

REGULAR MEETING OF THE COMMON COUNCIL
MAY 25, 2022
7:00 PM

PRESENT: Mayor Sandra Magiera
Council Members: John Hill, 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

Mayor Magiera called the meeting to order at 7:00 PM. After the Pledge of Allegiance, Mayor Magiera asked for a moment of silence in remembrance of our Veteran's, the recent local life lost due to an accident, and the lives lost in shootings in Buffalo and Texas.

Moved by Smith and seconded by Johnson:

RESOLVED: That we hereby approve and dispense with the reading of the minutes of the last regular meeting of May 11, 2022.

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

Moved by Hill and seconded by Smith:

RESOLVED: That we hereby approve the agreement between the City of Salamanca and MetTel Communications, New York, NY for voice, data and IP services and products for a thirty-six month term.

It was noted the upgrade will cost \$1,000.00 and the monthly cost of \$1,425.00 is approximately the same as the currently month bill.

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

Moved by Hill and seconded by Myers:

RESOLVED: That we hereby approve a contract between the City of Salamanca and the County of Cattaraugus for distribution of State Finance Law Section 99-h funds for a term beginning May 25, 2022 and ending December 31, 2023. Such contract is contingent upon the approval of the City Attorney, and

BE IT FURTHER RESOLVED: That the Mayor is authorized to sign such agreement.

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

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Moved by Hill and seconded by Koch:

RESOLVED: That the Agreement by and between the City of Salamanca and Salamanca Police Unit, Cattaraugus County Local 805, Unit 6204, Civil Service Employees Association, AFSCME, Local 1000 AFL-CIO, is hereby approved, effective April 1, 2022 to March 31, 2025, and

BE IT FURTHER RESOLVED: That the Mayor is authorized to sign such agreement.

Adopted Ayes: Hill, Johnson, Smith, Myers, Koch

Nays: None

Moved by Hill and seconded by Johnson:

RESOLVED: That we hereby authorize the Memorandum of Understanding between the City of Salamanca and the Council on Addiction Recovery Services, Inc. (CAReS) for fiscal year 2022-2023 for a Drug Free Communities Grant in the amount of \$10,000.00.

Grant Writer Brundage noted that this was received last year and can again be used for wages for bike patrol and community events.

Adopted Ayes: Hill, Johnson, Smith, Myers, Koch

Nays: None

Moved by Myers and seconded by Smith:

RESOLVED: That we hereby authorize the Department of Homeland Security and Emergency Services (DHSES) Hazard Mitigation Grant Program application for \$170,000.00 in federal funds and \$17,000.00 Board of Public Utilities matching funds to install an emergency backup generator for the BPU Great Valley Creek Pump Substation.

Adopted Ayes: Hill, Johnson, Smith, Myers, Koch

Nays: None

Moved by Koch and seconded by Johnson:

RESOLVED: That we hereby designate Bernard P. Donegan, Inc., Fairport, NY as Municipal Advisor to the City and to be compensated for services rendered per the letter of service, and further authorize the Mayor to sign such agreement.

Adopted Ayes: Hill, Johnson, Smith, Myers, Koch

Nays: None

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There was discussion regarding the Request for Proposals for the City of Salamanca Water Inflow and Infiltration Study. BPU General Manager Hensel explained this project is to address water egress to avoid wastewater treatment of freshwater runoff. RFP's were received from Hunt Engineers, Architect and Land Surveyors, Horseheads, NY and Nussbaumer & Clarke, Inc., Buffalo, NY. Such RFP's are attached to and made part of these minutes.

Moved by Koch and seconded by Smith:

RESOLVED: That we hereby accept the Request for Proposal of Hunt Engineers, Architect and Land Surveyors, Horseheads, NY for the City of Salamanca Water Inflow and Infiltration Study.

Adopted Ayes: Hill, Johnson, Smith, Myers, Koch

Nays: None

Communications from the Mayor and Council:

- Mayor Magiera thanked the BPU for hanging the American Flags. She also thanked the American Legion for raising funds to hire a company to hang the Hometown Hero's banners.
- Mayor Magiera thanked the Council Members for passing the contract with Cattaraugus County for the Casino Revenue and the Police Union Contract, as they were a lot of work.
- Council Member Hill asked that the BPU finish the clean-up of the brush and trees cut along West State Street. General Manager Hensel noted the BPU has been short staffed for various reasons and will address it when they can.
- At this time Mayor Magiera read a letter she received from former Mayor Rosalyn Hoag with regard to poor conditions in Ward 1. Such letters are attached to these minutes. Mayor Magiera stated there are some bad properties in that area, however there are many houses in poor condition throughout the City. Council Member Hill noted the City is trying to address the Center Street road condition. The NYS DOT is planning to repave from the City line north, but not within the City.
- Council Member Smith noted that complaint letters are being mailed to property owners by the Code Enforcement Office and the City is trying to address these issues.
- Council Member Smith thanked the Mayor for working on getting the flags hung and beautifying the City.
- Council Member Smith noted there are donations for approximately 20 households to be included in the City Clean-up that cannot afford it. He noted the program is a work in progress.

