

REGULAR MEETING OF THE COMMON COUNCIL

Tuesday, August 25, 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, August 11, 2026 at 6:00 p.m.”

PRESENT: Alderman Bennion, Keary, McCall, Forney, Crawford and Anastasia

OFFICIALS: Mayor Amy Sherburne; Allison Barnish, City Auditor; Michael Morgan, City Attorney; James Sprague, Director of Public Works; Lens Martial, City Clerk; Keri Kerper, Community Development Program Coordinator; Robert Blovsky, Chief of Police; Eric Maurouard, Chief of Fire Dept; Jerry Volz, IT Network Coordinator, and Jennifer Fairbanks-Black, Chief of Staff

5. COMMITTEE REPORTS AND UNFINISHED COUNCIL BUSINESS

Report from Public Safety Committee on PL #103-26, to authorize the Mayor to amend the City of Olean Code of Ordinances Section 24-166 to remove the sign on the east side of North Clinton Street for a distance of 95 feet north of its intersection with East State Street, and to amend Section 24-135 to include the east side of North Clinton Street for a distance of 20 feet north of its intersection with East State Street. . Committee recommends approval. Referred to City Attorney for Resolution

Report from City Operations Committee on PL #107-26, To authorize the Mayor to enter into an Engineering Agreement with Larson Design for sanitary sewer cleaning, televising, and rating associated with the Department of Environmental Conservation Order on Consent utilizing funding from the Environmental Facilities Corporation Planning Grant. Committee recommends approval. Referred to City Attorney for Resolution.

Report from City Operations Committee on PL #108-26, To approve the following Commercial Property Improvement Program (CPIP) application for financial assistance as recommended by the Commercial Loan Fund Committee. CPIP #78-03, in an amount not to exceed \$30,000. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of a Whole Committee on PL #109-26, to repeal and replace Article 25 Section 25-5 in the City of Olean Code or Ordinances, establishing regulations governing CAMPING, SLEEPING AND ENCAMPMENTS ON PUBLIC PROPERTY IN THE CITY OF OLEAN. Committee recommends approval. Referred to City Attorney for Resolution.

Report from City Operations Committee on PL #110-26, To expand Paychex HR PRO, for a 90 day trial, at the conclusion of the trial, the Auditor shall have the authority to determine whether the program should be continued, modified, or discontinued based upon the department results of the trial. Committee recommends approval. Referred to City Attorney for Resolution.

6. COMMUNICATIONS FROM THE MAYOR

Proclamation for Women's Equality Day

7. MISCELLANEOUS COMMUNICATIONS

8. CITY OFFICIAL REPORTS

9. PROPOSED LEGISLATION & REFERRALS

PL #103-26 – (Sherburne) to authorize the Mayor to amend the City of Olean Code of Ordinances Section 24-166 to remove the sign on the east side of North Clinton Street for a distance of 95 feet north of its intersection with East State Street, and to amend Section 24-135 to include the east side of North Clinton Street for a distance of 20 feet north of its intersection with East State Street. *Referred to City Attorney for Resolution.*

PL #107-26 – (Sherburne) To authorize the Mayor to enter into an Engineering Agreement with Larson Design for sanitary sewer cleaning, televising, and rating associated with the Department of Environmental Conservation Order on Consent utilizing funding from the Environmental Facilities Corporation Planning Grant. *Referred to City Attorney for Resolution.*

PL #108-26 – (Sherburne) To approve the following Commercial Property Improvement Program (CPIP) application for financial assistance as recommended by the Commercial Loan Fund Committee. CPIP #78-03, in an amount not to exceed \$30,000. *Referred to City Attorney for Resolution.*

PL #109-26 – (Sherburne) To repeal and replace Article 25 Section 25-5 in the City of Olean Code or Ordinances, establishing regulations governing CAMPING, SLEEPING AND ENCAMPMENTS ON PUBLIC PROPERTY IN THE CITY OF OLEAN. *Referred to City Attorney for Resolution.*

