

REGULAR MEETING OF THE COMMON COUNCIL  
MAY 11, 2022  
7:00 PM

PRESENT: Mayor Sandra Magiera  
Council Members: Kylee Johnson, Barry Smith,  
Paul Myers, Janet Koch  
City Clerk: Tracy Chamberlain  
City Comptroller: Kathleen Sarver  
Fire Chief: Tom Sturdevant  
Grant Writer/Youth Bureau Director: Sandra Brundage  
BPU General Manager: Dennis Hensel  
ABSENT: Council Member John Hill

Mayor Magiera called the meeting to order at 7:00 PM. After the Pledge of Allegiance, Mayor Magiera asked for a moment of silence.

Moved by Myers and seconded by Smith:

RESOLVED: That we hereby approve and dispense with the reading of the minutes of the last regular meeting of April 27, 2022 and the Special Meeting of April 27, 2022.

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

Moved by Johnson and seconded by Koch:

WHEREAS, local Non-for-Profit organizations have requested to hold fundraisers in the intersection of Broad Street, Clinton Street and Main Street and intersection of Broad Street and Center Street, and

WHEREAS, the Police Commission has reviewed and advised that these locations are acceptable to hold the fundraisers, with caution, and

WHEREAS, the organizations holding the fundraisers are required to use safety vests, have no children in the roadways, not unduly disrupt traffic and provide an insurance certificate naming the City as Additional Insured in the amount of \$1,000,000.00, and

WHEREAS, the United Way of Cattaraugus County, Inc., has requested to hold such fundraiser.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS: The City of Salamanca Common Council authorizes the United Way of Cattaraugus County, Inc. to hold newspapers sales on June 10, 2022, between the hours of 6:00 AM to 9:00 AM, at the intersection of Broad Street, Clinton Street and Main Street and intersection of Broad Street and Center Street, subject to the conditions set forth above.

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

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Moved by Koch, with no second, such resolution died on the floor:

RESOLVED: That we hereby cancelling the second meetings of the Common Council for June, July and August (June 22<sup>nd</sup>, July 27<sup>th</sup> and August 24<sup>th</sup>).

Council Member Smith noted that someone attending a past meeting had asked why these are cancelled and others have asked him as well. He feels that the Council needs to have the meetings even if they are short. Council Member Johnson and Myers also recall the meeting when they were asked why the meetings are cancelled. Council Member Myers stated it was noted that Council picks and chooses which parts of the Charter to follow.

Moved by Johnson and seconded by Myers:

RESOLVED: That we hereby declare the Fire Departments 20 Horse Power Mercury Outboard boat engine as surplus and further authorize the sale or disposal of such engine.

Chief Sturdevant noted the boat engine was purchased around 1964. There have been ongoing issues and it was found to have a bad cylinder. A replacement engine was purchased for the boat. They plan to offer the old engine to the boat repair shop that provided a replacement engine.

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

Moved by Johnson and seconded by Smith:

RESOLVED: That we hereby appoint Tom Sturdevant as Permanent Fire Chief with benefits.

Council Member Koch noted she would like to discuss benefits. There was a consensus to table until after executive session and no vote was taken.

Mayor Magiera made the following appointment which is a Mayor only appointment:  
SALAMANCA CHARTER COMMISSION  
Appointment of Tracy Chamberlain, Salamanca, NY, beginning on May 12, 2022.

Moved by Koch and seconded by Smith:

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

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

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Moved by Koch and seconded by Myers:

RESOLVED: That we hereby authorize the purchase of two new 2022 Dodge Ram Tradesman Quad Cab 4X4 trucks from CNF Services, Inc., DBA - Rock City Chrysler Jeep Dodge, Little Valley, NY, under NYS Contract # PC68929, in the amount of \$38,946.00 each, with a total of \$77,892.00, for the Department of Public Works.

Such bid is attached to and made part of these minutes.

