiscally irresponsible."

Under the grounds and findings in the veto copy we have here:

It says, "legislative directives requiring municipal expenditures without approved funding source or allocated budget funding cannot reasonably be executed." My answer to that bullet is we have a funded source. The city has received a grant from New York State Parks, and we also have the AIM funding that was not put in our '26-'27 budget and was earmarked for one-time use.

Talks about CPL. It says CPL is currently in breach of contract for a different capital project due to poor work quality and failure to perform duties. My answer to that bullet is, well, maybe CPL was at fault, but when we have a million-plus dollar project taking place, why isn't the city down there also inspecting to make sure the work is being done correctly, instead of waiting until it's done?

Talks about the State Comptroller's audit findings. Well, it's basically the same thing that we were told during the budget process. I don't think much has changed with our audit findings.

AIM funding. It says regardless of the one-time AIM funding, we cannot take money from an existing budget to use on a project that was not budgeted. The AIM funding, again to reiterate, was not budgeted in this current budget; it was to be used as a one-time expense at the council's choosing.

With that being said, I think the Common Council did act fiscally responsibly by choosing to repair the War Vet pool complex using no taxpayer money via the grant and the partial one-time AIM funding. What I feel is fiscally irresponsible is designing to close the pool at an estimate of \$400,000 to fill the hole, which is unbudgeted and would be totally funded by taxpayer dollars. I feel once War Vet Park pool is open with the pool and splash pad in operation, the city will have a great water park not only for our residents but the community as well. And if marketed correctly, using some of the bed tax funds as a possible tourist destination, this pool would be a valuable asset to the city for years to come. So, I hope the council continues to support the pool project. Okay, thank you.

Council President Bennion: Anything else?

Alderman Keary:

So, I was the sole dissenting vote on the initial vote on this pool project, and I did so because I had some questions about the fiscal stability. Since that time, investigating it, I'm convinced that we do have both the fiscal means as well as a responsibility to vote yes on this, and I will be casting a vote of approval. I think we have to separate our legislative role here, which is to be stewards of the government's money, the city's money, versus the managerial role, which is the role that has to be enacted by the city in making sure that this project, once it's appropriately authorized and funded, is managed to make sure that it's in compliance with good practices and we get the product that we intend to. So, I will be changing my vote tonight. Thank you.

Alderman McCall:

So when we started talking about the pool, some of you will remember that I was not supportive of the pool for a number of reasons, and we had conversations about what that could look like for the city and what value that would bring to the city. It costs approximately \$60,000—we've been told that routinely—to run the pool. And so the question is, you know, does it make money? No, it doesn't. But the question is, does that then devalue it because it doesn't? Or does it bring people in who will then spend dollars otherwise in the city?

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I think that it does. I think that we have the opportunity to put together a water complex, and so for that reason I changed my mind. Part of that being that the splash park is going to be for probably up to age 10, maybe 11, and if you have children, you want to be able to take them all and be able to enjoy something. Not everything makes money. You know, we have a wonderful John Center that seniors go to and stuff; it doesn't make us money, and yet we see the value in it.

We do have bed tax money that can be allocated to put that in there. We do have funding. You know, when we talked about the walls, the reality is that it made it seem like they were already evaluated, and yet when they asked, no engineer had ever looked at them. And the chemicals are not in this year's budget, but it wouldn't open until at least June anyways, which would be a new budget cycle, so we have time to put it in the budget for that following year.

I will say with Dave's comment that I agree that we had this project that, honest to God, nobody other than John probably wants the splash park to open more than me, because everybody has asked about this more times than I can count. But we went down and we looked at it, and the concrete was good—I could have told you that just by looking at it. The city does bear responsibility in terms of monitoring projects. While it is CPL's responsibility to do the inspection, they should be turning in monthly reports, and did we get reports? If we had looked, we would have seen that the concrete wasn't right, so kudos to Chris for coming and saying, "Look, this isn't working." John and I went down and looked at it and, no, it can't open.

