

# **Journal of Proceedings**

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

October 14, 2025

## **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, October 14, 2025 at 6:45 p.m.*

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

**ABSENT:** *None*

**OFFICIALS:** *Mayor William Aiello; Frank Caputo, City Clerk; Lens Martial, City Auditor; Bridget Marshall, City Attorney; James Sprague, Director of Public Works, and Tiffany Taylor, Managerial Confidential Administrative Secretary.*

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

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

*A motion to approve the minutes of the September 23, 2025 Regular Meeting was made by Alderman Robinson, seconded by Alderman Bennion. Voice vote, ayes all. Motion carried.*

### **COMMITTEE REPORTS & UNFINISHED COUNCIL BUSINESS**

*Report from Committee of the Whole on PL #89-25, to authorize the removal of unused, non-working lighting on North Union Street. Committee recommends approval. Referred to City Attorney for Resolution.*

*Report from Committee of the Whole on PL #104-25, to authorize the Mayor to enter into a contract between the City of Olean and the Cattaraugus County Land Bank for reimbursement of demolition costs. Committee recommends approval. Referred to City Attorney for Resolution.*

*Report from Committee of the Whole on PL #105-25, to adopt the Cattaraugus County Office of Emergency Services Emergency Medical Services Mutual Aid Plan. Committee recommends approval. Referred to City Attorney for Resolution.*

*Report from Committee of the Whole on PL #107-25, to support Senate Bill S.8481 and Assembly Bill A.8996 authorizing local governments to opt out of mandates under the Climate Leadership and Community Protection Act (CLCPA). Committee recommends approval. Referred to City Attorney for Resolution.*

*Report from Committee of the Whole on PL #108-25, to support Senate Bill S.1945 and House of Representatives Bill H.R.3699, the Energy Choice Act, in opposition to government-mandated natural gas bans. Committee recommends approval. Referred to City Attorney for Resolution,*

*Report from Committee of the Whole on PL #110-25, to amend the City of Olean Code of Ordinances to remove Section 10-27, Ambulance Board. Committee recommends approval. Referred to City Attorney for Resolution.*

### **COMMUNICATIONS FROM THE MAYOR**

*Special Recognition for Breast Cancer Awareness Month*

# **Journal of Proceedings**

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

October 14, 2025

*Mayor Aiello explained a revised Order on Consent has been entered into between the City of Olean and the Department of Environmental Conservation,. And milestones from this will be placed on the City of Olean website.*

## **MISCELLANEOUS COMMUNICATIONS**

*None*

## **CITY OFFICIAL REPORTS**

*Monthly Report of the City Auditor – month ended September 2025*

*Fiscal Summary as of September 30, 2025*

## **PROPOSED LEGISLATION AND REFERRALS**

PL #104-25: (Aiello) To authorize the Mayor to enter into a contract between the City of Olean and the Cattaraugus County Land Bank for reimbursement of demolition costs. *Referred to Committee of the Whole Tuesday, October 14, 2025 by Council President.*

PL #105-25: (Aiello) To adopt the Cattaraugus County Office of Emergency Services Emergency Services Mutual Aid Plan. *Referred to Committee of the Whole Tuesday, October 14, 2025 by Council President.*

PL #106-25: (Aiello) To authorize the transfer of funds from Capital Fund #193 to Capital Funds #225 and #241, and to authorize and direct the City Auditor to close Capital Funds #193 and #225. *Referred to Regular Meeting Tuesday, October 14, 2025 for Resolution by Council President.*

PL #107-25: (Aiello) To support Senate Bill S.8481 and Assembly Bill A.8996 authorizing local governments to opt out of mandates under the Climate Leadership and Community Protection Act (CLCPA). *Referred to Committee of the Whole Tuesday, October 14, 2025 by Council President.*

PL #108-25: (Aiello) To support Senate Bill S.1945 and House of Representatives Bill H.R.3699, the Energy Choice Act, in opposition to government-mandated natural gas bans. *Referred to Committee of the Whole Tuesday, October 14, 2025 by Council President.*