Adopted Ayes: Johnson, Smith, Myers, Koch

Nays: None

Communications from the Mayor and Council:

- Council Member Smith stated there will be a program offered to households in need of City Clean-up that can not afford it. Others can donate the fee to pay for another. There was some discussion on how the program will work.
- Council Member Koch stated it is sad to hear the Silver Bells store will close.
- Council Member Koch asked if there are electric car charging stations within the City. It was noted that there is one behind City Hall and the BPU is working to get a DC station with five spots installed at the Seneca Gaming Bingo Hall.
- Council Member Koch asked if the Charter Commission will consider amending the Charter with regard to the cancellation of the second meeting in the summer months.
- Mayor Magiera read letters she received from some Salamanca City Central School District senior students. Such letters are attached to these minutes. She noted she responded to them with her feelings. She noted these are good points and that these students are the future of the City.
- Council Member Smith thanked who is hanging the Hometown Hero banners.
- Council Member Koch stated that there was a day that there was no one available for Code Enforcement. Chief Sturdevant noted he will see that this does not happen again.

Moved by Smith and seconded by Johnson:

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 Fire Chief for the months of March and April 2022 and the City Clerk, City Comptroller and City Judge for the month of April 2022 are hereby accepted and filed.

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DATE	TYPE	NUMBER	DESCRIPTION	AMOUNT
4/29/2022	CHECK	062877	CITY OF SALAMANCA PAYROLL ACCO	79,260.11CR
4/29/2022	CHECK	062878	CITY OF SALAMANCA PAYROLL ACCO	6,051.40CR
5/06/2022	CHECK	062879	CITY OF SALAMANCA PAYROLL ACCO	89,068.08CR
5/06/2022	CHECK	062880	CITY OF SALAMANCA PAYROLL ACCO	6,595.15CR
5/06/2022	CHECK	062881	SALAMANCA CENTRAL SCHOOL DISTR	15,388.20CR
5/06/2022	CHECK	062882	BRANDIE FULLER	5.27CR
5/06/2022	CHECK	062883	CALE BENJAMIN	32.92CR
5/06/2022	CHECK	062884	CHAUTAUQUA BRICK CO., INC	662.12CR
5/06/2022	CHECK	062885	KYLE GROSS	154.44CR
5/06/2022	CHECK	062886	MAC TRUCK PARTS	577.21CR
5/06/2022	CHECK	062887	PATRICK STEFFAN	73.82CR
5/13/2022	CHECK	062888	ASSOCIATION OF NYS YOUTH BUREA	125.00CR
5/13/2022	CHECK	062889	BEICHNER WASTE SERVICES, INC.	150.15CR
5/13/2022	CHECK	062890	BLUE COLLAR WORKWEAR	600.00CR
5/13/2022	CHECK	062891	BOYLE'S MOTOR SALES INC.	395.55CR
5/13/2022	CHECK	062892	BRADFORD PUBLISHING COMPANY	118.56CR
5/13/2022	CHECK	062893	CASELLA WASTE SYSTEMS, INC.	85.60CR
5/13/2022	CHECK	062894	CATTARAUGUS COUNTY DPW	23.23CR
5/13/2022	CHECK	062895	CITY OF SALAMANCA BPU	18,309.13CR
5/13/2022	CHECK	062896	VOID CHECK	0.00
5/13/2022	CHECK	062897	DECKER TREE SERVICE	1,700.00CR
5/13/2022	CHECK	062898	FASTENAL COMPANY	122.06CR
5/13/2022	CHECK	062899	GERNATT ASPHALT	941.51CR
5/13/2022	CHECK	062900	GRAINGER	89.01CR
5/13/2022	CHECK	062901	JAMES B SCHWAB CO	60.60CR
5/13/2022	CHECK	062902	JAMESTOWN MACADAM, INC	11,893.00CR
5/13/2022	CHECK	062903	LAWLEY BENEFITS CONSULTING	1,500.00CR
5/13/2022	CHECK	062904	NATIONAL FUEL	4,208.65CR
5/13/2022	CHECK	062905	PRO-FLEX ADMINISTRATORS LLC	320.00CR
5/13/2022	CHECK	062906	QUADIENT FINANCE USA, INC	2,000.00CR
5/13/2022	CHECK	062907	RANDOLPH AUTO SUPPLY	323.47CR
5/13/2022	CHECK	062908	RICOH USA	104.63CR