Regarding the cover and tables and stuff, we do have funds—we have numerous funds that we can utilize for tables and the cover and different things. So I think that we have an opportunity here to make it a water complex and make it inviting for children and families of not just up to the age of eight or 10, but all over. And I am sorry that the splash park did not open this year, but I think let's do it, let's do it right, let's put the funding in there, and I will be voting yes.

Alderman Forney

And just to add, you know, I support everything Sonia and Dave mentioned. But just if in our community we only have one other large outdoor pool, which is Bartlett, which is a private club, yes, we have the YMCA that requires membership, and they open up their pool to the public as well, but that's indoor. An indoor pool does not really support our community what the outdoor pool has for years. So, I've always been in favor of us supporting the pool. It's been going on since before I became on the council—I think it was our first kind of vote when we came on the council. And I feel as a council we've done our due diligence in listening to the community and in voting to award the bids and repair the pool and get the splash pad bid awarded and get that open. And the challenges that have come up, I feel, is the responsibility of the city and the oversight of the city.

Council President Bennion:

Anything else? Okay, Mike, will you please clarify as to voting? Voting "yes" is indicative of what?

Mike (City Attorney): To move forward with the pool project. That's my belief.

Council President:

Okay, thank you, so everybody's understanding. There are some questions. Thanks, Mike. Okay, so just a roll call, right? John, will the clerk please call the roll?

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Clerk: read roll, Motion carries 6-0. Thank you.

Miscellaneous Communications & Proposed Legislation Referrals

Council President:

Miscellaneous communications—we have none. City official reports—we have none.

Proposed legislation referrals:

PL 105-26 by Mayor Sherburne: Referred to Finance Committee by Council President.

PL 106-26 by Mayor Sherburne: Referred to Public Safety Committee by Council President.

PL 107-26 by Mayor Sherburne: Referred to City Operations Committee by Council President.

PL 108-26: Referred to City Operations Committee by Council President.

PL 109-26: Referred to City Operations Committee by Council President.

PL 110-26: Referred to City Operations Committee by Council President.

Alderman McCall:

Is that enough for the Clerk's public comment statement? Do any of the aldermen wish to give a statement? I just want to add one thing, and that is because in the veto memo, there was a note in there about the pending Comptroller report. I know that Ali had not been here at the beginning, but he has definitely done his due diligence, and I want to reassure the public because we had talked somewhat about some of the issues before. There was nothing new that came out of that—absolutely nothing. There was nothing to say that we are financially unsound. There was nothing to say that we have some issues, and primarily from the Council's perspective: one, we need to come up with a corrective action plan at some point, I think when we get the final report, but we do have to work more on multi-year planning, which we have attempted to do in certain venues. Since it's come up a couple of times, I want to reassure the public that the pending Comptroller report was nothing more or different than what we had previously said and talked about. Thank you.

Council President Bennion:

Anything else? Please read the public comment section.

Clerk:

The public portion of the Common Council regular meeting is established to provide members of the community with the opportunity to state their concerns on any issue affecting city government. Additionally, the Mayor, Common Council members, and city department heads encourage persons with questions to contact them at their offices. At this time, please step forward, state your name and address.

PUBLIC COMMENTS

Jeremy Wyman (217 East State St.) - Head Start Traffic Concerns

Jeremy Wyman:

Hi, my name is Jeremy Wyman. I live at 217 East State Street. I'm here for an older law passed back in March. I live directly across from the Head Start School and Daycare. Public Law 14-26 was passed in March. When the law was passed, it was stated the goal was to increase residential parking through no longer utilizing buses and that they were closed. However, the actual results have been very different for those who live on the street like myself. The street is now

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constantly used as a primary drop-off for the school. The staff use it as parking instead of using the facility parking lot that is closer.

Because of this change, residents like myself and others, and the neighbor, feel a severe disruption. Parents drop off children, frequently blocking our driveways. We regularly deal with the loud music. Most importantly, it's basically impossible for you to come in and out on the road. You can't leave your home, and the buses block both sides of the road when they pull in.