PL #109-25: (Bennion) To authorize the installation of Salvation Army directional signs at the corners of East State Street and Font Street, and Delaware Avenue and Front Street. *Referred to Regular Meeting Tuesday, October 14, 2025 for Resolution by Council President.*

PL #110-25: (Bennion) To amend the City of Olean Code of Ordinances to remove Section 10-27, Ambulance Board. *Referred to Committee of the Whole Tuesday, October 14, 2025 by Council President.*

## **FINANCE / BILLS**

*None*

## **RESOLUTIONS**

**RESOLUTION #85-25**

**PL #87-25**

*By Alderman Robinson, Seconded by Alderman Bennion*

# **Journal of Proceedings**

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

October 14, 2025

***TO AUTHORIZE THE REMOVAL OF UNUSED, NON-WORKING LIGHTING ON NORTH UNION STREET***

***RESOLVED***, that the Common Council authorizes the removal of unused, non-working lighting on North Union Street.

***RESOLVED***, that this Resolution is hereby effective immediately.

***ROLL CALL, AYES ALL EXCEPT ALDERMEN FORNEY AND CRAWFORD. MOTION CARRIED.***

**RESOLUTION #102-25**

**PL #104-25**

*By Alderman McCall, Seconded by Alderman Bennion*

***TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT BETWEEN THE CATTARAUGUS COUNTY LAND BANK CORPORATION AND THE CITY OF OLEAN FOR REIMBURSEMENT FOR THE DEMOLITION OF PROPERTIES WITHIN THE CITY OF OLEAN***

***WHEREAS***, the properties located at 330 North 10<sup>th</sup> Street, 316 Laurel Avenue, and 311 South Third Street within the City of Olean require demolition due to various critical Code Enforcement issues making the dwellings uninhabitable, being posted dangerous buildings and meeting the definition of blighted properties; and

***WHEREAS***, the Cattaraugus County Land Bank Corporation has offered to reimburse the City of Olean in the amount of seventy-four thousand four hundred dollars (\$74,400) for the demolition services performed at said properties;

***BE IT RESOLVED***, that the Common Council of the City of Olean authorizes the Mayor to execute a contract between the Cattaraugus County Land Bank and the City of Olean for reimbursement of the demolition of the properties located at 330 North 10<sup>th</sup> Street, 316 Laurel Avenue, and 311 South Third Street, Olean.

***RESOLVED***, that this Resolution is hereby effective immediately.

***ROLL CALL, AYES ALL. MOTION CARRIED.***

**RESOLUTION #103-25**

**PL #105-25**

*By Alderman Keary, Seconded by Alderman McCall*

***TO ADOPT THE CATTARAUGUS COUNTY OFFICE OF EMERGENCY SERVICES EMERGENCY MEDICAL SERVICES MUTUAL AID PLAN***

***WHEREAS***, all Emergency Medical Service (EMS) Agencies in Cattaraugus County share a common goal of providing patients with efficient, quality care; and

***WHEREAS***, the Cattaraugus County Emergency Medical Services Mutual Aid Plan is designed to allocate Mutual Aid resources in an efficient, patient-oriented manner with the primary objective of the plan to be property emergency medical care for the sick and injured persons;

***NOW, THEREFORE, BE IT RESOLVED***, that the Common Council hereby adopts the Cattaraugus County Office of Emergency Services Emergency Medical Services Mutual Aid Plan.

