

REGULAR MEETING OF THE COMMON COUNCIL

Tuesday, October 27, 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 SPECIAL MEETING:

“The Special Meeting of the Olean Common Council was held on Tuesday, October 6, 2026 at 6:00 p.m.”

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

OFFICIALS IN ATTENDANCE: Mayor Amy Sherburne, City Clerk Lens Martial, DPW Director James Sprague, Community Development Coordinator Keri Kerper, City Auditor Allison Barnish

5. READING, CORRECTING, AND APPROVAL OF THE MINUTES OF THE PREVIOUS REGULAR MEETING:

“The Regular Meeting of the Olean Common Council was held on Tuesday, October 13, 2026 at 6:00 p.m.”

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

OFFICIALS IN ATTENDANCE: Mayor Amy Sherburne, City Clerk Lens Martial, City Attorney Bridget Marshall, DPW Director James Sprague, Community Development Coordinator Keri Kerper, City Auditor Allison Barnish

6. COMMITTEE REPORTS AND UNFINISHED COUNCIL BUSINESS

Report from the Public Safety Committee regarding 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 for further discussion.*

Report from the City Operations Committee regarding PL #116-26 (Sherburne) Amending the City of Olean Code of Ordinance Chapter 14 Miscellaneous Offenses and Provisions, adding Section 14-5 TO PROHIBIT THE INTENTIONAL ABANDONMENT AND INSTITUTIONAL DUMPING OF PERSONS WITHIN THE CITY. *Referred to City Operations Committee for further discussion.*

Report from the Labor Relations Committee regarding RES #127-26 (Sherburne) TO AUTHORIZE THE MAYOR TO EXECUTE THE OLEAN POLICE PATROL UNIT UNION LOCAL 967 LABOR CONTRACT. *Referred to Labor Relations.*

Report from the Labor Relations Committee regarding RES #128-26 (Sherburne) TO AUTHORIZE THE MAYOR TO EXECUTE THE OLEAN POLICE COMMAND UNIT UNION LOCAL 967C LABOR CONTRACT. *Referred to Labor Relations.*

Report from the City Operations Committee regarding PL #141-26 (Sherburne) To authorize the Mayor to execute an agreement between the City of Olean and the SPCA of Cattaraugus County for shelter services. *Referred to City Operations Committee for further discussion.*

Report from the Strategic Planning Committee regarding PL #142-26 (Sherburne) Authorize the Mayor to execute an agreement with Deckard Technologies Rentalscape for the most up-to-date information on short term rental properties in order to comply with accruing data for new and noncompliant occupancy tax legislation. *Referred for Resolution.*

Report from the Youth and Recreation Committee regarding PL #143-26 (McCall) To require the removal of chains from the pavilion in Lincoln Park. *Postponed indefinitely.*

Report from the Finance Committee regarding PL #144-26 (Bennion) To execute a plan of action to convert Capital Funds 102, 103, 118, and 187 to Capital Reserve (Type) Accounts, per Auditor recommendation. *Referred for Resolution.*

Report from the Committee of the Whole regarding PL #147-26 (Bennion) To appoint Thomas Windus as interim Director of the Department of Public Works, effective immediately, subject to contractual terms. *Referred for Resolution.*

7. COMMUNICATIONS FROM THE MAYOR

Proclamation for Breast Cancer Awareness Month

8. MISCELLANEOUS COMMUNICATIONS

9. CITY OFFICIAL REPORTS

10. PROPOSED LEGISLATION & REFERRALS

PL #145-26 (Sherburne) Authorize the following transfers of funds: \$18,425 from Line Item 1620.100 Buildings - Personnel Services; and \$17,885 from Line Item 8330.100 Purification-Personnel Services; and \$17,885 from Line Item 8130.100 Sewer Treatment and Disposal – Personnel Services to: Line Item 1620.444 Buildings - Repairs to Equipment & Property to pay for the repairs of the municipal building boiler system and miscellaneous building repairs. *Referred to the Finance Committee*

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

12. FINANCE-BILLS

By Alderman _____ Seconded by Alderman _____

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 **\$1,629,543.78** 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.