PL #110-26 – (Sherburne) To expand Paychex HR PRO, for a 90 day trial, at the conclusion of the trial, the Auditor shall have the authority to determine whether the program should be continued, modified, or discontinued based upon the department results of the trial *Referred to City Attorney for Resolution.*

PL# 111-26 (Sherburne) To award the work to Billings Steel Manufacturing for the design and construction of a new welcome sign to be located on city-owned property located at 1713 Fall Road. *Referred to Committee of the Whole by Council President.*

PL# 113-26 (Sherburne) To confirm the appointment of Administrative Secretary Teresa Ross. *Referred to Committee of the Whole by Council President.*

PL# 115-26 (Sherburne) To Amend the City of Olean Code of Ordinances, Chapter 21, Article III, TREES AND SHRUBS, Sec. 21-59 and Sec. 21-60. *Referred by Council President to Committee of the Whole.*

10. FINANCE-BILLS

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

12. RESOLUTIONS

RESOLUTION #99-26

PL #97-26

By Alderman Bennion, Seconded by Alderman Keary

TO AMEND THE CITY OF OLEAN CHARTER SECTION 3.002 TO REQUIRE CONFIRMATION BY THE COMMON COUNCIL OF THE MAYORAL APPOINTMENT OF THE ADMINISTRATIVE SECRETARY TO THE COMMON COUNCIL AND CITY ATTORNEY

RESOLVED, that the City of Olean Charter Section 3.002 is hereby amended to include the following:

- (c) The mayor shall appoint, subject to confirmation by a majority vote of the Common Council, the Administrative Secretary to the Common Council and City Attorney.

RESOLVED, that this Resolution is hereby effective immediately.

RESOLUTION # 104-26

PL # 108-26

By Alderman McCall, Seconded by Alderman Crawford

**RESOLUTION APPROVING A COMMERCIAL PROPERTY IMPROVEMENT PROGRAM
LOAN TO A LOCAL BUSINESS**

WHEREAS, the City of Olean has designed a Commercial Property Improvement Program (CPIP) that provides financial incentives for commercial property owners and businesses to rehabilitate their buildings, reduce downtown commercial vacancy rates, create employment opportunities, and preserve and expand the tax base of the City of Olean, and

WHEREAS, assistance to property owners and businesses will be in the form of low interest loans/grants for commercial/business improvement projects, and

WHEREAS, the Olean Commercial Loan Fund Committee has reviewed an application for assistance and has recommended approval of;

CPIP #78-03, not to exceed \$30,000;

BE IT RESOLVED, that the Common Council has approved said application for assistance under the Commercial Property Improvement Program.

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

RESOLUTION #105-26

PL #109-26

By Alderman Bennion, Seconded by Alderman Keary

TO AMEND THE CITY OF OLEAN CODE OF ORDINANCES, REPEAL AND REPLACE ARTICLE 25 SECTION 25 - 5 TO ESTABLISH REGULATIONS GOVERNING CAMPING, SLEEPING AND ENCAMPMENTS ON PUBLIC PROPERTY IN THE CITY OF OLEAN

RESOLVED, that the City of Olean Code of Ordinances Article 25 Section 25-5, is hereby repealed and replaced to read as follows:

Sec 25-1 Legislative Intent

The Common Council of the City of Olean finds that public parks, sidewalks, streets, trails, river corridors, municipal buildings, and other public lands are held in trust for the equal use and enjoyment of all residents and visitors.

The Council further finds that unauthorized encampments and overnight habitation on public property may create fire hazards; obstruct sidewalks, trails, streets, and emergency access routes; damage public infrastructure, parks, and natural resources; create unsanitary conditions and environmental contamination; increase the risk of flooding along the Allegheny River, Olean Creek, and other waterways; and interfere with the safe and intended use of public spaces by all members of the community.

This ordinance is intended to regulate conduct occurring on public property. It is not intended to criminalize homelessness or any person's housing status.

