

REGULAR MEETING OF THE COMMON COUNCIL
DECEMBER 11, 2019
7:00 PM

PRESENT: Mayor Michael R. Smith
Council Members: John Hill, Timothy Flanigan, Michael Lonto,
Sandra Magiera Janet Koch
City Clerk: Tracy Chamberlain
City Attorney: Erich Weyand
City Comptroller: Kathleen Sarver
Youth Bureau Director: Sandra Brundage
BPU General Manager: Dennis Hensel

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

Moved by Lonto and seconded by Magiera:

RESOLVED: That we hereby approve and dispense with the reading of the minutes of the last regular meeting of November 13, 2019 with the following corrections:

Add thanking Lane Hoag, Tammy Cummings and Guy Harrison for the flag at the Hillview Manor

Add the hiring of Firefighter Paonessa is for one year, at the completion of the grant.

Adopted Ayes: Hill, Flanigan, Lonto, Magiera, Koch
Nays: None

Moved by Koch and seconded by Lonto:

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

Adopted Ayes: Hill, Flanigan, Lonto, Magiera, Koch
Nays: None

Moved by Lonto and seconded by Koch:

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

Adopted Ayes: Hill, Flanigan, Lonto, Magiera, Koch
Nays: None

No formal action was taken.

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Moved by Flanigan and seconded by Koch:

RESOLVED: That the following Ordinance # 4 for 2019 is hereby adopted:

WHEREAS, the Police Commission after study and review has recommended to the Common Council that the current parking ordinances concerning the southerly curb line of Wildwood Avenue be modified.

RESOLUTION TO
ADOPT ORD #4 for
2019 RE PARKING
ON SOUTH SIDE
OF WILDWOOD

WHEREAS, the Common Council recognizes the need for such changes and accepts the recommendation of the Police Commission.

NOW, THEREFORE BE IT ORDAINED AS FOLLOWS:

1.) Chapter 60, Article IV Section 60.43 Subdivision #113 of the City of Salamanca Municipal Code be amended to provide: on the south side of Wildwood Avenue: no parking from a point located about 130 feet from the east side curb line of main street to a point approximately 479 feet from that point of beginning. Said end point being an intersection of the south side of Wildwood Avenue and a continuation of the west bounds of 53 Wildwood Avenue as it currently exists.

Any other currently existing parking regulations concerning the south side of Wildwood Avenue remain unchanged.

The Superintendent of Public Works is instructed to designate, establish, and generate the necessary signage to carry out the intentions of this ordinance.

This ordinance shall become effective upon publication set forth in the City Charter.

Adopted Ayes: Hill, Flanigan, Lonto, Magiera, Koch
Nays: None

Moved by Lonto and seconded by Koch:

RESOLVED: That we hereby authorize the installation of two City street lights on existing utility poles, one on Pole 1 of Baker Street and the second being on Pole 7 of R.C. Hoag Drive.

Adopted Ayes: Hill, Flanigan, Lonto, Magiera, Koch
Nays: None

RES TO AUTH
INSTALLTN OF
2 CITY ST LGHT
ON EXISTING
UTIL POLES:
BAKER ST POLE1
RC HOAG DR-
POLE 7

Moved by Koch and seconded by Lonto:

RESOLVED: That the we hereby authorize the Emergency Water Wellfield Refit Phase I project at a maximum estimated cost of \$130,000.00, and

RESOL TO AUTH
EMERG WATER
WELLFIELD REFI
PHASE I PROJ
\$130,000 AND
BOND

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BOND RESOLUTION, DATED DECEMBER 11, 2019,
AUTHORIZING THE EMERGENCY WATER PLANT WELLFIELD PHASE I IN AND
FOR THE CITY OF SALAMANCA, NEW YORK AT A MAXIMUM COST OF
\$130,000.00, AND AUTHORIZING THE ISSUANCE OF A STATUTORY
INSTALLMENT BOND IN THE AMOUNT OF \$130,000.00 OF SAID CITY

