

REGULAR MEETING OF THE COMMON COUNCIL  
APRIL 28, 2021  
7:00 PM

PRESENT: Mayor Sandra Magiera  
Council Members: John Hill, Kylee Johnson, Barry Smith,  
Paul Myers, Janet Koch  
City Clerk: Tracy Chamberlain  
Grant Writer/Youth Bureau Director: Sandra Brundage  
Acting Police Chief: Jamie Deck  
Police Commission Member: Heather Jackson  
Assistant Fire Chief: Daniel Kruszynski

Mayor Magiera called the meeting to order at 7:05 PM. After the Pledge of Allegiance, Mayor Magiera asked for a moment of silence.

CLD TO ORDER  
PLEDGE/MOMENT  
OF SIL

Moved by Hill and seconded by Smith:

RESOLVED: That we hereby approve and dispense with the reading of the minutes of the last regular meeting of April 14, 2021 and special meeting of April 14, 2021.

APRVL OF MINS  
OF 04/14/21 &  
SPEC MTG 04/14/  
21

Adopted Ayes: Hill, Johnson, Smith, Myers, Koch  
Nays: None

Old Business:

OLD BUS:

Moved by Hill and seconded by Koch:

RESOLVED: That we hereby remove from the table and reject the agreement between Urban Engineers and the City of Salamanca for general engineering services.

RESOL TO REMV  
AGREEMENT BETW  
URBAN ENGRS &  
CITY FROM THE  
TABLE

Adopted Ayes: Hill, Johnson, Smith, Myers, Koch  
Nays: None

New Business:

NEW BUS:

Moved by Hill and seconded by Koch:

RESOLVED: That we hereby authorize submitting an application to the Cattaraugus County Department of Public Works for funds to install Americans with Disabilities (ADA) compliant Boat Launch pieces and install gravel at the Front Avenue access to the Allegany River.

RESOL TO AUTH  
SUBMTG APPLCTN  
TO CATT CO  
DPW FOR FUNDS  
TO INSTAL ADA  
COMPLIANT BOAT  
LAUNCH & GRAVEL  
AT SITE ON FRNT  
AVE

BE IT FURTHER RESOLVED: That we hereby authorize the Mayor to sign any necessary documents.

Council Member Smith asked who would be responsible for the up keep. It was noted that the City DPW, Salamanca City Central School District and the Seneca Nation of Indians have agreed to assist and help with storage over the winter months.

UPKEEP BETWEEN  
CITY DPT, SALA  
CSD, & SNI

Adopted Ayes: Hill, Johnson, Smith, Myers, Koch  
Nays: None

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Moved by Myers and seconded by Johnson:

RESOLVED: That we hereby approve the Individual Program Application to be submitted to the Cattaraugus County Youth Bureau/New York State Office of Children and Family Services to run Youth Programs for the 2021 Program year, January 1, 2021 through December 31, 2021 and further authorize the Mayor to sign such application.

Adopted Ayes: Hill, Johnson, Smith, Myers, Koch  
Nays: None

RESOL TO APV  
INDIV PROGRM  
APPLCTN TO CATT  
CO YOUTH BUR/NY  
SOCFS FOR RUNG  
YOUTH PROGRS  
01/01/21-12/31/  
21

Moved by Myers and seconded by Johnson:

RESOLVED: That we hereby authorize the acceptance of the American Rescue Plan Act funds in the amount of \$592,562.00, with half available in 2021 and the other half available in 2022.

Grant Writer Brundage noted she is in the process of preparing the preliminary application. There are limited number of reimbursable items the funds can be used for.

Adopted Ayes: Hill, Johnson, Smith, Myers, Koch  
Nays: None

RESOL TO AUTH  
ACCP OF AMER  
RESCUE PLAN  
ACT FUNDS  
\$592,562, HALF  
AVAIL IN 2021&  
HALF IN 2022

Moved by Myers and seconded by Johnson:

RESOLVED: That we hereby appoint Tom Sturdevant, Salamanca, NY, as Provisional Fire Chief, effective April 28, 2021, contingent upon certification by Civil Service.

