

REGULAR MEETING OF THE COMMON COUNCIL
SEPTEMBER 28, 2022
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
Human Resource Specialist: William Hernandez
Police Chief: Jamie Deck
Firefighter: Joseph Gray

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 Smith and seconded by Johnson:

RESOLVED: That we hereby approve and dispense with the reading of the minutes of the last regular meeting of September 14, 2022.

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

Moved by Johnson and seconded by Smith:

RESOLVED: That we hereby authorize the City to apply for NYS Department of Environmental Conservation Zero-Emission Vehicle Infrastructure Grant funds in the amount of \$452,900.00 for the purchase and installation of two Electric Vehicle Charging Stations.

Grant Writer Brundage stated that there are currently charging stations at the Seneca Allegany Casino and Seneca Gaming Bingo Hall. She noted that FLO Services is assisting with the grant. The proposed locations for the new charging stations will be in the Main Street area at Save-A-Lot grocery store and Route 219 at the Central Beer and Redemption Center. The projects would be totally funded by the grant and no cost to the City.

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

Moved by Myers and seconded by Johnson:

RESOLVED: That we hereby authorize the installation of one City street light on an existing utility Pole #18B on Barrett Drive behind the City Municipal Building.

It was noted this is a security issue due to foot traffic in the area of the impounded vehicles.

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

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Moved by Hill and seconded by Koch:

RESOLVED: That we hereby establish the hours for "Trick or Treat" in the City as 6:00 PM to 8:00 PM on Monday, October 31, 2021, with those residents wishing to participate leaving their porch lights on, and

BE IT FURTHER RESOLVED: That we hereby authorize the closing of Main Street, Park Avenue and a portion of Broad Street on October 31, 2022 from 5:00 PM to 6:00 PM for a Halloween Parade.

Mayor Magiera also noted that there will also be a Trunk or Treat at Jefferson Street Park following the parade.

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

Moved by Johnson and seconded by Smith:

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

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

Moved by Hill and seconded by Johnson:

RESOLVED: That we hereby authorize the City to apply for State & Municipal Facilities Capital Program (SAM) grant funds for Police Department renovations in the amount of \$100,000.

Grant Writer Brundage noted the Assemblyman Joseph Giglio's office contacted the City to offer these grant funds toward the project that came in over budget.

Council Member Koch stated this is great. She also noted that this grant would not be for additions to the project, but to offset the current project cost.

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

Communications from the Mayor and Council:

- Mayor Magiera read a thank you from the family of Alfie Seitz. She noted that the plaque in honor of Mr. Seitz has been ordered.
- Police Chief Deck asked the Council to consider some resolutions. He discussed a resolution passed in March 2020, noting it allows officers to override the chain of command and disregard standard operating procedures.
- Council Member Koch asked that a joint meeting with the Council, Police Commission and Police Chief be held to discuss these matters.

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- Council Member Myers asked about the requirement of full dress uniform in the March 18, 2020 resolution. Council Member Koch noted she understood this to be enacted due to female officers hair being down and officers not having their pistol on them in the station.
- There was a consensus of the Council that the officers should follow the chain of command as suggest by Chief Deck.

Moved by Smith and seconded by Myers:

RESOLVED: That we hereby authorize that all Police Department staff, after following Police Department Policies, Standard Operating Procedures, written and verbal orders, chain of command and the Union Contract may then communicate with the Police Commission as a whole, at a Commission meeting, any concerns that they believe have not been resolved by the Chief of Police.

It is noted this is to replace the wording of the March 18, 2020 resolution.

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

Nays: None

- Chief Deck reviewed the resolution made by the Police Commission to suspend the bike patrol services. He noted that the wages are covered by CARES grant funds. The bikes were purchased by the Police Club through donations and fundraising.

Moved by Johnson and seconded by Myers:

RESOLVED: That we hereby authorize that the Police Department bike patrol be resumed.