WHEREAS, the city of Salamanca Board of Public Utilities at a meeting held on September 3, 2019, authorized the emergency work needed for the Salamanca Water Plant Wellfield Phase I project and authorize the BPU General Manager to obtain quotes for the construction, and

WHEREAS, the maximum amount proposed to be expended for said construction is \$130,000.00 and the plan for financing the cost includes the issuance of a Statutory Installment Bond of the City of Salamanca in the amount of \$130,000.00;

NOW, THEREFORE, BE IT RESOLVED, by the City of Salamanca, New York, as follows:

SECTION 1. The specific objective or purpose for which an obligation is to be issued pursuant to this resolution is to finance the cost of the emergency construction of the Water Plant Wellfield for the City of Salamanca, NY, including incidental costs and expenses in connection therewith.

SECTION 2. It is hereby determined that the maximum estimated cost of the said construction is One Hundred and Thirty Thousand and 00/100 Dollars (\$130,000.00) and that the plan for financing thereof shall include the issuance of a Statutory Installment Bond of the City of Salamanca in the amount of One Hundred and Thirty Thousand and 00/100 Dollars (\$130,000.00)

SECTION 3. It is hereby determined that subdivision 1 of paragraph A of Section 11 of the Local Finance Law applies to the expenditures and a period of probable usefulness of the aforesaid specific object or purpose is forty (40) years.

SECTION 4. It is hereby determined that the proposed maturity of the obligation authorized by this resolution will not be in excess of five (5) years.

SECTION 5. The City of Salamanca shall issue its Statutory Installment Bond in the amount of One Hundred and Thirty Thousand and 00/100 Dollars (\$130,000.00) to finance the cost in accordance with the financial plans set forth above. The Bond shall be dated as of the date of delivery of the Bond to the purchaser thereof and the power to fix and determine the exact date of the Bond is hereby delegated to the Mayor and City Comptroller.

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SECTION 6. The Bond shall be in the amount of One Hundred and Thirty Thousand and 00/100 Dollars (\$130,000.00) and shall mature Five (5) years after the date of the purchase of the Bond, and shall be paid in Five (5) annual principal payments of Twenty-Six Thousand and 00/100 Dollars (\$26,000.00), together with interest of 2.5% per annum thereon projected to be payable on the 17th day of December, 2020, 2021, 2022, 2023 and 2024. The Bond shall bear interest at a rate of 2.5% per annum as set by Cattaraugus County Bank, and as fixed and determined by said bank in its usual and customary manner. Both the installments of principal of and the interest on the Bond will be evidenced by notation on the Bond at the time of payment. The Bond shall be issued in bearer form without coupons and shall not contain a power to convert to registered form.

SECTION 7. The power to determine the precise dates upon which the installments of principal and interest shall become due and payable are hereby delegated to the Mayor and City Comptroller. The City Comptroller is hereby delegated the authority to prepare such Bond and effect the sale thereof at a private sale upon the terms and conditions herein set forth. The powers delegated to the City Comptroller shall be exercised in conformity with the provisions of the Local Finance Law. The Bond shall be in substantially the form as provided by statute.

SECTION 8. This resolution shall constitute a statement of official intent for the purpose of Treasury Regulations Section 1.150-2. Other than as specified in this Resolution, no monies are or reasonably expected to be, reserved, allocated on a long term basis, or otherwise set aside with respect to the permanent funding of the objection or purpose described herein.

SECTION 9. This resolution shall take effect immediately.

BPU General Manager Hensel noted that there is additional work required by the Cattaraugus County Health Department in order to keep the pumps working during a power outage.

Adopted Ayes: Hill, Flanigan, Lonto, Magiera, Koch
Nays: None

Moved by Koch and seconded by Lonto:

RESOLVED: That we hereby authorize a wage increase to Sandra Brundage, Youth Bureau Director, for grant writing and administrative services provided to the City, effective December 11, 2019.

It was noted this wage will be prorated to the fiscal year beginning April 1, 2020. Council Member Koch thanked Director Brundage for the work she has done.

