

REGULAR MEETING OF THE COMMON COUNCIL  
NOVEMBER 30, 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: Robert Earley  
City Attorney: Jeffrey Swiatek  
Human Resource Specialist: William Hernandez  
Grant Writer: Sandra Brundage  
Fire Chief: Tom Sturdevant  
Assistant Fire Chief: Brandon Smith  
Firefighters: Joseph Gray, Kyle Gross, Courtney James  
Police Lieutenant: Tina Darling  
Police Commission Member: Robert Kennedy  
BPU General Manager: Dennis Hensel

Mayor Magiera called the meeting to order at 7:10 PM. After the Pledge of Allegiance, Mayor Magiera asked for a moment of silence.

Moved by Johnson and seconded by Smith:

RESOLVED: That we hereby approve and dispense with the reading of the minutes of the last regular meeting of November 9, 2022.

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

Moved by Johnson and seconded by Smith:

RESOLVED: That we hereby bring items under old business to the table.

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

Moved by Johnson and seconded by Myers:

WHEREAS, the Fire Commission, at a meeting held on November 1, 2022, has recommended that the City of Salamanca add title to the Fire Department, and

WHEREAS, after comparing titles within the other area municipalities the Fire Chief and Fire Commission recommend that four (4) new titles of Promotional Fire Lieutenant be created at a wage to be later determined, and

WHEREAS, the Fire Chief and Fire Commission recommend that three (3) new titles of Promotional Fire Captain be created, to replace 3 Assistant Fire Chief titles, as officers retire or resign, and

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WHEREAS, the Fire Chief and Fire Commission recommend that two (2) Assistant Fire Chief titles remain, with each designated as either Municipal Training Officer for Fire or Municipal Training Officer for EMS, and

WHEREAS, the Common Council has determined it to be in the best interest of the City of Salamanca to add titles for officers within the City of Salamanca Fire Department.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. That the following titles be created within the City of Salamanca Fire Department:  
Four (4) Fire Lieutenant  
Three (3) Fire Captain  
Two (2) Assistant Fire Chief
2. This resolution shall take effect upon the approval of the Cattaraugus County Civil Service Office.

It was noted that the wages for the positions will be determined during budget meetings.

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

Moved by Koch and seconded by Hill:

RESOLVED: That we hereby deny the Board of Public Utilities members to receive compensation for attending Board meetings effective June 2022.

Council Member Koch noted the length of time meetings were held for the past year. She feels the \$200 per meeting is excessive for the amount of time they put in.

General Manager Hensel stated the compensation is not only for the meeting times but also the time members spend before meetings, noting just meeting times is misleading.

Council Member Myers noted that Board members are spending more time than just meeting times.

Council Member Hill stated some Board members do spend more time, however some do not. He feels \$200 is too much.

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

The Mayor was called on to break the tie. Mayor Magiera voted not to deny the compensation or Nay. The resolution was defeated.

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Moved by Koch and seconded by Hill:

RESOLVED: That we hereby adopt a Local Law for 2022 which will amend the Zoning Law of the City to change the Use District Classification of 486 East State St. TM# 73.073-4-1 from R1 Single Family Residential to B3 Neighborhood Commercial Use District, as recommended by the Planning Commission.

Council Member Koch stated this project will clean up an eye sore on that corner. Carmen Vecchiarella and Jake Clark shared information for the proposed project and noted nothing is official.

Council Member Johnson noted if this request is approved, others in residential areas will ask to be rezoned. Council Member Koch noted there are commercial properties across the street and down the street. It was noted this request is not spot zoning.

Council Member Myers and Council Member Smith are concerned with the traffic in the area. Mr. Clark noted they would work with whatever is required for traffic control and the entrance/exit has not been determined.

Adopted Ayes: Koch

Nays: Hill, Johnson, Smith, Myers

It was requested to look into a traffic study for the intersection of the rezoning. Clerk Chamberlain will contact the DPW Superintendent Robert Carpenter for information on a traffic study. It was noted that the Local Law can appear before the Council again after more information is obtained.

Moved by Smith and seconded by Hill:

RESOLVED: That we hereby authorize the City to apply for Cattaraugus County Group B Tourism Promotion Grant to offset the cost of advertising and promotions for the Falling Leaves Festival.

Grant Writer Brundage stated Festival coordinator Ross Ledsome notified the Mayor of this one-time only grant.