Beyond the daily frustration, the congestion severity causes severe emergency concerns. I'm an epileptic, so last year I had an ambulance come to my house when I was unresponsive, and if that would have happened in September... luckily it wasn't blocked, it happened in August, I was lucky. Thankfully, the school was not in session.

We love our neighborhood, and I want the school to survive. We've addressed this with the facility. I've asked all of them to utilize the drop-off, but that has caused tension with me and the neighbors. I've called the police, and all of that's been documented with videos and everything. On March 10th, you guys signed to remove the signs for the bus drop-offs. Immediately after, the police arrived for weeks every day. To restore the balance, all I'm asking is the Council put up parking signs for the buses only from 8:00 to 4:00. Basically, just limit the parking so you can't drop off your school children in there. It's basically that simple, I don't want anything crazy.

Secondly, I want enforcement on this, because law enforcement kind of just pulls up, says sorry, and tells them to move after 20 minutes, while I'm stuck in my driveway that entire time trying to go to work. That's all. I apologize, and yeah, thank you. That's all I'm asking.

Council President Bennion: Thank you.

Hank Certo - Code Enforcement & Out-of-City Property Fees

Hi folks, I'm Hank Certo. I wanted to address why we don't have code enforcement. There is none, and there are dilapidated houses all over the city. What's being addressed with that? I know I shouldn't ask questions, but there's got to be something done. People aren't taking care of their properties. There should be a mandate for code enforcement to do their job.

And the other mandate I think we should have is out-of-city ownership of properties. Maybe we can assess them a fee because they don't live here. It's a common thing in other cities. You don't live here, you own property, give them an extra fee because you don't live here. How do you take care of your roads otherwise? How are you going to take care of raises for your city employees? Why not? Makes sense to me. Otherwise, we're just going to see the city go to the dump. That's my opinion. Thank you.

Council President Bennion: Thank you. Anybody else?

Robert Kennedy - River Cleanup & Homeless Encampments

Robert Kennedy:

Hello everybody, my name's Robert Kennedy. I'm still living in Santa C. As you all know, last year I did a cleanup around the land. This year I started about this weekend. I spoke with the Mayor earlier a little bit, and I got to meet the community chief about it a little bit. I'm going to do it pretty much the same way. I'm going to hope that the city doesn't get behind me again like they did last year. We're going to have a good cleanup.

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What else was there? I guess it's just a cleanup for now that I can remember. Like I said, I'm going to do it the same as I did last year. Tried to get everybody to go to one area of town. I know they have a right to sleep—they enforce the rule of that—we can't harass them, they have a right to sleep, but they don't have a right to destroy our rivers. That's just not acceptable. For two years, I've not been allowed to fish this river because homeless people have taken it over. Two years I've wasted my money. I'm not going to keep allowing it. I'm going to clean it up one more time, and next year I'm not going to allow them down there. I don't care if I have to play again, that's what it's going to have to be. Again, I'm going to hope that I can have some police cooperation this year and that I can meet with an officer and they can come down there and help get that area cleaned up this weekend. I'll see y'all around, thank you.

Council President Bennion: Thank you. Anybody else?

Paula Snyder (116 West Henley St.) - Pool Importance & Homelessness
And I'm running for nothing, so take a deep breath because it's not ideal.

Two things, Mayor and Council. It's not a bad thing that there are adversarial relationships with the Council and the Mayor. It really should be that way in a lot of things, because you get to a compromised position.

Two things I want to argue about. First, the pool. I don't know how you're all going to work that out. I hope you can at some point. I grew up on Lake Erie, and we were thrown in the water at six in the morning when we were six and seven years old to swim. But I remember a vivid time when I, at 12, had to walk a chain with other people in that lake community and find the body of a 12-year-old boy who had drowned in the lake. That sticks in my mind to this day—having to join hands because we didn't have any of the technology we have now to locate someone, and we had to walk in a chain way out into the water, and we eventually found him because we sat on him. That's how we found him. So, any way the children in this community can learn to swim... I plead with you at some point in time to be able to do that. If the funding isn't now, fine, but if it is, get that pool going so children learn to swim.