Adopted Ayes: Hill, Flanigan, Lonto, Magiera, Koch
Nays: None

RESOL TO AUTH
WAGE INCR TO
SANDRA BRUND-
AGE FOR
GRANT WRITING
& ADMINSTRV
SERVSS, EFF
12/11/19,
PRORATED TO
FISCAL YR
BEGINNING
04/01/20

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Moved by Flanigan and seconded by Lonto:

WHEREAS, pursuant to Title XVI, Section 182-b of the City Charter of the City of Salamanca, the Common Council may by resolution relieve the Comptroller from the obligation of selling tax sale certificates pertaining to certain estates and land, when in the judgment of the Common Council the benefit to the City of protecting and preserving its tax base exceeds the benefit of selling a tax sale certificate at tax sale, and

RESOL TO RELVE
OBLIGATION OF
CITY COMPT
FROM SELLING
TAX CERTIF TO
PRESERVE TAX
BASE WHICH
EXCEEDS THE
BENEFIT SELLG
TAX CERTIF AT
TAX SALE

WHEREAS, the Common Council has determined that the benefit to the City of protecting its tax base exceeds the benefit to the City of selling tax sale certificates as to the properties on a list generated by December 31, 2019.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The City Comptroller is hereby relieved of the obligation to sell tax sale certificates at the annual tax sale for the properties listed by December 31, 2019.
2. This resolution shall take effect immediately.

Council Member Koch asked that it be put on the Council Agenda in January to go back to holding the tax sale certificates. There was some discussion regarding the process.

Comptroller Sarver noted the list would be around 200 properties and not all will sell. It would be difficult to keep track of which properties have a certificate because of the computer software is not set up to handle this.

City Attorney Weyand will look into the matter and has some questions on the process.

Adopted Ayes: Hill, Flanigan, Lonto, Magiera
Nays: Koch

CITY ATTY TO
RESEARCH HIS
QUESTIONS

Moved by Magiera and seconded by Lonto:

RESOLVED: That we hereby accept the sole bid of Brian Haen, Delevan, NY for the purchase of the 2012 Ford Ambulance in the amount of \$4,880.00.

RESOL TO ACPT
BID OF BRIAN
HAEN, \$4880,
PURCH OF 2012
FORD AMB

It was noted that all useable equipment has been removed from the ambulance.

Adopted Ayes: Hill, Flanigan, Lonto, Magiera, Koch
Nays: None

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Moved by Hill and seconded by Lonto:

RESOLVED: That we hereby authorize submitting an American Legion Auxiliary Foundation Mission in Action Grant application to cover the cost of the printing of Hometown Heroes banners, with the City providing in-kind of man power of installation and office expenses.

Adopted Ayes: Hill, Flanigan, Lonto, Magiera, Koch
Nays: None

RESOL AUTH
SUBMISN OF
AMERICAN LEG
AUX FOUNDATN
MISSION IN
ACTN GRANT FOF
COST OF HOME-
TOWN HEROES
BANNERS

Moved by Lonto and seconded by Hill:

RESOLVED: That the following appointments by the Mayor are hereby approved:

MAYOR' s APTS:

CITY JUDGE

Appointment of William Gabler, Olean, NY, for a six-year term beginning January 8, 2020 and ending December 31, 2025.

CITY JUDGE-
William Gabler
6 yr term
01/08/20-12/
31/25

ZONING BOARD OF APPEALS

Reappointment of Mary Ann Dusza, Salamanca, NY, to a three-year term beginning on December 11, 2019 and ending January 31, 2022.

ZONING BD-
MARY ANN DU-
SZA, 3 YR,
12/11/19-01/31
/2019

Adopted Ayes: Hill, Flanigan, Lonto, Magiera, Koch
Nays: None

Moved by Koch and seconded by Lonto

RESOLVED: That we hereby waive the agenda for other items.

RESOL TO
WAIVE AGENDA

Adopted Ayes: Hill, Flanigan, Lonto, Magiera, Koch
Nays: None

Moved by Koch and seconded by Lonto

RESOLVED: That we hereby adopt the City Audit for fiscal year April 1, 2018 through March 31, 2019 as presented by Drescher & Malecki, LLP, Buffalo, NY on October 23, 2019.