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

Nays: None

- Chief Deck notified the Council that he is in the process of preparing the specifications for the fencing for the vehicle impound area.
- Council Member Koch stated that concrete barriers have been placed between two Broad Street properties, which are in the NYS DOT right-of-way. She doesn't believe they are authorized to be there. She has been asking questions of the Code Enforcement Officer and Fire Chief. She feels there is favoritisms with requiring one property owner to do things and not requiring another property owner to.
- Council Member Koch noted that the new building on the corner of Center Street and Washington Street is being built on multiple parcels, which is not allowed. They will not be assembled by Cattaraugus County until March 2023. Council Member Smith understood the building to be on the largest parcel and not over the boundary lines. Council Member Hill noted that these properties are in his Ward and he will check on the boundaries.

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Moved by Koch 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 Police Chief and City Judge for the month of August 2022 are hereby accepted and filed.

DATE	TYPE	NUMBER	DESCRIPTION	AMOUNT
9/16/2022	CHECK	063550	CITY OF SALAMANCA PAYROLL ACCO	85,723.25CR
9/23/2022	CHECK	063551	CITY OF SALAMANCA PAYROLL ACCO	85,956.10CR
9/28/2022	CHECK	063552	CATTARAUGUS COUNTY TREASURER	194,322.44CR
9/28/2022	CHECK	063553	CATTARAUGUS COUNTY CLERK	262.00CR
9/28/2022	CHECK	063554	MARY YAWORSKY	50.00CR
9/28/2022	CHECK	063555	MICHAEL FOREMAN	38.75CR
9/28/2022	CHECK	063556	SANDRA L. BRUNDAGE	58.75CR
9/28/2022	CHECK	063557	TOM STURDEVANT	40.00CR
9/28/2022	CHECK	063558	TUSTIN SWIFT	35.19CR
9/28/2022	CHECK	063559	WILLIAM SMITH	75.00CR
9/30/2022	CHECK	063560	ADAM'S SERVICES, LLC	280.00CR
9/30/2022	CHECK	063561	AIRGAS USA, LLC	121.50CR
9/30/2022	CHECK	063562	AURORA ELECTRONICS	250.00CR
9/30/2022	CHECK	063563	BARMORE & SELLSTROM	579.70CR
9/30/2022	CHECK	063564	BREEZELINE	208.14CR
9/30/2022	CHECK	063565	EAGLE RADIO TECHNOLOGIES	474.00CR
9/30/2022	CHECK	063566	EMERLING CHRYSLER DODGE JEEP R	355.20CR
9/30/2022	CHECK	063567	EMERLING FORD, INC	241.85CR
9/30/2022	CHECK	063568	FASTENAL COMPANY	32.03CR
9/30/2022	CHECK	063569	GRAINGER	411.14CR
9/30/2022	CHECK	063570	HANSON AGGREGATES, NEW YORK L	4,560.00CR
9/30/2022	CHECK	063571	JAMES B SCHWAB CO	34.13CR

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9/30/2022 CHECK	063572	KROLL LLC	1,500.00CR
9/30/2022 CHECK	063573	KURK FUEL COMPANY	13,188.60CR
9/30/2022 CHECK	063574	METROPOLITAN TELECOMMUNICATION	1,811.92CR
9/30/2022 CHECK	063575	NATIONAL FUEL	314.06CR
9/30/2022 CHECK	063576	NED FENTON INSURANCE AGENCY	596.20CR
9/30/2022 CHECK	063577	NEW ENTERPRISE STONE & LIME CO	18,428.66CR
9/30/2022 CHECK	063578	PETTY CASH- CITY OF SALAMANCA	26.95CR
9/30/2022 CHECK	063579	QUADIENIT FINANCE USA, INC	755.31CR
9/30/2022 CHECK	063580	SCOTT J COLLINS	1,459.00CR
9/30/2022 CHECK	063581	SHERWIN-WILLIAMS	115.98CR
9/30/2022 CHECK	063582	THE PAPER FACTORY	87.89CR
9/30/2022 CHECK	063583	UNIFIRST CORPORATION	1,030.03CR
9/30/2022 CHECK	063584	URBAN ENGINEERS OF NEW YORK, D	10,593.45CR
9/30/2022 CHECK	063585	WILSON TREE SERVICE	3,500.00CR
9/30/2022 CHECK	063586	BOUND TREE MEDICAL, INC.	143.22CR
9/30/2022 CHECK	063587	BRIGGS SIGNS	1,640.00CR
9/30/2022 CHECK	063588	INCIDENT RESPONSE & MITIGATION	108.94CR
9/30/2022 CHECK	063589	K&M TIRE	744.00CR
9/30/2022 CHECK	063590	LED ELECTRIC	6,659.65CR
9/30/2022 CHECK	063591	PERFORMANCE POWDER COATING	200.00CR
9/30/2022 CHECK	063592	PLUMBMASTER	468.99CR
9/30/2022 CHECK	063593	TELEFLEX LLC C/O TELEFLEX FUND	1,815.50CR
9/30/2022 CHECK	063594	TOLLS BY MAIL PAYMENT PROCESSI	3.11CR
9/30/2022 CHECK	063595	EMERLING FORD, INC	70.06CR
9/30/2022 CHECK	063596	GALLS, LLC.	441.22CR
9/30/2022 CHECK	063597	RANDOLPH AUTO SUPPLY	226.20CR