Secondly, working with the homeless populations, Mayor, I think you probably still have a task force. The homeless population is not a "us or against them" problem—it's a "we" problem society created. However, our community is slipping, and we've got real issues that I don't have the answers for. But I do have neighbors and friends in our areas who are really suffering with those who are suffering. We cannot continue to have a gentleman screaming up and down Union Street when people are coming into our restaurants with children and they feel unsafe. We just can't have that and continue to grow and attract the people that the Mayor and the Council want to have come here. So it is a "we" solution; we all have to get together and find out what that is. But this problem is getting worse. I thank you for being here, and I thank you for running. You have thankless jobs, many of you. Thank you for what you do, but maybe this is something that we can figure out an answer to before it gets much worse. Thank you.

Council President Bennion: Thank you.

Jeremiah Baskin - Bike Path Safety & FOIL Request Transparency
My name is Jeremiah Baskin. Many of the officers know exactly who I am; that's a different date for a different conversation.

My reason to come up here today: to be honest with you, I had something written down that I actually planned for probably about two days. I was speaking with the

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Mayor's husband on the bike path actually going out towards St. Bonaventure, and I wasn't even going to speak. At the time, the Mayor's husband actually caught me in the process of kicking one of the homeless off that bike path. The reason for that was because probably a day or two before, there was a young lady who was walking from St. Bonaventure on that particular bike path, and she was made very uncomfortable to the point where she doesn't even want to walk on the bike path anymore. She feels that she needs to be accompanied by her dad or me, a man, to walk on a three-and-a-half-mile bike path. It's pretty sad when college campuses' kids that come down... I met a kid that was from Maine, he's walking with his sister on that bike path, and he has to walk with her because she's scared walking that path because of the constant homeless that are plastered all the way down.

I've seen countless posts on Facebook of, "What do you do with them?" and, "Well, you have no sympathy." Listen, I was homeless myself two years ago, okay? I slept behind Reds Park in a tent with my dog and all my clothes. I know how it feels, okay? They choose to be homeless because they're addicted to a drug, okay? There's Casa Trinity that's right here. I worked at Casa Trinity. My dad's been a recovering addict for 17 years. It's an excuse. Period. Flat out, it's an excuse. That's just one thing I want to dive into.

Another thing I want to dive into is the transparency between the community and Olean. I don't know if anyone has ever tried to submit a FOIL request through the City of Olean. It should be an easy process, it should be free. You submit a FOIL request. I requested body cam footage from the police; I should be able to receive those body cams and review them. I run a YouTube channel, and that's what my channel is—reviewing body cams and holding the police accountable. I was raided by the FBI on March 30th of 2026. This officer right here himself was at my house that day, and he had another police officer with him. A couple of days later, I came down to the courthouse to submit a FOIL request. I requested it, usually they put it onto a CD, but I asked for it to be sent to my email. How hard is it to send a video to someone's email? Pretty sure everyone here has done that before. I was quoted \$1,700 for a FOIL request! Why was I quoted \$1,700? Where is that money going to? We claim we have no money, but when I submit a FOIL request, we're charging \$1,700 for body cam that was you guys standing in front of my house while the FBI ran through my house?

Council President: It's your time to wrap up. Thank you.

Jeremiah Baskin:

I just want to say I appreciate you guys for listening. I just hope that the community gets a lot more transparency between us and the police. Thank you.

Council President: Thank you. Anybody else? Anybody else? Anybody else? If not, the public portion is now closed.

RESOLUTIONS

Resolution 94-26 (PL 92-36) - FAA Grant Agreement for Airport Runway 4-22 Lighting

Resolution 94-26 (PL 92-36) by Alderman Bennion to authorize the Mayor to execute the grant agreement between the City of Olean and the US Department of Transportation Federal Aviation Administration for funding for the construction portion of the capital lighting and signal on runway 4-22 and lighting and signal signage on taxiway A and B. Any discussion?