RESOL TO
ADOPT CITY AU-
DIT FISCAL YR
04/01/18-03/
31/19, DRESCH-
ER & MALECKI,
LLP

Adopted Ayes: Hill, Flanigan, Lonto, Magiera, Koch
Nays: None

Communications from the Mayor and Council:

- It was noted that the Police Commission authorized Chief Troy Westfall, Captain Jamie Deck, Officer Tustin Swift and Officer William Hunt to attend the Glock Armour training on December 12, 2019, to be held in Little Valley, NY, at a cost of \$250.00 per person.

COMMUNICATIONS
POL COMM AUTH
TRAINING FOR
GLOCK ARMOUR
TRNG, 12/12/19
\$250/PERS (3)

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- Council Member/ Fire Chaplin Lonto stated that an induction of the four new Fire Fighters was held on December 6, 2019. The parents of the young men are very pleased. Council Member Magiera unfortunately missed the ceremony due to a late invitation.
- Mayor Smith thanked everyone that helped with the Light Up the Night/ Santa Parade also held on December 6, 2019. He stated the newly planted tree, donated by Brady & Swenson, and park decorations look beautiful.
- The Salamanca Fire Department and Pay It Forward program will be providing 100 hams to families on December 13, 2019.
- Mayor Smith congratulated the Salamanca City Central School District on the completion of the new STEAM wing. He also noted that the graduation rate is at 84% and is proud of the SCCSD and the City for this accomplishment.
- Council Member Koch thanked all attending the parade and STEAM wing ribbon cutting. And wished everyone a Merry Christmas.

INDUCTION OF
 FOUR FIREFIGHTERS
 12/06/19

12/6/19 WAS
 LIGHT UP THE
 NIGHT/SANTA
 PARADE

SFD & PAY IT
 FORWARD PROGR
 PROVIDING 100
 HAMS TO FAMS.
 12/13/19

CONGRATS TO
 SCCSD FOR
 STEAM WING &
 GRAD. RATE OF
 84%

Moved by Lonto and seconded by Flanigan:

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 October 2019 and the City Clerk and City Judge for the month of November 2019 are hereby accepted and filed.

APRVL OF BILLS
 AND CERTAIN
 DEPT RPORTS
 FOR OCT & NOV

DATE	TYPE	NUMBER	DESCRIPTION	AMOUNT
11/18/2019	CHECK	059254	RUTHE RIEHLE	60.95CR
11/19/2019	CHECK	059255	CARDMEMBER SERVICE	1,146.41CR
11/22/2019	CHECK	059256	CITY OF SALAMANCA FED WITHHOLD	4,949.53CR
11/22/2019	CHECK	059257	CITY OF SALAMANCA PAYROLL ACCO	67,117.56CR
11/20/2019	CHECK	059258	CYNTHIA A. FRANKLIN	45.36CR
11/26/2019	CHECK	059259	JEFFREY MAYBEE	6.49CR
11/27/2019	CHECK	059260	CITY OF SALAMANCA FED WITHHOLD	5,541.18CR
11/27/2019	CHECK	059261	CITY OF SALAMANCA PAYROLL ACCO	72,627.73CR
11/27/2019	CHECK	059262	CATTARAUGUS COUNTY DPW	2,180.50CR
11/27/2019	CHECK	059263	CATTARAUGUS COUNTY OFFICE OF E	5.00CR
11/27/2019	CHECK	059264	GLOVE N SAFTEY INC	209.70CR
11/27/2019	CHECK	059265	RANDOLPH AUTO SUPPLY	4.48CR
11/27/2019	CHECK	059266	RICHARD-CIN SIGNS & SUPPLIES	400.00CR
11/27/2019	CHECK	059267	SIRCHIE	124.23CR
11/27/2019	CHECK	059268	THE PAPER FACTORY	81.67CR