Adopted Ayes: Hill, Johnson, Smith, Myers, Koch  
Nays: None

RESOL TO APT  
TOM SUTRDEVANT  
PROV FIRE CHIEF  
EFF 04/28/21  
CONTING ON CERT  
BY CIVIL SERV

Moved by Myers and seconded by Smith:

RESOLVED: That we hereby authorize authorizing the acceptance of the Blue Cross and Blue Shield health insurance rate agreement.

It was noted that this will be to accept the insurance rates only for the June 1, 2021 renewal and that there may be a change in insurance broker. Council Member Hill stated he is okay as long as the City Attorney confirms it is okay to accept the insurance without a decision on the broker.

Adopted Ayes: Hill, Johnson, Smith, Myers, Koch  
Nays: None

RESOL TO AUTH  
AUTHZNG ACCPT  
OF BCBS HEALTH  
INS RATE AGRMT  
ONLY FOR 2021,  
WITH CONFIRM  
BY CITY ATY  
THAT BROKER MAY  
CHANGE

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Moved by Hill and seconded by Johnson:

RESOLVED: That we hereby approve to provide a vehicle for the On-Call Police Investigator.

RESOL TO APV  
VECH FOR ON-  
CALL POL INVES  
TIGATOR

There was some discussion regarding questions the Council has. Council Member Koch noted she is waiting for an answer from the City Attorney regarding the City's liability. She asks that this be tabled until then. No vote was taken and the following action was taken.

CITY ATTY DEC-  
IDING ON CITY  
LIABILITY SO  
REQ TO TABLE  
RESOL

Moved by Koch and seconded by Myers:

RESOLVED: That we hereby table the request to provide a vehicle for the On-Call Police Investigator.

RESOL TO TABLE  
REQ FOR VECHIC  
FOR ON-CALL  
POL INVESTIGA-  
TOR

Adopted Ayes: Hill, Johnson, Smith, Myers, Koch  
Nays: None

Moved by Johnson and seconded by Hill:

RESOLVED: That we hereby cancel the second meetings of the Common Council for June, July and August (June 23<sup>rd</sup>, July 24<sup>th</sup> and August 28<sup>th</sup>).

RESOL TO CANX  
2 MTGS OF  
COUNCIL FOR  
MO OF JUNE,  
JULY, AUG 2021  
(MAYOR TO CALL  
MEETG IF NEC)

It is noted the Mayor will call a special meeting if necessary.

Adopted Ayes: Hill, Johnson, Smith, Myers, Koch  
Nays: None

Moved by Koch and seconded by Hill:

RESOLVED: That we hereby waive the agenda rule to consider other business.

RESOL TO WAIVE  
AGENDA

Adopted Ayes: Hill, Johnson, Smith, Myers, Koch  
Nays: None

Moved by Koch and seconded by Myers:

RESOLVED: That we hereby request the City Clerk to properly advertise for Request for Proposals (RFP) for health insurance broker services.

RESOL TO REQ  
CITY CLK TO  
ADVTISE RFP  
FOR HEALTH  
INS BROKER SVS  
AND RFP FOR  
GEN ENGINRNG  
SERVSS

BE IT FURTHER RESOLVED: That we hereby request the City Clerk to properly advertise for Request for Proposals (RFP) for general engineering services

Adopted Ayes: Hill, Johnson, Smith, Myers, Koch  
Nays: None

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Moved by Koch and seconded by Smith:

RESOLVED: That we hereby approve raising the employees' portion of health insurance premium from 18% to 20%, to coincide with the Board of Public Utilities union contract. It was noted that the union contracts state the employees' portion can be up to 25%.

Adopted Ayes: Hill, Johnson, Smith, Myers, Koch  
 Nays: None

Under Communications from the Mayor and Council:

- Mayor Magiera stated that the family of former Council Member Timothy Flanigan will be holding a celebration in honor of him. The Council is invited to attend on Saturday, May 29, 2021 at the Main Street Park, which has been named in honor of Mr. Flanigan.
- Council Member Koch asked if the City will be receiving the awnings through the Main Street grant. Mayor Magiera noted that due to COVID the project was delayed and Cattaraugus County has extended the grant until December 31, 2021. It has been confirmed that they can be mounted on the brick on the Ray Evans Seneca Theater.
- Council Member Koch asked about the electric bikes that the Police Club is fundraising to purchase. Acting Police Chief Deck explained that they are hoping to purchase two bikes, which can cost up to \$4,600.00 each. He reviewed what they can do.
- Council Member Koch asked that the City Attorney be asked to attend the next two Council meetings. This can be done via Zoom or in person.