***RESOLVED***, that this Resolution is hereby effective immediately.

***ROLL CALL, AYES ALL. MOTION CARRIED.***

**RESOLUTION #104-25**

**PL #106-25**

Journal of Proceedings

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

October 14, 2025

By Alderman Bennion, Seconded by Alderman Crawford

**RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM CAPITAL FUND #193 TO CAPITAL FUNDS #225 AND #241, AND TO AUTHORIZE AND DIRECT THE CITY AUDITOR TO CLOSE CAPITAL FUNDS #193 AND #225**

**RESOLVED**, that the following transfers be authorized:

| <u>Account</u>        | <u>Description-General</u> | <u>Transferred from</u> |
|-----------------------|----------------------------|-------------------------|
| <u>Transferred to</u> |                            |                         |
| Capital Fund #193     | Washington Street Project  | \$137,917               |
| Capital Fund #225     | Laurens Street Project     |                         |
| \$125,748             |                            |                         |
| Capital Fund #241     | Wayne Street Project       |                         |
| \$12,169              |                            |                         |

**RESOLVED**, that the Common Council authorizes and directs the City Auditor to close the following Capital Funds:

Capital Fund #193 – Washington Street;

Capital Fund #225 – Laurens Street Project.

**BE IT FURTHER RESOLVED**, that this Resolution will be effective immediately.

**ROLL CALL, AYES ALL. MOTION CARRIED.**

**RESOLUTION #105-25**

**PL #107-25**

By Alderman Robinson, Seconded by Alderman Anastasia

**RESOLUTION IN SUPPORT OF S.8481 AND A.8996 AUTHORIZING LOCAL GOVERNMENTS TO OPT OUT OF MANDATES UNDER THE CLIMATE LEADERSHIP AND COMMUNITY PROTECTION ACT (CLCPA)**

**WHEREAS**, the New York State Legislature has enacted the Climate Leadership and Community Protection Act (CLCPA), which includes mandates and benchmarks related to electrification and climate standards in new construction and local code enforcement; and

**WHEREAS**, Senate Bill S.8481, sponsored by Senators Gallivan and Borrello, and Assembly Bill A.8996, sponsored by Assemblymember Bologna, would authorize local governments to opt out of certain mandates and benchmarks arising under the CLCPA and associated universal electrification requirements by filing a resolution with the Department of Environmental Conservation; and

**WHEREAS**, the City of Olean recognizes the importance of environmental stewardship and sustainability but also acknowledges the unique challenges faced by rural municipalities with limited staffing, resources, and infrastructure; and

**WHEREAS**, the additional unfunded mandates created under the CLCPA, if enforced at the municipal level, would impose an excessive administrative and financial burden on the City of Olean and its Code Enforcement Officers, thereby threatening the City ability to provide fair, timely, and effective code enforcement services; and

**WHEREAS**, electric-only infrastructure mandates pose unique hardships for rural communities, including but not limited to:

# Journal of Proceedings

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

October 14, 2025

- *Higher costs of compliance in areas where natural gas, propane, or fuel oil are the more reliable and affordable energy sources;*
- *Increased strain on electric grids that are already vulnerable in rural regions with limited transmission capacity and frequent outages;*
- *Greater risks to public safety during power outages, particularly in cold winter months when homes and businesses require dependable heating alternatives;*
- *Disproportionate economic impacts on residents with lower incomes, farmers, and small businesses who may not be able to afford the high upfront costs of electric-only systems;*
- *A lack of available contractors, suppliers, and infrastructure upgrades necessary to realistically transition rural housing and commercial stock to all-electric systems within the timelines set by the CLCPA; and*

**WHEREAS**, the CLCPA is not protective of rural communities such as Olean; and

**WHEREAS**, resiliency and energy choice are critical to the health, safety, and well-being of rural communities, and the preservation of multiple fuel options — including electricity, natural gas, propane, and fuel oil — is necessary to ensure that residents, farmers, and businesses can withstand prolonged outages and supply disruptions; and

**WHEREAS**, housing affordability is of particular concern in the City of Olean and similar rural communities, and the additional construction costs imposed by electric-only requirements would make it more difficult for young families, seniors, and working residents to build or maintain affordable housing; and

**WHEREAS**, the Common Council finds that providing local governments with the ability to opt out of these mandates ensures that home rule is preserved, local circumstances are respected, and affordability and public safety remain at the forefront of community decision-making; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Common Council of the City of Olean hereby expresses its strong support for Senate Bill S.8481 and Assembly Bill A.8996, and calls upon the New York State Legislature to advance and enact this legislation; and

**BE IT FURTHER RESOLVED** the City Clerk is hereby directed to transmit a certified copy of this resolution to Governor Hochul, Senator Gallivan, Senator Borrello, Assemblymember Bologna, Assemblymember Sempolinski, the New York State Conference of Mayors, and any other parties deemed appropriate.