Sec 25-2 Definitions

Camp or Camping: Occupying public property for living accommodation through the use of tents, sleeping bags, blankets, mattresses, tarps, hammocks, temporary shelters, trailers, tourist camps, cooking equipment, furniture, or storage of personal belongings indicating habitation.

Encampment: Any area on public property where one or more persons establish or maintain living accommodations.

Public Property: All property owned, leased, operated, or maintained by the City of Olean, including parks, playgrounds, streets, sidewalks, parking lots, alleys, trails, greenways, flood-control dikes, riverbanks, bridges, municipal buildings, rights-of-way, easements, and other City-owned lands.

Sec 25-3 Prohibited Activities

No person shall: (1) Camp, establish an encampment, or maintain a trailer or tourist camp on public property; (2) Sleep overnight on public property when such conduct indicates habitation; (3) Construct or maintain temporary shelters; (4) Store personal property unattended for more than 24 hours; (5) Cook or maintain open flames except in designated areas; (6) Dispose of refuse, sewage, hazardous waste, or human waste on public property; (7) Damage vegetation or City infrastructure; (8) Connect utilities or occupy public property for residential purposes; (9) Obstruct sidewalks, streets, trails, buildings, or emergency access.

Sec 25-4 Environmentally Sensitive Areas

Camping or sleeping is prohibited within flood-control dikes, the Allegheny River corridor, Olean Creek corridor, municipal wetlands, stormwater facilities, retention ponds, public utility easements, City-owned wooded areas, and parking structures. Immediate removal is authorized where public safety or environmental concerns exist.

Sec 25-5 Schools and Parks

Camping or establishing an encampment is prohibited within 500 feet of schools, licensed daycare facilities, public playgrounds, youth athletic facilities, community centers, and public swimming pools.

Sec 25-6 Notice and Removal

Except where immediate removal is authorized, the City shall provide 24-hour written notice. Encampments remaining after notice may be removed.

Sec 25-7 Immediate Removal

Immediate removal is authorized where there is a fire hazard, flood danger, blocked emergency access, criminal or illegal drug activity, hazardous waste, violence, a public health emergency, occupation of transportation infrastructure, or significant environmental damage.

Sec 25-8 Coordination with Social Services

When practicable, the City shall coordinate with local outreach organizations and provide information regarding available shelter, housing assistance, behavioral health, substance use treatment, veterans'

services, or other resources before a scheduled non-emergency removal. This section creates no legal entitlement to shelter.

Sec 25-9 Penalties

First violation: warning or fine up to \$50. Second: up to \$100. Third and subsequent: up to \$250. The City may also recover costs for damage to public property.

Sec 25-10 Exceptions

This does not apply to City-approved events, permitted demonstrations, authorized emergency shelters, disaster response operations, or camping specifically authorized by permit.

Sec 25-11 Severability

If any provision is held invalid, the remainder shall remain in full force and effect.

Sec 25-12 Effective Date

This local law shall take effect upon filing with the New York Secretary of State pursuant to the Municipal Home Rule Law.

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

RESOLUTION #106-26

PL #103-26

By Alderman McCall, Seconded by Alderman Bennion

**TO AUTHORIZE THE REMOVAL OF THE 20 MIN PARKING SIGNAGE ON
N. CLINTON STREET, EAST SIDE 95 FEET NORTH**

BE IT RESOLVED, that the Common Council authorizes to amend the City of Olean Code of Ordinances Section 24-166 to remove the sign on the east side of North Clinton Street for a distance of 95 feet north of its intersection with East State Street, and to amend Section 24-135 to include the east side of North Clinton Street for a distance of 20 feet north of its intersection with East State Street.

RESOLVED, that this Resolution is hereby effective immediately.