Moved by Hill and seconded by Smith:

RESOLVED: That the bills be paid as warranted and recommended by the appropriate Commissions and/or Department Heads, the City Comptroller and City Clerk and that the reports of the City Judge, Police Chief and Dog Control Officer for the month of March 2021 are hereby accepted and filed.

RESOL TO APV  
 RAISE OF EMPEE  
 PORTION OF HLT  
 INS PREM FROM  
 18% to 20% TO  
 COINCIDE WITH  
 BPU UNION CON-  
 TRACT (max can  
 be 25%)

COMMUNICATIONS

TIM FLANIGAN  
 MEM CELEBRATIO  
 AT MAIN ST PK  
 05/29/21

AWNINGS FOR  
 MAIN ST GRANT  
 EXTENDED BY  
 COUNTY UNTIL  
 12/31/21

ELECTRIC BIKES  
 FOR SPD

REQ CITY ATY  
 TO ATTEND NEXT  
 TWO COUNCIL  
 MTGS IN PERSON  
 OR VIA ZOOM

APRVL OF BILLS  
 AND CERTAIN  
 DPT REPORTS

--DATE--	--TYPE--	NUMBER	-----DESCRIPTION-----	----AMOUNT----	S
4/16/2021	CHECK	061288	CITY OF SALAMANCA FED WITHHOLD	5,233.46CR	
4/16/2021	CHECK	061289	CITY OF SALAMANCA PAYROLL ACCO	72,008.37CR	
4/20/2021	CHECK	061290	NY STATE & LOCAL EMPLOYEE'S RE	7,393.64CR	
4/21/2021	CHECK	061291	BLUE CROSS/BLUE SHIELD OF WNY	30.13CR	
4/21/2021	CHECK	061292	SALAMANCA RAIL MUSEUM	15,000.00CR	
4/23/2021	CHECK	061293	CITY OF SALAMANCA FED WITHHOLD	5,190.08CR	
4/23/2021	CHECK	061294	CITY OF SALAMANCA PAYROLL ACCO	71,512.63CR	

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4/26/2021 CHECK	061295	FIVE STAR BANK	72,443.76CR
4/30/2021 CHECK	061296	AIRGAS USA, LLC	48.35CR
4/30/2021 CHECK	061297	AUTOZONE	76.92CR
4/30/2021 CHECK	061298	BOUND TREE MEDICAL, INC.	106.99CR
4/30/2021 CHECK	061299	INCIDENT RESPONSE & MITIGATION	555.98CR
3/31/2021 CHECK	061303	ALLEGHENY STORE FIXTURES DBA A	879.00CR
3/31/2021 CHECK	061304	CARDMEMBER SERVICE	2,201.86CR
3/31/2021 CHECK	061305	EMPIRE ANIMAL RESCUE SOCIETY	2,638.00CR
3/31/2021 CHECK	061306	STAPLES CREDIT PLAN	141.22CR
4/30/2021 CHECK	061307	ALLEGHENY STORE FIXTURES DBA A	7,732.00CR
4/30/2021 CHECK	061308	EMERLING FORD, INC.	156.88CR
4/30/2021 CHECK	061309	MOTOROLA SOLUTIONS, INC.	268.80CR
4/30/2021 CHECK	061310	RANDOLPH AUTO SUPPLY	217.39CR
4/30/2021 CHECK	061311	SEWING TECHNOLOGY UNIFORM INC	224.78CR
4/30/2021 CHECK	061312	SIRCHIE	84.20CR
4/30/2021 CHECK	061313	THE PAPER FACTORY	751.93CR
4/30/2021 CHECK	061314	AIRGAS USA, LLC	111.50CR
4/30/2021 CHECK	061315	ATLANTIC BROADBAND	195.14CR
4/30/2021 CHECK	061316	BLUE COLLAR WORKWEAR	444.00CR
4/30/2021 CHECK	061317	BSN SPORTS, INC.	899.51CR
4/30/2021 CHECK	061318	CARDMEMBER SERVICE	49.99CR
4/30/2021 CHECK	061319	COMPLETE PAYROLL PROCESSING IN	249.90CR
4/30/2021 CHECK	061320	CYNCON EQUIPMENT, INC	1,722.09CR
4/30/2021 CHECK	061321	EMERLING CHRYSLER DODGE JEEP R	31.44CR
4/30/2021 CHECK	061322	FASTENAL COMPANY	98.90CR
4/30/2021 CHECK	061323	GRAINGER	286.11CR
4/30/2021 CHECK	061324	IRR SUPPLY CENTERS INC	103.37CR
4/30/2021 CHECK	061325	LACAL EQUIPMENT, INC	253.00CR
4/30/2021 CHECK	061326	M.I.S. OF AMERICA, INC.	180.00CR
4/30/2021 CHECK	061327	METROPOLITAN TELECOMMUNICATION	1,552.91CR
4/30/2021 CHECK	061328	NATIONAL FUEL	278.80CR
4/30/2021 CHECK	061329	NOLLOTH THOMPSON AGENCY INC	1,500.00CR
4/30/2021 CHECK	061330	PRO-FLEX ADMINISTRATORS LLC	280.00CR