**ROLL CALL, AYES ALL. MOTION CARRIED.**

## **RESOLUTION #106-25**

### **PL #108-25**

By Alderman Keary, Seconded by Alderman Bennion

**TO SUPPORT SENATE BILL S. 1945 AND HOUSE OF REPRESENTATIVES BILL H.R. 3699,  
THE ENERGY CHOICE ACT, IN OPPOSITION TO GOVERNMENT-MANDATED NATURAL GAS  
BANS**

**WHEREAS**, affordable and reliable energy is essential to the health, safety, and economic prosperity of New York families, businesses, and communities; and

**WHEREAS**, natural gas remains a dependable, cost-effective, and clean-burning energy source used by millions of New Yorkers to heat their homes, cook their food, and power their businesses; and

**WHEREAS**, in 2019, New York State enacted the Climate Leadership and Community Protection Act (CLCPA), which mandates aggressive emissions reductions and serves as

# Journal of Proceedings

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

October 14, 2025

*the foundation for sweeping energy restrictions, including efforts to phase out natural gas; and*

**WHEREAS**, *building on the CLCPA, Governor Kathy Hochul and the New York State Legislature in 2023 enacted provisions in the state budget banning natural gas and other fossil fuel hookups in most new residential and commercial buildings, effective 2026 for smaller buildings, and 2029 for larger buildings, thereby eliminating consumer choice and limiting access to affordable energy; and*

**WHEREAS**, *Governor Hochul has publicly supported these bans and related measures as part of her administration's climate and energy agenda, despite widespread concerns that such mandates will increase costs, strain grid reliability, and restrict energy diversity; and*

**WHEREAS**, *these top-down policies undermine affordability, threaten reliability during peak demand, and strip away the freedom of consumers and businesses to choose the energy sources that best meet their needs; and*

**WHEREAS**, *Congressman Nick Langworthy of New York and Senator Jim Justice of West Virginia introduced the Energy Choice Act (H.R. 3699, S. 1945), federal legislation that ensures state and local governments cannot restrict consumer access to natural gas and other affordable energy sources, thereby protecting freedom of choice for New Yorkers and all Americans; and*

**WHEREAS**, *the Energy Choice Act would safeguard households, small businesses, hospitals, farmers, and manufacturers from harmful government overreach and preserve access to an "all-of-the-above" energy strategy that strengthens reliability and affordability;*

**NOW, THEREFORE, BE IT RESOLVED**, *that the Common Council of the City of Olean strongly supports the Energy Choice Act as introduced by Congressman Langworthy (H.R. 3699) and Senator Justice (S. 1945) and stands firmly opposed to New York State's natural gas bans, the CLCPA-driven restrictions, and other state energy mandates that eliminate consumer choice; and*

**BE IT FURTHER RESOLVED**, *that the City of Olean Common Council urges Congress to pass the Energy Choice Act to defend consumer choice, protect energy affordability, and preserve reliable access to natural gas for New Yorkers; and*

**BE IT FURTHER RESOLVED**, *that copies of this resolution be sent to Congressman Nick Langworthy, Senator Jim Justice, the New York Congressional delegation, Senators Chuck Schumer and Kirsten Gillibrand, Governor Kathy Hochul, and leadership of the New York State Legislature.*