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Will the clerk please call the roll?

- * Alderman Keary: Yes.
- * Alderman McCall: Yes.
- * Alderman Forney: Yes.
- * Alderman Crawford: Yes.
- * Alderman Anastasia: Yes.
- * Alderman Bennion: Yes.

All ayes, Council President Bennion: Motion carries 6-0.

Resolution 95-26 (PL 93-26) - County Office Space Lease at John J. Community Center

Resolution 95-26 (PL 93-26) by Alderman Kerry, seconded by Alderman McCall, to authorize the Mayor to enter into an agreement between the County of Cattaraugus and the City of Olean for Department of the Aging and Youth Services office space at the John J. Community Center. Any discussion on this?

(No discussion)

Please call the roll.

- * Alderman Keary: Yes.
- * Alderman McCall: Yes.
- * Alderman Forney: Yes.
- * Alderman Crawford: Yes.
- * Alderman Anastasia: Yes.
- * Alderman Bennion: Yes.

All ayes

Council President Bennion: Motion carries 6-0.

Resolution 96-26 (PL 94-26) - MFA Token Agreement with NYS ITS

Resolution 96-26 (PL 94-26) by Alderman Keary, seconded by Alderman [Opinion] to authorize the Mayor to execute a governmental agreement for the provision of multi-factor identification token between the New York State Office of Information Technology Services and the City of Olean.

Any discussion? *(No discussion)*

Please call the roll.

- * Alderman Keary: Yes.
- * Alderman McCall: Yes.
- * Alderman Forney: Yes.
- * Alderman Crawford: Yes.
- * Alderman Anastasia: Yes.
- * Alderman Bennion: Yes.

All ayes

Council President: Motion carries 6-0.

Resolution 97-26 (PL 95-26) - Transfer of Funds for Mosquito Spraying

Resolution 97-26 (PL 95-26) by Alderman Anastasia, seconded by Alderman [Sonia] authorizing the transfer of funds from general fund contingency to line item 4068-462. Any discussion? Okay, this is for the mosquito spraying.

Clerk, please call the roll.

- * Alderman Keary: Yes.
- * Alderman McCall: Yes.
- * Alderman Forney: Yes.
- * Alderman Crawford: Yes.
- * Alderman Anastasia: Yes.
- * Alderman Bennion: Yes.

All ayes

Council President: Motion carries 6-0.

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Resolution 98-26 (PL 96-26) by Alderman Bennion, seconded by Alderman McCall to authorize the sale of 226 North 17th Street to a private entity. Okay, this is a property that will be sold to somebody and go back on the tax rolls. Any discussion? Seeing none,
Clerk, please call the roll.

- * Alderman Keary: Yes.
- * Alderman McCall: Yes.
- * Alderman Forney: Yes.
- * Alderman Crawford: Yes.
- * Alderman Anastasia: Yes.
- * Alderman Bennion: Yes.

All ayes

Council President: Motion carries 6-0.

Resolution 99-26 (PL 97-26) - City Charter Amendment: Council Confirmation of Secretary

Council President:

Resolution 99-26 (PL 97-26) by Alderman Kerry to amend the Olean City Charter Section 3.002 to require confirmation by the Common Council of the Mayor's appointment of the Administrative Secretary for the Common Council. Any discussion?

Alderman Anastasia:

I don't have discussion on this bill, but I saw an email at the end of the meeting tonight, and I'm confused. Is there a secretary that's been hired already for that position, or is it going to come to the Council, since they're going to be working with the Council? I'm just trying to be transparent and get things out in the open, because the email I saw said somebody was hired. I'm speaking, Mayor... somebody was hired at the same salary that the previous person had been at for 12 years. So if you're talking about fiscal responsibility, how responsible is that?

Council President Bennion:

Mike, is there an HR confidentiality on discussing the process?

Mike (City Attorney):

It sounds like this may concern either a city employee or a prospective city employee, so I believe this would be appropriate for Executive Session.

Council President: Very well. Anything else?