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

Nays: None

Moved by Myers and seconded by Johnson:

RESOLVED: That we hereby authorize the City to apply for Ralph C. Wilson Jr. Legacy Funds in the amount of \$50,000.00 for the purchase of live action feed camera for the Pennsy Trail.

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Grant Writer Brundage noted that the Police Department, BPU and Seneca Nation of Indians have been working on this grant. There has been a high amount of crimes in that area. The current system requires accessing the cameras to remove SD cards for viewing. The new equipment would allow the live feed to go to the Police Department for better monitoring.

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

Communications:

- Council Member Myers requested the City Attorney to prepare a Local Law to amend the City Charter to exclude the Board of Public Utilities from Section 47.
- Council Member Smith thanked Sydney Watt and Jake Clark for having a vision and wanting to do things in the City. He noted he is not against the project but is concerned for the safety in the area.
- Mayor Magiera thanked everyone for concerns while she was out of the office.
- Mayor Magiera noted the Seneca Salamanca Area Chamber of Commerce will be hosting the Silver Bells parade on Saturday, December 3, 2022.

Moved by Hill and seconded by Myers:

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 Clerk, Police Chief and Dog Control Officer for the month of October 2022 are hereby accepted and filed.

Vendor Name	Payment Date	Payment Type	Payment Amount	Number
CALE BENJAMIN	11/17/2022	Regular	43.25	1002
PETTY CASH- CITY OF SALAMANCA	11/17/2022	Regular	94.97	1003
BOUND TREE MEDICAL, INC.	11/17/2022	Regular	1,608.55	1004
CHAUTAUQUA BRICK CO., INC	11/17/2022	Regular	340.75	1005
DIVAL SAFETY & SUPPLIES FOR LIFE	11/17/2022	Regular	923.21	1006
INCIDENT RESPONSE & MITIGATION SERVICES,	11/17/2022	Regular	342.96	1007
JOSEPH GRAY	11/17/2022	Regular	145.89	1008
RANDOLPH AUTO SUPPLY	11/17/2022	Regular	263.82	1009
SHERWIN-WILLIAMS	11/17/2022	Regular	34.40	1010
SOUTHERN TIER GLASS & WINDOW, INC.	11/17/2022	Regular	850.00	1011
10-75 EMERGENCY VEHICLES	11/17/2022	Regular	289.95	1012
AMERICAN ROCK SALT LLC	11/17/2022	Regular	30,773.06	1013
AUSTIN LOCKSMITH & SECURITY, INC	11/17/2022	Regular	146.90	1014
BERNARD P. DONEGAN, INC.	11/17/2022	Regular	3,802.50	1015
CATTARAUGUS COUNTY DPW	11/17/2022	Regular	3,644.69	1016
CITY OF SALAMANCA BPU	11/17/2022	Regular	12,329.30	1017
EMERLING CHRYSLER DODGE JEEP RAM	11/17/2022	Regular	25.08	1018
EMERLING FORD, INC	11/17/2022	Regular	12.55	1019
FASTENAL COMPANY	11/17/2022	Regular	161.34	1020