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- Council Member Smith asked for an update of the playgrounds to be replaced. Youth Bureau Director Brundage noted that she has had meetings with developers who will provide proposals by the end of June.
- Council Member Smith thanked everyone that participated in the property auction and felt it was a success.
- Council Member Koch thanked everyone for hanging the flags and Veteran's banners.

Moved by Johnson 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 Police Chief and Dog Control Officer for the month of April 2022 are hereby accepted and filed.

--DATE--	--TYPE--	NUMBER	-----DESCRIPTION-----	----AMOUNT----
5/13/2022	CHECK	062943	CITY OF SALAMANCA PAYROLL ACCO	82,637.89CR
5/13/2022	CHECK	062944	CITY OF SALAMANCA PAYROLL ACCO	6,104.92CR
5/20/2022	CHECK	062945	CITY OF SALAMANCA PAYROLL ACCO	77,569.11CR
5/20/2022	CHECK	062946	CITY OF SALAMANCA PAYROLL ACCO	5,719.21CR
5/20/2022	CHECK	062947	BLUE CROSS/BLUE SHIELD OF WNY	1,560.00CR
5/20/2022	CHECK	062948	BLUE CROSS/BLUE SHIELD OF WNY	42,215.30CR
5/20/2022	CHECK	062949	DELTA DENTAL OF NEW YORK, INC.	1,344.95CR
5/20/2022	CHECK	062950	RENAISSANCE	190.18CR
5/20/2022	CHECK	062951	VISION SERVICE PLAN- (NR)	539.21CR
5/20/2022	CHECK	062952	CARDMEMBER SERVICE	3,793.33CR
5/20/2022	CHECK	062953	CYNTHIA A. FRANKLIN	26.91CR
5/27/2022	CHECK	062954	AIRGAS USA, LLC	330.00CR
5/27/2022	CHECK	062955	AURORA ELECTRONICS	80.00CR
5/27/2022	CHECK	062956	BREEZELINE	343.08CR
5/27/2022	CHECK	062957	CDW GOVERNMENT	556.00CR
5/27/2022	CHECK	062958	COYOTE PERFORMANCE PRODUCTS	351.46CR
5/27/2022	CHECK	062959	CYNCON EQUIPMENT, INC	532.22CR
5/27/2022	CHECK	062960	CYNTHIA A. FRANKLIN	22.21CR
5/27/2022	CHECK	062961	DECKER TREE SERVICE	1,600.00CR

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5/27/2022	CHECK	062962	EMERLING FORD, INC	508.30CR
5/27/2022	CHECK	062963	FASTENAL COMPANY	67.87CR
5/27/2022	CHECK	062964	FERGUSON PRINTING	35.00CR
5/27/2022	CHECK	062965	GERNATT ASPHALT	446.31CR
5/27/2022	CHECK	062966	GRAINGER	237.32CR
5/27/2022	CHECK	062967	IRR SUPPLY CENTERS INC	160.49CR
5/27/2022	CHECK	062968	JAMES B SCHWAB CO	43.71CR
5/27/2022	CHECK	062969	JAMESTOWN MACADAM, INC	3,596.86CR
5/27/2022	CHECK	062970	JAMESTOWN SOAP & SOLVENT, INC.	277.50CR
5/27/2022	CHECK	062971	JEFFREY WALKER	100.00CR
5/27/2022	CHECK	062972	LANDPRO EQUIPMENT LLC	259.18CR
5/27/2022	CHECK	062973	LISA CARPENTER	100.00CR
5/27/2022	CHECK	062974	METROPOLITAN TELECOMMUNICATION	1,790.01CR
5/27/2022	CHECK	062975	MICHAEL FOREMAN	43.88CR
5/27/2022	CHECK	062976	NATIONAL FUEL	145.84CR
5/27/2022	CHECK	062977	NEW ENTERPRISE STONE & LIME CO	6,574.22CR
5/27/2022	CHECK	062978	NOCO ENERGY CORP.	29,061.12CR
5/27/2022	CHECK	062979	PROFESSIONAL AMBULANCE BILLING	2,679.14CR
5/27/2022	CHECK	062980	QUADIENT LEASING USA, INC.	251.77CR
5/27/2022	CHECK	062981	SCOTT J COLLINS	1,459.00CR
5/27/2022	CHECK	062982	SPENGLER TOOLS LLC	605.00CR
5/27/2022	CHECK	062983	SOUTHWORTH-MILTON, INC	132.63CR
5/27/2022	CHECK	062984	STAYER GREENHOUSE LLC	274.00CR
5/27/2022	CHECK	062985	THE PAPER FACTORY	176.67CR
5/27/2022	CHECK	062986	UNIFIRST CORPORATION	886.37CR
5/27/2022	CHECK	062987	UNITED STATES TREASURY	32.68CR
5/27/2022	CHECK	062988	VALPRO SANITARY SUPPLIES, INC.	19.60CR
5/27/2022	CHECK	062989	WILLIAM HUNT	100.00CR
5/27/2022	CHECK	062990	10-75 EMERGENCY VEHICLES	1,061.60CR
5/27/2022	CHECK	062991	BOUND TREE MEDICAL, INC.	831.44CR
5/27/2022	CHECK	062992	GORMAN ENTERPRISES	2,367.25CR

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- Mayor Magiera noted the Salamanca City Central School District will be holding a High School Senior Class parade on June 21, 2022.