Will the clerk please call the roll?

- * Alderman: Yes.
- * Alderman: Yes.
- * Alderman: Yes.
- * Alderman: Yes.
- * Alderman: Yes.
- * Alderman: Yes.

All ayes, Motion carries.

Resolution 100-26 (PL 98-26) - Agreement Authorization

Resolution 100-26 by Alderman [Ben], seconded by Alderman Anastasia to authorize the Mayor to enter into an agreement. Okay, this was discussed. Anything else? Will the clerk please call the roll?

- * Alderman Keary: Yes.
- * Alderman McCall: Yes.
- * Alderman Forney: Yes.
- * Alderman Crawford: Yes.
- * Alderman Anastasia: Yes.
- * Alderman Bennion: Yes.

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All ayes, Motion carries 6-0.

Resolution 101-26 (PL 999-26) - Professional Service Agreement for Legal Services (Changing Order)

Resolution 101-26 (PL 999-26) by Alderman Bennion to authorize the Mayor to enter into a professional service agreement with Changing Order for legal services. This was discussed previously. Anything else?

Clerk, please call the roll.

* Alderman Keary: Yes.

* Alderman McCall: Yes.

* Alderman Forney: Yes.

* Alderman Crawford: Yes.

* Alderman Anastasia: Yes.

* Alderman Bennion: Yes.

All ayes, Motion carries 6-0.

Resolution 102-26 (PL 101-26) - Professional Service Agreement (Thomas Mundes) – FAILED

Council President:

Resolution 102-26 (PL 101-26) by Alderman Bennion, seconded by Alderman McCall to authorize the Mayor to enter into a professional services agreement with Thomas Mundes for consulting engineering services, previously discussed. Anything else? Dave?

Alderman Anastasia:

Yes, I was reading the contract for this resolution before I came here, and I didn't realize that it was going to be as expensive as it was. The contract says that we're going to be paying this gentleman \$120 per hour, and we didn't have any limitation of hours that this person would be working. I mean, we're talking about budget time now; we got rid of one superintendent because of redundancy of services, but we already have a professional engineer in the Department of Public Works. Why do we need to have another one at that rate of pay? Just to work full-time for a year, his salary would be \$249,600. I know he's not going to be working for a year as a consultant, but to me that is not fiscal responsibility. We have 12,000 people here; why do we need two professional engineers? It's a slap in the face to the engineer we have. So, I think this resolution... I just wanted to put my two cents in.

Council President: Anybody else? Seeing nothing, will the clerk please call the roll?

* Alderman Keary: Yes.

* Alderman Forney: No.

* Alderman McCall: No.

* Alderman Crawford: No.

* Alderman Anastasia: No.

* Alderman Bennion: No.

Council President: Motion fails.

Resolution 103-26 (PL 104-26) - Surface Lining Contract FY 2026-2027

Resolution 103-26 (PL 104-26) by Alderman Bennion, seconded by Alderman Keary to award the contract for surface lining for fiscal year '26-'27, previously discussed as part of the consent order. Any discussion on this? Will the clerk please call the roll?

* Alderman: Yes.

* Alderman: Yes.

* Alderman: Yes.

* Alderman: Yes.

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* Alderman: Yes.

* Alderman: Yes.

Council President: All ayes, Motion carries.

Minutes Approval & Adjournment of Regular Session

Clerk: Are the minutes ready? Because we never took a vote to approve them.

Council President: I'm sorry, John. I just wanted to follow up. Yes, they are. All right, my fault.

Alderman Bennion:

I will make a motion for the acceptance of the minutes from Tuesday, July 28th.

Council President:

Do we have a second?

Alderman Crawford: Second.

Council President Bennion:

Seconded by Alderman Crawford. Any discussion? Seeing none, all those in favor?

All: Aye.

Council President:

Opposed? Carried. Okay.

ADJOURNMENT

Alderman Bennion: I'll make a motion for adjournment.

Alderman Crawford: Second.

All: Aye.

Council President: Opposed?

We are adjourned.