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Special Accounts

Check #	Date	Account Name	Amount
360	9/30/2022	Pooled Cash – FLF -American Amusement Rentals	\$10,500.00
361	9/30/2022	Pooled Cash – FLF -Alan Dowdy (Seneca dancers)	\$600.00
362	9/30/2022	Pooled Cash – FLF -Gabirelle Giuffre (Band)	\$350.00
363	9/30/2022	Pooled Cash – FLF -Eric Jones (Caricatures)	\$700.00
364	9/30/2022	Pooled Cash – FLF -James Gardner (DJ)	\$700.00
365	9/30/2022	Pooled Cash – VOID	\$0.00
366	9/30/2022	Pooled Cash – FLF -Cayas Canopies	\$618.00
367	9/30/2022	Pooled Cash – FLF -Marilla Fireman's Band	\$800.00
368	9/30/2022	Pooled Cash – FLF -Dick O'Dell- 23 Skidoo	\$500.00
369	9/30/2022	Pooled Cash – FLF -Hamburg Alumni Drum Corps	\$1,900.00
370	9/30/2022	Pooled Cash – FLF -McKean County Road Runners	\$350.00
371	9/30/2022	Pooled Cash – FLF -Gowanda Shrine Club Mini	\$350.00

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

Moved by Johnson and seconded by Myers:

RESOLVED: That the Mayor and Council enter into executive session with Police Commission Members, 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 Myers and seconded by Johnson:

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

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

Moved by Hill and seconded by Myers:

RESOLVED: That we hereby reinstate Police Officer Dennis Brown to paid status, from the unpaid leave previously imposed as of August 20, 2022, with no back pay, effective September 30, 2022 to be initially assigned to station duty, with the Police Chief to prepare and transmit a communication to Office Brown notifying him of this action and conditions of his return to paid status and active duty.

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

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Moved by Hill and seconded by Johnson:

RESOLVED: That we hereby appoint Lindsay Forthman, Salamanca, NY as Junior Accountant, from the Cattaraugus County eligible list, with 26-weeks probation effective October 3, 2022, with a \$5,000.00 annual wage increase, and

BE IT FURTHER RESOLVED: That we hereby appoint Robert Earley, Salamanca, NY as Provisional Acting Comptroller, contingent on passing the Cattaraugus County Civil Service Comptroller test, effective October 3, 2022, with a \$5,000.00 annual wage increase.

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

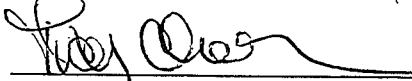
Moved by Hill and seconded by Myers:

RESOLVED: That we hereby hire Alfred Saradin, Salamanca, NY as a consultant for the Comptroller's Office, effective October 3, 2022, at \$50.00 per hour and no other benefits.

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

Moved by Koch and seconded by Hill:

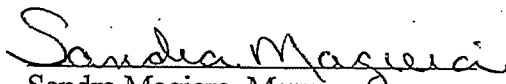
RESOLVED: That we hereby adjourn – 9:14 PM.
Carried.



Tracy Chamberlain, City Clerk

Dated: October 3, 2022

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



Sandra Magiera, Mayor

Dated: October 11, 2022