RESOLUTION #107-26

PL #107-26

By Alderman Bennion, Seconded by Alderman McCall

**TO ENTER INTO AN ENGINEERING AGREEMENT WITH LARSON DESIGN FOR SANITARY SEWER
CLEANING, TELEVISIONING AND RATING**

BE IT RESOLVED, that the Common Council authorizes to enter into an Engineering Agreement with Larson Design for \$120,000 for sanitary sewer cleaning, televising, and rating associated with the Department of Environmental Conservation Order on Consent utilizing funding from the Environmental Facilities Corporation Planning Grant.

RESOLVED, that this Resolution is hereby effective immediately.

RESOLUTION #108-26
PL #110-26

By Alderman Bennion, Seconded by Alderman McCall

TO ENTER INTO AN AGREEMENT WITH PAYCHEX HR PRO SERVICES

BE IT RESOLVED, to authorize the Common Council to enter into an agreement with Paychex HR PRO, to enhance the City's compliance, offer more comprehensive training, modernizing HR policies, guidance and streamline existing administrative functions.

RESOLVED, that this Resolution is hereby effective immediately.

RES #109-26
PL #113-26

By Alderman _____, Seconded by _____

TO CONFIRM THE APPOINTMENT OF ADMINISTRATIVE SECRETARY TERESA ROSS

WHEREAS, pursuant to Section 3.002 of the Charter of the City of Olean, New York, the Mayor is authorized to appointments, subject to confirmation by majority vote of the Common Council; and

WHEREAS, the Common Council feels that the Mayor's vetting and appointment has been made with the best interest of the City of Olean staff and residents in mind;

RESOLVED, that the Common Council hereby confirms and approves the Mayor's appointment of Teresa Ross as Administrative Secretary.

BE IT RESOLVED, that this Resolution is effective immediately.

RESOLUTION # 110-26
PL # 111-26

By Alderman, _____, Seconded by Alderman _____

RESOLUTION TO AWARD THE WORK TO BILLINGS STEEL MANUFACTURING FOR THE DESIGN AND CONSTRUCTION OF A NEW WELCOME SIGN TO BE LOCATED ON CITY-OWNED PROPERTY AT 1713 FALL ROAD.

WHEREAS, the City of Olean is undertaking a project for the design and construction of a new Welcome to Olean sign that will replace the existing sign located on parcel ID 94.047-1-51; and

WHEREAS, the City of Olean sought quotes from five companies, in accordance with applicable procurement requirements for said work; and

WHEREAS, Billings Steel Manufacturing was found to be the company able to perform the work outlined by the Department of Community Development for a total cost of \$31,455; and

WHEREAS, funding in the amount of \$4,085.57 has been committed to the project through community fundraising via the Cattaraugus Region Community Foundation; and

WHEREAS, the City of Olean commits \$31,455 in Bed Tax funds for the project; and

WHEREAS, said combined funding sources will be used on the project to include the demolition and removal of the existing sign, landscaping, hardscape, running of conduit and electrical wire, design, construction, and installation of the new sign.

BE IT RESOLVED, that the Common Council of the City of Olean authorizes the award to Billings Steel Manufacturing and the Mayor is hereby authorized to execute any and all contracts, documents, and agreements related to the aforementioned funding and award.

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

RESOLUTION #111-26

PL #115-26

By Alderman _____, Seconded by Alderman _____

To Amend the City of Olean Code of Ordinances, Chapter 21, Article III, TREES AND SHRUBS, Sec. 21-59 and Sec. 21-60

BE IT RESOLVED, that the City of Olean Code of Ordinances Chapter 21, Article III, TREES AND SHRUBS, Sec. 21-59 and Sec. 21-60 is hereby amended to read as follows:

Sec. 21-59

Notice to trim trees.

All persons required by notice from the Code Enforcement to trim trees, as required under this article, must proceed to do so within 10 days after receiving such notice.

Sec 21-60

Failure to trim trees

In case of failure to trim trees, as required under this article, Code Enforcement is hereby authorized to do so, and the expense thereof shall be collected from the owner or occupant in the usual or ordinary way by suit and shall become a lien upon the premises.

RESOLVED, that this Resolution shall be effective immediately.

13. ADJOURNMENT