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5/13/2022 CHECK	062909	RICOH USA, INC.	80.00CR
5/13/2022 CHECK	062910	SANDRA L. BRUNDAGE	74.99CR
5/13/2022 CHECK	062911	SCHUBERT ENTERPRISES, LLC	73.50CR
5/13/2022 CHECK	062912	STAPLES CONTRACT & COMMERCIAL	1,030.38CR
5/13/2022 CHECK	062913	SUPERIOR AUTO SUPPLY INC	263.24CR
5/13/2022 CHECK	062914	U.S. BANK EQUIPMENT FINANCE	119.13CR
5/13/2022 CHECK	062915	UNIFIRST CORPORATION	58.15CR
5/13/2022 CHECK	062916	VALPRO SANITARY SUPPLIES, INC.	17.15CR
5/13/2022 CHECK	062917	VERIZON WIRELESS	867.08CR
5/13/2022 CHECK	062918	WORTH W SMITH	196.56CR
5/13/2022 CHECK	062919	AIRGAS USA, LLC	184.92CR
5/13/2022 CHECK	062920	AUTOZONE, INC.	71.25CR
5/13/2022 CHECK	062921	DYLAN DAVIS	311.00CR
5/13/2022 CHECK	062922	INCIDENT RESPONSE & MITIGATION	511.42CR
5/13/2022 CHECK	062923	RANDOLPH AUTO SUPPLY	29.83CR
5/13/2022 CHECK	062924	SALAMANCA FIREFIGHTERS LOCAL 2	47.00CR
5/13/2022 CHECK	062925	SCHUBERT ENTERPRISES, LLC	1,197.90CR
5/13/2022 CHECK	062926	WORTH W SMITH	203.15CR
5/13/2022 CHECK	062927	VOID CHECK	0.00
5/13/2022 CHECK	062928	ZOLL MEDICAL CORPORATION	1,268.00CR
5/13/2022 CHECK	062929	CALE BENJAMIN	102.78CR
5/13/2022 CHECK	062930	CENTER FOR EDUCATION & EMPLOYM	159.00CR
5/13/2022 CHECK	062931	EMERLING FORD, INC	989.98CR
5/13/2022 CHECK	062932	GALLS, LLC.	204.71CR
5/13/2022 CHECK	062933	INCIDENT RESPONSE & MITIGATION	59.99CR
5/13/2022 CHECK	062934	RANDOLPH AUTO SUPPLY	273.59CR
5/13/2022 CHECK	062935	RICOH USA	57.89CR
5/13/2022 CHECK	062936	RICOH USA, INC.	66.60CR
5/13/2022 CHECK	062937	SIRCHIE	207.39CR
5/13/2022 CHECK	062938	THE PAPER FACTORY	27.34CR
5/13/2022 CHECK	062939	LAWLEY BENEFITS CONSULTING	1,500.00CR
5/13/2022 CHECK	062940	U & S SERVICES INC	198.00CR

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Special Revenue Accounts

Check #	Date	Account Name	Amount
1530	5/4/2022	Hunt Engineering, Architects & Landscapers	\$4,295.00

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

Moved by Koch and seconded by Smith:

RESOLVED: That the Mayor and Council enter into executive session for the purpose of discussing employment history of a particular employee under the provisions of the State's Open Meetings Law.

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

Moved by Smith and seconded by Koch:

RESOLVED: That the Mayor and Council reconvene after approximately thirty-five minutes in executive session.