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FSC SYSTEMS, LLC	11/17/2022	Regular	93.99	1021
GRAINGER	11/17/2022	Regular	314.21	1022
HOLIDAY OUTDOOR DECOR	11/17/2022	Regular	1,128.22	1023
JAMES B SCHWAB CO	11/17/2022	Regular	30.05	1024
JAMESTOWN SOAP & SOLVENT, INC.	11/17/2022	Regular	322.50	1025
KURK FUEL COMPANY	11/17/2022	Regular	12,628.76	1026
NATIONAL FUEL	11/17/2022	Regular	2,961.35	1027
NEW ENTERPRISE STONE & LIME CO., INC	11/17/2022	Regular	3,473.06	1028
SOUTHWORTH-MILTON, INC	11/17/2022	Regular	66.64	1029
THE PAPER FACTORY	11/17/2022	Regular	162.90	1030
UNIFIRST CORPORATION	11/17/2022	Regular	99.50	1031
VALPRO SANITARY SUPPLIES, INC.	11/17/2022	Regular	1,040.00	1032
VERIZON WIRELESS	11/17/2022	Regular	45.83	1033
VERIZON WIRELESS	11/17/2022	Regular	870.74	1034
DENNIS BROWN	11/18/2022	Regular	167.54	1035
JOHN SANDY	11/18/2022	Regular	310.86	1036
SANDRA L. BRUNDAGE	11/18/2022	Regular	74.99	1037
TINA DARLING	11/18/2022	Regular	69.72	1038
AMERICAN ROCK SALT LLC	11/23/2022	Regular	13,828.90	1039
AURORA ELECTRONICS	11/23/2022	Regular	32.00	1040
BARMORE & SELLSTROM	11/23/2022	Regular	527.60	1041
BEICHER WASTE SERVICES, INC.	11/23/2022	Regular	150.15	1042
BLUE COLLAR WORKWEAR	11/23/2022	Regular	905.00	1043
BOYLE'S MOTOR SALES INC.	11/23/2022	Regular	75.24	1044
BRADFORD PUBLISHING COMPANY	11/23/2022	Regular	29.34	1045
BREEZELINE	11/23/2022	Regular	155.93	1046
CASELLA WASTE SYSTEMS, INC.	11/23/2022	Regular	88.60	1047
CHAUTAUQUA BRICK CO., INC	11/23/2022	Regular	95.94	1048
CW LAWN CARE	11/23/2022	Regular	2,610.00	1049
FASTENAL COMPANY	11/23/2022	Regular	90.71	1050
FRED SARADIN	11/23/2022	Regular	800.00	1051
GANOUNG'S FIRE PROTECTION, INC.	11/23/2022	Regular	448.00	1052
GE SOFTWARE INC	11/23/2022	Regular	960.00	1053
GRAINGER	11/23/2022	Regular	214.62	1054
JAMES B SCHWAB CO	11/23/2022	Regular	246.39	1055
KEVIN'S AUTO BODY	11/23/2022	Regular	2,488.13	1056
LACAL EQUIPMENT, INC	11/23/2022	Regular	794.88	1057
LANDPRO EQUIPMENT LLC	11/23/2022	Regular	344.11	1058
LAWLEY BENEFITS CONSULTING	11/23/2022	Regular	1,500.00	1059
METROPOLITAN TELECOMMUNICATIONS	11/23/2022	Regular	1,779.82	1060
NOCO ENERGY CORP.	11/23/2022	Regular	27,727.24	1061
PLUMBMASTER	11/23/2022	Regular	249.41	1062
PROFESSIONAL AMBULANCE BILLING LLC	11/23/2022	Regular	3,823.30	1063
QUADIENT FINANCE USA, INC	11/23/2022	Regular	2,000.00	1064
RANDOLPH AUTO SUPPLY	11/23/2022	Regular	1,047.58	1065
RICOH USA	11/23/2022	Regular	115.09	1066
SCHINDLER ELEVATOR CORPORATION	11/23/2022	Regular	2,693.03	1067
STAPLES CONTRACT & COMMERCIAL	11/23/2022	Regular	74.34	1068
TYLER TECHNOLOGIES, INC.	11/23/2022	Regular	250.00	1069
U & S SERVICES INC	11/23/2022	Regular	776.25	1070
U.S. BANK EQUIPMENT FINANCE	11/23/2022	Regular	119.13	1071
UNIFIRST CORPORATION	11/23/2022	Regular	99.50	1072
URBAN AUTO CENTER	11/23/2022	Regular	130.90	1073
VALPRO SANITARY SUPPLIES, INC.	11/23/2022	Regular	353.95	1074
WORTH W SMITH	11/23/2022	Regular	501.27	1075
AIRGAS USA, LLC	11/23/2022	Regular	60.24	1076