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

Moved by Johnson and seconded by Smith:

WHEREAS, it is necessary to formally document the benefits of the Fire Chief of the City of Salamanca Fire Department, and

WHEREAS, SECTION 1. (b) of the City of Salamanca Personnel Rules/Benefits for Non-Union Employees states that the benefits of the Fire Chief shall be under the control and supervision of the Fire Commission,

NOW, THEREFORE BE IT RESOLVED: that we hereby appoint Tom Sturdevant as Permanent Fire Chief with a base wage of \$88,000.00 effective retroactive to April 5, 2022, and approve the attached benefits, to include a maximum of eighty (80) hours of compensation time.

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

Moved by Hill and seconded by Johnson:

RESOLVED: That we hereby take disciplinary action against Officer Ryan Grey by taking five vacation days (40 hours) away from his accumulated time.

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

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Moved by Hill and seconded by Johnson:

RESOLVED: That we hereby adjourn – 8:35 PM.

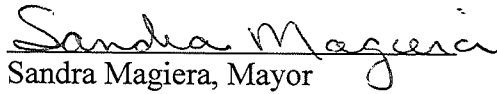
Carried.



Tracy Chamberlain, City Clerk

Dated: June 1, 2022

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



Sandra Magiera, Mayor

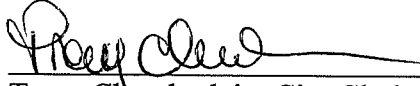
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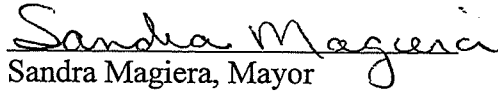
Carried.



Tracy Chamberlain, City Clerk

Dated: June 1, 2022

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



Sandra Magiera, Mayor

Dated: June , 2022

I have lived almost all of my 81 years in (Ward One West End) we have always been from the other side of the tracks and basically ignored by the city. Now its worse than its ever been.

I would like to invite the city council to take a ride over the Center St. tracks. If you make it to Washington St. without causing major damage to your car you are lucky. Now turn up Washington, down School St. and up Ward St. If there is anything left of your car, check out the houses. I have included copies of just 3 all in just one block.

Also in Ward One they have hacked, not cut or trimmed all the young trees on West State St. and let them lay there. It looks like a war zone. Also what about the estate on West State that keeps growing? Its like a cancer - tents, sheds, fences, lumber & cars.

Come on at least admit we are part of the city too.

Thank You and please take the Drive.

Rosalyn Haag
464 Fair Oak St.
Salamonca, N.Y.
14779

From the City of Salamanca Personal Rules/Benefits For Non-Union Employees, the following sections shall apply to the Fire Chief:

Section 2 - Hours Worked

Strike section (a.) The City Office employee shall work a seven (7) hour, five (5) days per week, Monday -Friday, for the total of thirty-five (35) hours per week. Their normal hours of employment are 8:30 A.M. to 4:00 P.M. (CC2-22-12)

The Fire Chief shall work 168 hr. schedule, the same as the Fire Department Schedule Monday - Friday 7:30 A.M. - 4:00 P.M. With one week out of the pay period Tuesday -Friday 8:00 A.M - 4:00 P.M. so there would not be any overtime.

Section 2 - (2.) Each Employee will work overtime when necessary for the efficient conduct of the City's business.

Compensation time will be accumulated for meetings that are attended and emergency recalls to the Fire Department at the rate of one and one-half hours (1½).

Section 3 - Holidays - To follow the Union contract

Section 4, Vacations – (h.), (i1), (l.), (m.)

(h.) Upon the completion of the employee's (10th) year of employment and upon the completion of each additional year of employment the employee shall be credited with (8) hours of vacation time in addition to the already accumulated vacation of the two set forth in sub paragraphs (f) and (g) above to the maximum accumulation of two hundred (200) hours of vacation time per year. (CC 1-8-97)

(l.) Upon the death of the employee, the employee's estate shall be paid an amount equal to the employee's accumulated time, such amount is computed by multiplying the employee's hourly rate at the time of death times the number of accumulated vacation hours.

(m.) If a holiday falls during an employee's vacation, an additional vacation day shall be granted.

Section 5 - Personal Business Leave - (g) As of the beginning of the fiscal year April 1,2006, all department heads will accumulate five (5) personal days. If a department head uses all five (5) days, three (3) of those days will be charged to sick time. Balance on March 31, 2006 will be credited to the Employee's accumulated sick leave.

Section 6 - Sick Leave - (i.) sick leave at retirement (70% payment section)
With the option to roll this into the City's 457 deferred compensation plan.

Section 7 - Bereavement time – (c.)

(c.) The employee shall be granted one day with pay to attend the funeral of an aunt, uncle, niece, nephew, brother-in law, or sister-in law who does not reside with the employee.