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

Moved by Johnson and seconded by Myers:

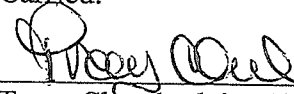
RESOLVED: That we hereby appoint Tom Sturdevant as Permanent Fire Chief effective April 5, 2022, with an annual wage of \$88,000.00 and benefits to be reviewed and decided on at the next regular meeting of May 25, 2022.

The Council congratulated Chief Sturdevant on passing the Civil Service test.

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

Moved by Johnson and seconded by Myers:

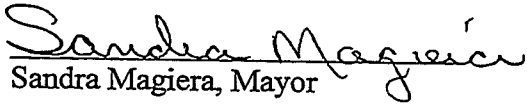
RESOLVED: That we hereby adjourn – 8:05 PM.  
Carried.

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

Dated: May 16, 2022

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

  
Sandra Magiera, Mayor

Dated: May 19, 2022

ROCK CITY CHRYSLER JEEP DODGE  
 520 ROCK CITY ST  
 LITTLE VALLEY, NY 147551228

Configuration Preview

Date Printed: 2022-01-07 11:31 AM VIN: Quantity: 1  
 Estimated Ship Date: VON: Status: BA - Pending order

Sold to: Ship to:  
 ROCK CITY CHRYSLER JEEP DODGE (45441) ROCK CITY CHRYSLER JEEP DODGE (45441)  
 520 ROCK CITY ST 520 ROCK CITY ST  
 LITTLE VALLEY, NY 147551228 LITTLE VALLEY, NY 147551228

Vehicle: 2022 1500 TRADESMAN QUAD CAB 4X4 (140.5IN WB / 6FT 4IN BOX) (DS6L41)

	Sales Code	Description	MSRP(USD)
Model:	DS6L41	1500 TRADESMAN QUAD CAB 4X4 (140.5IN WB / 6FT 4IN BOX)	38,365
Package:	29B	Customer Preferred Package 29B	0
	ERB	3.6L V6 24V VVT Engine	0
	DFT	8-Spd Auto B50RE Trans (Make)	0
Paint/Seat/Trim:	PR4	Flame Red Clear Coat	0
	APA	Monotone Paint	0
	TX	HD Vinyl 40/20/40 Split Bench Seat	0
	-X8	Black/Diesel Gray	0
Options:	GXM	Remote Keyless Entry with All-Secure	190
	5N6	Easy Order	0
	132	Zone 32-New York	0
	4EA	Sold Vehicle	0
Discounts:	YGE	5 Additional Gallons of Gas	0
Destination Fees:			1,795
			= Restriction

Total Price: 40,350

Order Type: Retail PSP Month/Week:  
 Scheduling Priority: 1-Sold Order Build Priority: 99  
 Salesperson:  
 Customer Name:  
 Customer Address:

Instructions.

*Bid Price: \$38,946*

CONTRACT #	CONTRACTOR	FED.IDENT.#	NYS VENDOR#
PC68929 SB	CNF Services Inc. DBA Rock City Chrysler Jeep Dodge Ram	83-0512473	1100010221

Note: This is not an invoice. The prices and equipment shown on this priced order confirmation are tentative and subject to change or correction without prior notice. No claims against the content listed or prices quoted will be accepted. Refer to the vehicle invoice for final vehicle content and pricing. Orders are accepted only when the vehicle is shipped by the factory.



## Magiera, Sandra

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**From:** Zwick, John <John.Zwick@salamancany.org>  
**Sent:** Wednesday, April 27, 2022 10:22 AM  
**To:** Magiera, Sandra  
**Subject:** School Project

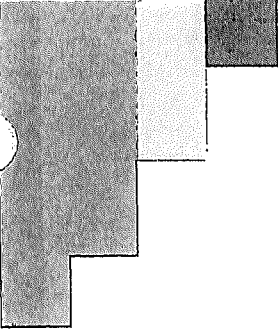
Good morning mayor,

I am once again reaching out to you and your office for a project in which I must contact and receive a response from an elected official, the topic I'll be covering regards the hazardous conditions pertaining to the sidewalks during the frigid winter months.