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4/30/2021	CHECK	061331	QUADIENT LEASING USA, INC.	251.77CR
4/30/2021	CHECK	061332	SCOTT J COLLINS	1,459.00CR
4/30/2021	CHECK	061333	SOUTHERN TIER ELECTRIC SUPPLY	28.00CR
4/30/2021	CHECK	061334	STRATE WELDING SUPPLY CO., INC	284.35CR
4/30/2021	CHECK	061335	THE PAPER FACTORY	76.78CR
4/30/2021	CHECK	061336	TYLER TECHNOLOGIES, INC.	288.75CR
4/30/2021	CHECK	061337	U.S. BANK EQUIPMENT FINANCE	119.13CR
4/30/2021	CHECK	061338	VALPRO SANITARY SUPPLIES, INC.	75.00CR
4/30/2021	CHECK	061339	PORTVILLE TRUCK & AUTO REPAIR,	112.00CR
4/30/2021	CHECK	061340	RANDOLPH AUTO SUPPLY	619.92CR

Adopted Ayes: Hill, Johnson, Smith, Myers, Koch  
Nays: None

Moved by Johnson and seconded by Hill:

RESOLVED: That the Mayor and Council enter into executive session for the purpose of discussing personnel matters relating to a particular person under the provisions of the State's Open Meetings Law.

EXEC SESN

Adopted Ayes: Hill, Johnson, Smith, Myers, Koch  
Nays: None

Moved by Myers and seconded by Smith:

RESOLVED: That the Mayor and Council reconvene after approximately fifty minutes in executive session.

RECONVENE

Adopted Ayes: Hill, Johnson, Smith, Myers, Koch  
Nays: None

Moved by Johnson and seconded by Hill:

RESOLVED: That we hereby create a Promotional Assistant Fire Chief position to be appointed as the Code Enforcement Officer.

RESOL TO CREATE  
PROMOTIL ASSISTINT  
FIRE CHIEF POSIT  
TO BE APTD AS  
CODE ENFRGMT OFCR

Adopted Ayes: Hill, Johnson, Myers, Koch  
Abstain: Smith  
Nays: None

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Moved by Hill and seconded by Myers:

RESOLVED: That we hereby authorize Active Police Chief Jamie Deck to receive the 2 percent wage increase effective April 1, 2021.

Adopted Ayes: Hill, Johnson, Smith, Myers, Koch  
Nays: None

RESOL TO AUTH ACTIV  
POL CHF DECK TO  
RECV 2% WAGE INCR,  
EFF 04/01/21

Moved by Hill and seconded by Johnson:


RESOLVED: That we hereby adjourn – 8:30 PM.  
Carried.

ADJOURN

  
\_\_\_\_\_  
Tracy Chamberlain, City Clerk

Dated: May 4, 2021

THE ABOVE RESOLUTIONS, AS ADOPTED BY THE COMMON COUNCIL,  
ARE HEREBY APPROVED.

  
\_\_\_\_\_  
Sandra Magiera, Mayor

Dated: May 6, 2021