

Journal of Proceedings

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

March 25, 2025

COMMON 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, March 25, 2025 at 6:30 p.m.

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

ABSENT: *Alderman Panus*

OFFICIALS: *Mayor William Aiello; Frank Caputo, City Clerk; Lens Martial, City Auditor; Ron Richardson, Police Chief, and Tiffany Taylor, Managerial Confidential Administrative Secretary.*

At this time a prayer was given by Frank Caputo, followed by a salute to the flag.

READING, CORRECTING & APPROVAL OF THE MINUTES OF THE PREVIOUS REGULAR MEETING

A motion to approve the minutes of the March 11, 2025 meeting was made by Alderman Crawford, seconded by Alderman Anastasia. Voice vote, ayes all. Motion carried.

COMMITTEE REPORTS & UNFINISHED COUNCIL BUSINESS

Report from Committee of the Whole on PL #31-25, to authorize the transfer of \$50,000 from Sewer Fund Balance to newly created Capital Fund #249, Sewer Study, and to authorize the Mayor to enter into an agreement for professional services relating to the evaluation of three pump stations. Committee recommends approval. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #32-25, to authorize the Mayor to enter into an agreement with Axon Enterprise, Inc. for body worn cameras for the Olean Police Department. Committee recommends approval. Referred to City Attorney for Resolution,

Report from Committee of the Whole on PL #33-25, to authorize a private resident to make improvements upon an unused City-owned property. Referred to City Attorney for Resolution.

Report from Committee of the Whole on PL #34-25, to authorize the Mayor to enter into an agreement between the City of Olean and the Cattaraugus County SPCA for services related to cruelty cases and animal control for lost, stray and abandoned dogs within the City of Olean. Referred to City Attorney for Resolution.

COMMUNICATIONS FROM THE MAYOR

Notice of Retirement – Police Officer Denise Maestas effective April 11, 2025

Mayor Aiello explained he had originally set up a meeting with President Seneca on April 4, 2025, but they have reached out and rescheduled the meeting to April 7, 2025 so he and Brad Camp will be meeting with him that day at 11:00 a.m.

MISCELLANEOUS COMMUNICATIONS

None

CITY OFFICIAL REPORTS

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None

PROPOSED LEGISLATION AND REFERRALS

PL #31-25: (Aiello) To authorize the transfer of \$50,000 from Sewer Fund Balance to newly created Capital Fund #249, Sewer Study, and to authorize the Mayor to enter into an agreement for professional services relating to the evaluation of three pump stations. Referred to Committee of the Whole Tuesday, March 25, 2025 by Council President.

PL #32-25: (Aiello) To authorize the Mayor to enter into an agreement with Axon Enterprise, Inc. for body worn cameras for the Olean Police Department. Referred to Committee of the Whole Tuesday, March 25, 2025 by Council President.

PL #33-25: (Aiello) To authorize a private resident to make improvements upon an unused City-owned property. Referred to Committee of the Whole Tuesday, March 25, 2025 by Council President.

PL #34-25: (Aiello) To authorize the Mayor to enter into an agreement between the City of Olean and the Cattaraugus County SPCA for services related to cruelty cases and animal control for lost, stray and abandoned dogs within the City of Olean. Referred to Committee of the Whole Tuesday, March 25, 2025 by Council President.

PUBLIC COMMENT/INPUT

A motion to amend the time limit for public comment from five minutes to three was made by Alderman Crawford, seconded by Alderman Robinson. Voice vote, ayes all. Motion carried.