**ROLL CALL, AYES ALL EXCEPT ALDERMAN CRAWFORD, WHO VOTED NO. MOTION CARRIED.**

*Alderman Robinson explained he is opposed to installing signs for a business on City streets. He explained if this was a City-owned or Federal-owned building, a museum, or a historical site, he could understand if it was added to the current wayfinding signs. He explained when we have organizations looking to put signs up like this, we are opening a can of worms for other organizations to expect the same thing. He explained he will be voting no on this. Alderman McCall explained she has been reserved in placing signs before and we need to be mindful that we do not set a precedent to make it hard to say no to all churches and non-profits if they want a sign. Alderman Forney asked if there are other signs like this and Alderman Bennion explained there is one near North 9<sup>th</sup> Street for Trinity Methodist Church. Alderman Forney explained she understands both sides, but there are a lot of not-for-profits and we don't have the room to have signs for them all. Alderman Keary explained he went through the Code and these signs do not meet the intention of the signs that can be put up and he will also be voting against this.*

# Journal of Proceedings

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

October 14, 2025

## **RESOLUTION #107-25**

### **PL #109-25**

*By Alderman Keary, Seconded by Alderman Bennion*

#### ***TO AUTHORIZE THE INSTALLATION OF SALVATION ARMY DIRECTIONAL SIGNS AT THE CORNERS OF EAST STATE STREET AND FRONT STREET, AND DELAWARE AVENUE AND FRONT STREET***

***RESOLVED***, that the Common Council authorizes the installation of Salvation Army directional signs at the corners of East State Street and Front Street, and Delaware Avenue and Front Street.

***RESOLVED***, that the cost of such signage and installation shall be the responsibility of the Salvation Army.

***RESOLVED***, that Salvation Army officials shall coordinate with the Department of Public Works to arrange for installation and placement of said signage, to be at the discretion of Public Works and in accordance with New York State Department of Transportation standards.

***RESOLVED***, that this Resolution shall be effective immediately.

***ROLL CALL, AYES NONE; NOES ALL EXCEPT ALDERMAN BENNION, WHO ABSTAINED. MOTION DEFEATED.***

#### ***PUBLIC COMMENT***

*Alderman McCall thanked everyone who came out to the African American Cultural Center fundraiser. She explained on October 25<sup>th</sup> from 11:30 a.m. to 1:30 p.m. local businesses will be doing trick or treating for kids, and she will send out a flyer regarding this.*

*Karen Callahan of 2075 Hillcrest Avenue explained she does not feel safe in Olean, especially when she is out walking. She explained there are a lot of homeless and a lot of crime associated with homelessness, addiction and mental illness. She explained we need to ensure the safety of citizens and help people with mental health issues.*

*Lisa Simon explained she just renovated a home at 330 North Third Street and bought the old Sage at 1115 West State Street. She explained it is her pleasure to be a part of this community but she keeps having people around her building that are obviously on drugs or lighting fires behind the building to stay warm. She explained we need to provide more than just housing and also help with counseling, and explained she does not like to hear that the update on the Homelessness Task Force does not show any action.*

*A member of the Seneca Nation of Indians explained he is concerned about the lack of communication on the part of the City. He explained the taskforce formed for the protection of the river had meetings cancelled and nothing has been rescheduled. He requested an update to the progress that has been made as well as communication about what the City is doing to monitor issues caused in Franklinville with Ischua Creek.*

*Kayla Shaffer, a Salamanca Resident, explained she is also concerned with the lack of communication on the part of the City. She explained she is concerned about the homelessness issue as well. She explained she is glad the Council is supporting the legislation to prevent the requirement for electric-only new builds.*

#### ***ADJOURNMENT***

*Motion to adjourn in memory of Village of Allegany Mayor Gregory Pearl was made by Alderman Robinson, seconded by Alderman Anastasia. Voice vote, ayes all. Motion*

**Journal of Proceedings**

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

October 14, 2025

*carried. Meeting adjourned at approximately 7:25 p.m.*

\_\_\_\_\_  
*Frank Caputo, City Clerk*

\_\_\_\_\_  
*Mayor William J. Aiello*

\_\_\_\_\_  
*Vernon Robinson. Jr., 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*