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AUTOZONE, INC.	11/23/2022	Regular	154.74	1077
INCIDENT RESPONSE & MITIGATION SERVICES,	11/23/2022	Regular	216.93	1078
NYS ASSOCIATION OF FIRE CHIEFS	11/23/2022	Regular	200.00	1079
RANDOLPH AUTO SUPPLY	11/23/2022	Regular	263.82	1080
SAFE LIFE DEFENSE	11/23/2022	Regular	472.78	1081
TERRESTRIAL IMAGING LLC	11/23/2022	Regular	6,063.79	1082
WITMER PUBLIC SAFETY GROUP, INC	11/23/2022	Regular	89.00	1083
WORTH W SMITH	11/23/2022	Regular	629.13	1084
**Void**	11/23/2022	Regular	0.00	1085
ZOLL MEDICAL CORPORATION	11/23/2022	Regular	452.00	1086
EMERLING FORD, INC	11/23/2022	Regular	225.98	1087
GALLS, LLC.	11/23/2022	Regular	635.07	1088
NIAGARA COUNTY	11/23/2022	Regular	1,000.00	1089
RANDOLPH AUTO SUPPLY	11/23/2022	Regular	470.89	1090
RICOH USA	11/23/2022	Regular	57.89	1091
RICOH USA, INC.	11/23/2022	Regular	148.84	1092
BREEZELINE	12/02/2022	Regular	198.14	1093
CAPPELLINO CHEVROLET	12/02/2022	Regular	147.35	1094
DRESCHER & MALECKI LLP	12/02/2022	Regular	11,490.00	1095
ESRI	12/02/2022	Regular	1,500.00	1096
FASTENAL COMPANY	12/02/2022	Regular	187.38	1097
JAMES B SCHWAB CO	12/02/2022	Regular	23.77	1098
KENWORTH NORTHEAST GROUP INC	12/02/2022	Regular	74.05	1099
NATIONAL FUEL	12/02/2022	Regular	6,325.39	1100
OAKGROVE CONSTRUCTION INC	12/02/2022	Regular	12,208.86	1101
PERKINS LLC	12/02/2022	Regular	535.20	1102
SALAMANCA CENTRAL SCHOOL DISTRICT	12/02/2022	Regular	70,596.18	1103
SCOTT J COLLINS	12/02/2022	Regular	1,459.00	1104
SOUTHWORTH-MILTON, INC	12/02/2022	Regular	180.85	1105
TYLER TECHNOLOGIES, INC.	12/02/2022	Regular	13,307.50	1106
UNIFIRST CORPORATION	12/02/2022	Regular	797.75	1107
VALPRO SANITARY SUPPLIES, INC.	12/02/2022	Regular	47.85	1108
WILSON TREE SERVICE	12/02/2022	Regular	800.00	1109
AIRGAS USA, LLC	12/02/2022	Regular	30.12	1110
CHURCHVILLE FIRE EQUIPMENT CORP.	12/02/2022	Regular	2,496.32	1111
INCIDENT RESPONSE & MITIGATION SERVICES,	12/02/2022	Regular	258.23	1112
K&M TIRE	12/02/2022	Regular	276.00	1113
MUNICIPAL EMERGENCY SVCS	12/02/2022	Regular	9,972.45	1114
OLEAN GENERAL HOSPITAL PHARMACY	12/02/2022	Regular	740.59	1115
ROCK-N-RESCUE/J.E. WEINEL, INC	12/02/2022	Regular	464.00	1116
BARMORE & SELLSTROM	12/02/2022	Regular	2,335.44	1117
Commonwealth of Massachusetts	12/02/2022	Regular	7.35	1118
EMERLING FORD, INC	12/02/2022	Regular	89.47	1119
RANDOLPH AUTO SUPPLY	12/02/2022	Regular	8.58	1120
SCHUBERT ENTERPRISES, LLC	12/02/2022	Regular	262.08	1121
	12/02/2022	Regular	21.00	1122

Special Accounts

Check #	Date	Account Name	Amount
379	9/30/2022	Pooled Cash – FLF -Schubert Enterprises	\$331.00
380	9/30/2022	Pooled Cash – FLF -Schubert Enterprises	\$84.62
381	9/30/2022	Pooled Cash – FLF -Jodi Scanlan	\$81.37
382	9/30/2022	Pooled Cash – FLF -Post Journal	\$277.44

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

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Public Discussion:

- Grant Writer Brundage stated the City received NYS Department of Energy grant funds up to \$300,000.00 for the Municipal Building. Wendel Energy firm is assisting with updating the study for upgrades to windows and doors
- Assistant Fire Chief Smith noted that the Halloween Parade was very good. He suggests next year having it end with the Trunk-or-Treat at the Race Street or the Sycamore Avenue parking lot. Mayor Magiera thanked the Fire Department and Police Department for their help with the event.

Moved by Hill and seconded by Johnson:

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 Myers:

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

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

Moved by Hill and seconded by Johnson:

RESOLVED: That we hereby create the position of Junior Accountant, in the Office of the Comptroller, and request Cattaraugus County Civil Service to canvas the list with an annual wage between \$30,000.00 and \$40,000.00.

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

Moved by Koch and seconded by Johnson:

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

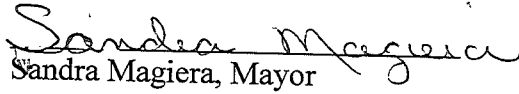
Carried.

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

Dated: December 6, 2022

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

  
Sandra Magiera, Mayor

Dated: December 15, 2022