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11/27/2019	CHECK	059269	URBAN AUTO CENTER	78.50CR
11/27/2019	CHECK	059270	ACME BEARINGS CORP.	118.90CR
11/27/2019	CHECK	059271	AUSTIN SECURITIES	403.75CR
11/27/2019	CHECK	059272	CAPPELLINO CHEVROLET	167.22CR
11/27/2019	CHECK	059273	DEL HYDRAULICS, INC	418.13CR
11/27/2019	CHECK	059274	FASTENAL COMPANY	77.38CR
11/27/2019	CHECK	059275	GERNATT ASPHALT	49.92CR
11/27/2019	CHECK	059276	GFC BUSINESS SYSTEM, INC.	507.70CR
11/27/2019	CHECK	059277	JAMESTOWN MACADAM, INC	1,280.00CR
11/27/2019	CHECK	059278	JAMESTOWN SOAP & SOLVENT, INC.	271.50CR
11/27/2019	CHECK	059279	MAILFINANCE	251.77CR
11/27/2019	CHECK	059280	METROPOLITAN TELECOMMUNICATION	1,559.72CR
11/27/2019	CHECK	059281	NATIONAL FUEL	4,077.59CR
11/27/2019	CHECK	059282	OLEAN TIMES HERALD	37.50CR
11/27/2019	CHECK	059283	PLUMBMASTER	205.81CR
11/27/2019	CHECK	059284	PROFESSIONAL AMBULANCE BILLING	2,265.04CR
11/27/2019	CHECK	059285	RILES & WOOLLEY MONUMENTS	35.00CR
11/27/2019	CHECK	059286	SALAMANCA SENIOR CENTER	320.43CR
11/27/2019	CHECK	059287	SCOTT J COLLINS	1,292.00CR
11/27/2019	CHECK	059288	THE PAPER FACTORY	95.72CR
11/27/2019	CHECK	059289	TYLER TECHNOLOGIES, INC.	391.35CR
11/27/2019	CHECK	059290	VALPRO SANITARY SUPPLIES, INC.	46.90CR
11/27/2019	CHECK	059291	BOUND TREE MEDICAL, INC.	685.37CR
11/27/2019	CHECK	059292	ESO SOLUTIONS, INC.	4,500.00CR
11/27/2019	CHECK	059293	INCIDENT RESPONSE & MITIGATION	350.92CR
11/27/2019	CHECK	059294	OLEAN GENERAL HOSPITAL CLINICA	375.00CR
11/27/2019	CHECK	059295	OLEAN GENERAL HOSPITAL PHARMAC	58.00CR
11/27/2019	CHECK	059296	RANDOLPH AUTO SUPPLY	62.01CR
11/27/2019	CHECK	059297	UPMC HEALTH SERVICES	15.00CR
11/27/2019	CHECK	059298	WORTH W SMITH	378.51CR
11/27/2019	CHECK	059299	VOID CHECK	0.00
12/03/2019	CHECK	059300	SALAMANCA PUBLIC LIBRARY	25,000.00CR
12/03/2019	CHECK	059301	ANTHONY ERCOLANI	51.65CR
12/06/2019	CHECK	059302	CITY OF SALAMANCA FED WITHHOLD	5,130.30CR
12/06/2019	CHECK	059303	CITY OF SALAMANCA PAYROLL ACCO	69,525.48CR