I am a grade 12 student enrolled in Salamanca senior high school, writing to you for a course project. To slim down a tad bit for graduation, I have taken to walking my morning commute to school in the morning as well as walking four-mile loops around this scenic town of ours. The work of the DPW is commendable during winter, I am always impressed by the speed with which they plow the roads and sidewalks. However, it is what lies beneath the blanket of snow which I have taken issue with, Ice. I reside on Washington street. To get to school I must cross the Center Street bridge that overlooks the Allegheny River. The frequent traffic that crosses this bridge causes a mixture of exhaust-melted-slurry that then covers the sidewalk, only to freeze again. This is a more typical example of how ice build-up occurs on the center street bridge, although as you may recall weather patterns have been quite unpredictable these past few months. Instances where it had rained the night prior to freezing temperatures, or days where it was warm enough to thaw, yet cold enough the following night to freeze led to the worse examples of ice accumulation. It is my concern that slippery sidewalks on a bridge that supports a plethora of traffic could lead to a horrific slip-and-fall incident. I humbly request that you look over the acquisition of rock salt for the DPW to use on substantial risk, icy sidewalks.

Thank you for your time.

Confidentiality Notice: This electronic message and any attachments may contain confidential or privileged information, and is intended only for the individual or entity identified above as the addressee. If you are not the addressee (or the employee or agent responsible to deliver it to the addressee), or if this message has been addressed to you in error, you are hereby notified that you may not copy, forward, disclose or use any part of this message or any attachments. Please notify the sender immediately by return e-mail or telephone and delete this message from your system.



4/22/2022

Sandy Magiera  
225 Wildwood Avenue  
Salamanca, NY, 14779

Dear Sandy Magiera,

I am a student at Salamanca High School this is a project where we have to write to an elected official. My name is Ryan Smith and I'm writing to you about how the potholes on the side streets like Washington street where you have to go slower than you would normally go onto it. My resolution for that is that we can hopefully fix all the side streets.

Ryan smith

Robert J McLarney  
125 Prospect Avenue  
Salamanca, NY 14779

Sandy Magiera  
Salamanca Mayor  
225 Wildwood Ave #14  
Salamanca, NY 14779

Dear Sandy Magiera,

Here at Salamanca High School the seniors who are taking Economics and Government were directed to contact an elected official about a change we would like to see in our town of Salamanca, New York. The arising problem I feel our town is facing is the number of dispensaries that are in town, I believe there should be a stricter limit to the number of dispensaries.

The problem we face at Salamanca High School with the high number of dispensaries is the teens that know the owners or workers. These teens come into the business and purchase products and then these students bring them into school which typically ends with a suspension for the students and extends our ongoing drug problem in the school. Firsthand, I know of a few dozen people who are not the legal age yet purchase products from these dispensaries. The weed products are becoming easier to conceal and they are getting to be more convenient to access. My sister is in 3<sup>rd</sup> grade, and she attends Prospect Elementary, within 2 blocks of the school there is a dedicated dispensary and 2 convenience stores that distribute weed products.

This isn't a good representation of a town who is trying to fight for every bit of good reputation. It's a horrible that parents and guardians send their kids to a place where there are multiple weed distributors close by. There are large advertisement flags as high as 15-20 feet tall and many yard signs along the roads that make it transparent, we are a town who is content with our sole public businesses being drug based.

There is also a statement made by Paul Myers stating "some sellers would lace marijuana with fentanyl when he worked for the city police department. It all depends on who you buy it from and who you trust," he said. Another resident who attended the public meeting where Paul Myers made that statement had this to say, "Just because someone opens a shop doesn't mean they know what they're doing." These dispensaries in Salamanca are unlawful and ruining the chance of a positive business perspective in a small town. I hope this can open your perspective on the truth of these dispensaries and how they represent our Native American reservation.

Sincerely,

Robert J. McLarney