13. RESOLUTIONS

RESOLUTION # 127-26

PL # None

By Alderman _____, Seconded by Alderman _____

TO AUTHORIZE THE MAYOR TO EXECUTE THE OLEAN POLICE PATROL UNIT UNION LOCAL 967 LABOR CONTRACT

RESOLVED, that Mayor Amy B. Sherburne is hereby authorized to sign the Union Labor Contract for the Patrol Unit for the City of Olean Police Department and New York State Law Enforcement Officers Union, Council 82 of the American Federation of State, County, and Municipal Employees, AFL-CIO, in accordance with the settlement memorandum between the City of Olean and the Collective Bargaining Unit involved.

RESOLVED, that this Resolution is effective immediately.

RESOLUTION # 128-26

PL # None

By Alderman _____, Seconded by Alderman _____

TO AUTHORIZE THE MAYOR TO EXECUTE THE OLEAN POLICE COMMAND UNIT UNION LOCAL 967C LABOR CONTRACT

RESOLVED, that Mayor Amy B. Sherburne is hereby authorized to sign the Union Labor Contract for the Command Unit for the City of Olean Police Department and New York State Law Enforcement Officers Union, Council 82 of the American Federation of State, County, and Municipal Employees, AFL-CIO, in accordance with the settlement memorandum between the City of Olean and the Collective Bargaining Unit involved.

RESOLVED, that this Resolution is effective immediately.

RESOLUTION # 138-26
PL #142-26

Motion by Alderman Crawford, Seconded by McCall

TO AUTHORIZE THE MAYOR TO EXECUTE A CONTRACT WITH DECKARD TECHNOLOGIES FOR THE ADMINISTRATION AND COLLECTION OF OCCUPANCY (BED) TAX REVENUE

WHEREAS, the City of Olean collects occupancy tax (bed tax) on short-term lodging stays within the City; and

WHEREAS, the City seeks to improve the identification, administration, and collection of bed tax revenue, including from short-term rental operators; and

WHEREAS, Deckard Technologies has submitted a proposal to provide services supporting the collection of bed tax revenue for the City of Olean; and

WHEREAS, the proposed contract is for a term of one year at a cost of \$5,500; and

WHEREAS, the City intends to pay the cost of the contract using bed tax revenue; and

WHEREAS, the Common Council finds that entering into this contract is in the best interest of the City of Olean;

NOW, THEREFORE, BE IT RESOLVED, that the Common Council of the City of Olean hereby authorizes the Mayor to sign a one-year contract with Deckard Technologies, in an amount not to exceed \$5,500, for services supporting the collection of bed tax revenue; and

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

RESOLUTION #139-26
PL #144-26

Motion by Alderman McCall, Seconded by Bennion

TO EXECUTE A PLAN OF ACTION TO CONVERT CAPITAL FUNDS 102, 103, 118, AND 187 TO CAPITAL RESERVE (TYPE) ACCOUNTS

WHEREAS, in an effort to update and maintain more accurate City accounts and records for the purposes of financial clarity and stability; and

WHEREAS, the City Auditor has identified several Capital Funds being used to pay for ongoing City expenses; and

WHEREAS, Capital Project Fund accounts are intended to be created for the purpose of funding projects with an anticipated end-date; and

WHEREAS, Capital Reserve accounts are intended to be utilized for the purpose of funding recurring expenses; and

WHEREAS, the Common Council has coordinated with the City Auditor to identify and rectify these misapplied accounts;

THEREFORE BE IT RESOLVED, that the Common Council authorizes the City Auditor to convert Capital Project Funds 102, 103, 118, and 187 into Capital Reserve Accounts.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

RESOLUTION #141-26

PL #147-26

By Alderman _____, Seconded by Alderman _____

TO APPOINT THOMAS WINDUS AS INTERIM DIRECTOR OF THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, pursuant to Section 4.001 (a) of the Charter of the City of Olean, New York, the Mayor is authorized to appoint a department head, subject to confirmation by a 2/3 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; and

WHEREAS, the Common Council sets forth the following conditions to said appointment:

- 1) The appointee shall be hired as a part-time independent contractor; and
- 2) The hours worked shall not exceed 20 hours in any two-week pay period; and
- 3) The term limit of the interim Director shall not exceed a period of 3 months.

THEREFORE, BE IT RESOLVED, that the Common Council hereby approves and confirms the Mayor's appointment of Thomas Windus as Interim Director of Public Works.

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

14. ADJOURNMENT