Nate Smith of 1214 Irving Parkway read into the record a letter sent to the Mayor and Aldermen:

*“Dear Mayor Aiello, Aldermen and Ms. Kerper,
I am reaching out regarding the West State reconstruction project. It sounds like not much is happening, but these projects have a way of springing to life. I have seen two versions of the project and both versions contain a center-street impediment to the driveway of our 96-year-old family business Worth W. Smith Co. (1624 West State St.). These impediments, whether they are a median or pedestrian island, would prevent east-bound traffic from entering our driveway entrance on West State St. We receive two to five tractor trailers per day and many of our customers have large vehicles and trailers. This inconvenience would be devastating, probably lethal, to our business. One could argue that trucks could enter from Washington Street, but trying to convey this to every truck delivery would be a nightmare (really impossible) and does the City of Olean really want two to five tractor trailers per day traversing Olean's side streets (right in front of an elementary school on Washington St.)? I believe West State Street is a designated truck route. Hence, the street should be designed to accommodate, not hamper, truck traffic.*

Another worry: Roundabouts will be smaller than the ones on North Union due to the narrower street width. Roundabouts on West State will probably resemble the one at the intersection of East State and Barry Street; a very tight radius and not truck-friendly. If east-bound trucks cannot turn into our driveway on West State Street, they probably won't be able to make a 360-degree rotation at the next roundabout due to the small radius. East-bound trucks would have to travel all the way to the intersection of West State and Union to reverse direction. This would be a confusing, inconvenient, and unreasonable transportation model. There are other businesses on West State that

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also receive regular truck traffic. This project and the center-street obstructions will be a concern for them as well.

I urge you not to underestimate the impact of projects like these on businesses. We live in a world of hyper-competition and consumers have lots of choices. When I stated that a center-street obstruction would be lethal to our business, I'm not being dramatic, just realistic. Please keep me in the loop if there are any developments or meetings regarding any aspect of the West State project.

*Sincerely and respectfully,
Nate Smith, President, Worth W. Smith"*

Tom Morgan of 1721 West Fall Road explained he has been dealing with Code Enforcement to get a property cleaned up, but he feels they have not done anything to remedy this situation. He explained he wants to know why nothing has been done and explained if they aren't doing their jobs, they should be let go. He explained he is very frustrated and it should not take years to get this cleaned up.

Lynn Sachowicz of Conewango Valley explained she is here to support the solution to the sewage dumped into the Allegheny River. She explained she feels the PL introduced tonight looks like a reactionary move rather than a well thought out comprehensive plan. She explained Mr. Camp explained a majority of the issues are on private property but if we have homes disconnected from the sanitary sewer for the roof drains and water flows into a catch basin that is not properly routed into the storm sewer, then nothing improves.

Glen Wahl of Little Valley explained he is upset the public comment limit was shortened from 5 minutes to 3 minutes at the last minute. He explained he feels the Mayor's administration is doing a poor job providing requested documentation and he will be forced to file a FOIL request. He explained he does not feel the City cares about transparency or communication.

Mark Alessi of Conewango Valley explained he has spent much of his time in the river downstream from here and he is concerned about what Olean is doing to the river. He thanked the Council for doing the people's business as he knows it is not always appreciated, and he hopes the Council does the right thing. He explained the issues of the discharges into the river have an effect on the area's reputation and this affects the economy, which affects everyone.

Jessica Davis of North Olean explained she is concerned that the last water report online is from 2020. She explained she purchased a special filter for her shower and her children's skin issues have gotten better. She expressed concern about the quality of the water in the City as well as the price of water bills.

Tina Abrams, a Tribal Councillor for the Seneca Nation of Indians, urged the City to reach out to the DEC in Albany to assist with a fix for the sewage discharge issue.. She thanked the Mayor for reaching out and scheduling a meeting with President Seneca. She explained there are many options for grants and they are offering their assistance with grant writing to help obtain these to fix the issue.

Klint Nephew, a Tribal Councillor with the Seneca Nation of Indians, explained they took a trip to Albany and learned a lot about the recovery help Olean can obtain from the DEC. He explained he is glad the Mayor reached out and will be meeting with President Seneca. He explained the Seneca Nation is extending out their hand to help, but Olean needs to accept it.

Justin Cashmere of North Olean explained he feels he has GI issues due to the water quality in Olean. He explained we are driving people out of Olean and no one will

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move here because people know Olean does not care about its residents. He explained Olean needs to do better.

Carlos Andres of Jamestown asked the Mayor if he drinks from the faucet at his home. Alderman Crawford noted public comment is not for Q&A.

Erin Boyd of Frewsburg explained she is really disappointed and devastated reflecting on the past two weeks after learning about the wastewater issue. She asked what has been done and explained there is no information or updates on the City's website. She explained she doesn't understand how the City could allow kids to grow up with this issue, and the City needs to do something to fix it.

A member of the Seneca Nation of Indians expressed his disappointment in the City and the Mayor for not doing anything about the wastewater issue. He encouraged the Mayor and the City to step up and fulfil their obligations. He expressed people who don't do their jobs get fired and someone should step up that will take over and do what needs to be done.

FINANCE / BILLS

By Alderman Crawford, Seconded by Alderman Forney

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 \$1,313,416.38 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.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTIONS

Alderman Crawford explained this Resolution has been amended as allowing parking on both sides of the road after 5 p.m. narrows the roadway too much and it is difficult for vehicles to get through. He explained signs are already on the west side for no parking at any time but it is not in the Code, so we need to pass this resolution to update this.

RESOLUTION #15-25 REVISED
PL #15-25

By Alderman Crawford, Seconded by Alderman Robinson

TO AMEND THE CITY OF OLEAN CODE OF ORDINANCES TO INCLUDE SECTION 24-140.1 TO PROHIBIT PARKING ON THE 200 BLOCK OF NORTH 12TH STREET FROM 7:00 A.M. TO 5:00 P.M. MONDAY THROUGH FRIDAY, EXCEPT HOLIDAYS, AND TO AMEND SECTIONS 24-135 TO REMOVE PRIOR PARKING RESTRICTIONS FOR THE 200 BLOCK OF NORTH 12TH STREET

RESOLVED, that the City of Olean Code of Ordinances is amended to include Section 24-140.1, as follows:

Sec. 24-140.1 Prohibited between 7:00 a.m. and 5:00 p.m. Monday through Friday except holidays:

<i>Street</i>	<i>Side</i>	<i>Extent</i>
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12th Street, North East Between Washington Street and Sullivan Street

***BE IT FURTHER RESOLVED**, that the City of Olean Code of Ordinances section 24-134, Prohibited at all Times, is amended to include the following:*

<i>Street</i>	<i>Side</i>	<i>Extent</i>
12 th Street, North Street	West	Between Washington Street and Sullivan Street

***BE IT FURTHER RESOLVED**, that the City of Olean Code of Ordinances is amended to remove the following from Section 24-135, No Parking Here to Corner:*

<i>Street</i>	<i>Side</i>	<i>Extent</i>
12 th Street, North Washington	East	50 feet north of its intersection with Street

***RESOLVED**, that this Resolution is hereby effective immediately.
ROLL CALL, AYES ALL. MOTION CARRIED.*

A motion to refer Resolution #29-25 back to committee was made by Alderman Crawford, seconded by Alderman Robinson. Voice vote, ayes all. Motion carried.

RESOLUTION #31-25
PL #31-25

By Alderman McCall, Seconded by Alderman Robinson

RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM SEWER FUND BALANCE TO NEWLY CREATED CAPITAL FUND #249 AND TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL SERVICES RELATING TO THE EVALUATION OF THREE PUMP STATIONS

***RESOLVED**, that Capital Fund #249, Sewer Study, be created.
RESOLVED, that the following transfer be authorized:*

<i>Account #</i>	<i>Description – General</i>	<i>Transferred From</i>	<i>Transferred to</i>
G-07-3-909.000	Sewer Fund Balance	\$50,000	
Capital Fund #249	Sewer Study		\$50,000

***BE IT FURTHER RESOLVED**, that the Common Council authorizes the Mayor to enter into an agreement for professional services relating to the evaluation of the pump stations located at South 4th Street, Martha Avenue, and Adams Street.
BE IT FURTHER RESOLVED, that this Resolution is effective immediately.
ROLL CALL, AYES ALL. MOTION CARRIED.*

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RESOLUTION #32-25

PL #32-25

By Alderman Anastasia, Seconded by Alderman Crawford

TO AUTHORIZE THE MAYOR TO ENTER INTO AN AGREEMENT WITH AXON ENTERPRISE, INC. FOR BODY WORN CAMERAS FOR THE OLEAN POLICE DEPARTMENT

WHEREAS, the Olean City Police Department utilizes body worn cameras in the fulfillment of their duties; and

WHEREAS, the City of Olean has found the use of body worn cameras to be a beneficial asset to the City of Olean; and

WHEREAS, the current agreement for body worn cameras is set to expire and Axon Enterprise, Inc. has presented a new five year agreement for body worn cameras for the Police Department;

BE IT RESOLVED, that the Common Council authorizes the Mayor to enter into an agreement with Axon Enterprise, Inc. for body worn cameras for the Olean Police Department.

RESOLVED, that this Resolution is effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #33-25

PL #33-25

By Alderman Anastasia, Seconded by Alderman Crawford

TO AUTHORIZE A PRIVATE RESIDENT TO MAKE IMPROVEMENTS UPON AN UNUSED CITY-OWNED PROPERTY

WHEREAS, a portion of the rear of the City-owned property located at 722 Homer Street is not currently utilized for municipal purposes; and

WHEREAS, a neighboring property owner has approached the City requesting the ability to improve the portion of the property with landscaping, fence painting, and gravel; and

WHEREAS, said resident is willing to enter into a Hold Harmless Agreement with the City of Olean to prevent liability issues in the case the resident is hurt while making improvements on said property; and

WHEREAS, the resident will not make permanent improvements upon the property and agrees that the City of Olean will retain ownership of the property, the property may be used by the City of Olean at any time in the future for municipal purposes without advanced notice, and the property owner will not be reimbursed for the cost of any improvements made to the property;

NOW, BE IT RESOLVED, that the Common Council of the City of Olean authorizes a private resident to make improvements upon a portion of unused City-owned property located at 722 Homer Street,

RESOLVED, that this Resolution is hereby effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

RESOLUTION #34-35

PL #34-35

By Alderman McCall, Seconded by Alderman Forney

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RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF OLEAN AND THE CATTARAUGUS COUNTY SPCA FOR SERVICES RELATED TO ANIMAL CRUELTY CASES AND ANIMAL CONTROL FOR LOST, STRAY AND ABANDONED DOGS WITHIN THE CITY OF OLEAN

WHEREAS, the SPCA has presented a contract to the City of Olean for services related to animal cruelty cases and animal control for dogs; and

WHEREAS, services for cruelty cases are for holding dogs for any matter in which the City will be pursuing cruelty charges for a per diem holding fee of \$15 per day, plus reimbursement for all reasonable and necessary medical expenses associated with treating such animal; and

WHEREAS, services for animal control for lost, stray, and abandoned dogs are for a cost of \$15 per day for the first five days and a cost of \$150 for transfer of ownership of the dog to the SPCA to allow the SPCA to adopt out the dog and/or make other disposition of the dog as it seems fit, at which point the City of Olean shall have no further monetary responsibility of the dog; and

RESOLVED, that the Common Council authorizes the Mayor to enter into an agreement between the City of Olean and the Cattaraugus County SPCA for services related to animal cruelty cases and animal control for lost, stray, and abandoned dogs within the City of Olean, to be billed to the City based on actual services performed.

RESOLVED, that this Resolution is hereby effective immediately.

ROLL CALL, AYES ALL. MOTION CARRIED.

ADJOURNMENT

Motion to adjourn was made by Alderman Crawford, seconded by Alderman McCall. Voice vote, ayes all. Motion carried. Meeting adjourned at approximately 7:20 p.m.

Frank Caputo, City Clerk

Mayor William J. Aiello

John Crawford, Council President

I hereby approve the foregoing minutes

Dated: ____ / ____ / ____

***STATE OF NEW YORK
COUNTY OF CATTARAUGUS
CITY OF OLEAN***

I, Frank Caputo, City Clerk of the City of Olean, do hereby certify that the foregoing minutes of the Common Council of the City of Olean is the true and correct copy of the whole thereof.

Frank Caputo, City Clerk