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12/04/2019 CHECK	059304	SOUTHERN TIER HEALTH CARE SYST	75.00CR
12/06/2019 CHECK	059305	BRANDON SMITH	49.99CR
12/06/2019 CHECK	059306	MAC TRUCK PARTS	256.32CR
12/06/2019 CHECK	059307	NICHOLAS F BOCHARSKI JR	243.45CR
12/06/2019 CHECK	059308	WILLIAM SMITH	122.07CR
12/09/2019 CHECK	059309	KATHLEEN SARVER - PETTY CASH	8.38CR
12/10/2019 CHECK	059310	CHAUTAUQUA BRICK CO., INC	1,191.22CR
12/11/2019 CHECK	059311	NY STATE & LOCAL EMPLOYEE'S RE	619,032.00CR
12/11/2019 CHECK	059312	SENECA NATION OF INDIANS	330.00CR
12/13/2019 CHECK	059313	ACME BUSINESS MACHINES	55.22CR
12/13/2019 CHECK	059314	BOUND TREE MEDICAL, INC.	356.70CR
12/13/2019 CHECK	059315	GANOUNG'S FIRE PROTECTION, INC	96.00CR
12/13/2019 CHECK	059316	INCIDENT RESPONSE & MITIGATION	674.98CR
12/13/2019 CHECK	059317	VALPRO SANITARY SUPPLIES, INC.	112.40CR
12/13/2019 CHECK	059318	ATLANTIC BROADBAND	113.57CR
12/13/2019 CHECK	059319	BEICHNER WASTE SERVICES, INC.	143.00CR
12/13/2019 CHECK	059320	BRADFORD PUBLISHING COMPANY	741.54CR
12/13/2019 CHECK	059321	CAPPELLINO CHEVROLET	383.46CR
12/13/2019 CHECK	059322	CATTARAUGUS COUNTY DPW	176.72CR
12/13/2019 CHECK	059323	CITY OF SALAMANCA BPU	19,197.24CR
12/13/2019 CHECK	059324	VOID CHECK	0.00
12/13/2019 CHECK	059325	CUTTERS CHOICE EAST	30.80CR
12/13/2019 CHECK	059326	DECKER TREE SERVICE	1,800.00CR
12/13/2019 CHECK	059327	DISPLAY SALES CORP	599.92CR
12/13/2019 CHECK	059328	EMERLING CHRYSLER DODGE JEEP R	4,071.43CR
12/13/2019 CHECK	059329	EMPIRE ANIMAL RESCUE SOCIETY	2,670.00CR
12/13/2019 CHECK	059330	FASTENAL COMPANY	16.74CR
12/13/2019 CHECK	059331	FSC SYSTEMS, LLC	4,206.07CR
12/13/2019 CHECK	059332	HENRY H. HILL INC.	297.27CR
12/13/2019 CHECK	059333	JAMES B SCHWAB CO., INC	43.48CR
12/13/2019 CHECK	059334	MIDTOWN TIRE INC.	89.00CR

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12/13/2019 CHECK	059336	NUSSBAUMER & CLARKE INC	128,558.75CR
12/13/2019 CHECK	059337	NYS ASSESSORS' ASSOCIATION/IAO	100.00CR
12/13/2019 CHECK	059338	PLUMMASTER	697.72CR
12/13/2019 CHECK	059339	PRO-FLEX ADMINISTRATORS LLC	256.00CR
12/13/2019 CHECK	059340	RANDOLPH AUTO SUPPLY	1,119.99CR
12/13/2019 CHECK	059341	SLUGA'S SAW SHOP	107.98CR
12/13/2019 CHECK	059342	STAPLES CONTRACT & COMMERCIAL	181.25CR
12/13/2019 CHECK	059343	T/W MECHANICAL SERVICES	972.00CR
12/13/2019 CHECK	059344	THE PAPER FACTORY	143.20CR
12/13/2019 CHECK	059345	THE PUMP DOCTOR	174.89CR
12/13/2019 CHECK	059346	UNIFIRST CORPORATION	683.00CR
12/13/2019 CHECK	059347	URBAN ENGINEERS OF NEW YORK, D	2,154.20CR
12/13/2019 CHECK	059348	VALPRO SANITARY SUPPLIES, INC.	64.30CR
12/13/2019 CHECK	059349	VERIZON WIRELESS	859.61CR
12/13/2019 CHECK	059350	WORTH W SMITH	191.11CR
12/13/2019 CHECK	059351	CITY OF SALAMANCA FED WITHHOLD	5,257.25CR
12/13/2019 CHECK	059352	CITY OF SALAMANCA PAYROLL ACCO	71,165.55CR

Special Accounts
12/11/2019

Check #	Date	Account Name	Amount
315	11/18/2019	Pooled Cash-Youth Center Special Activities-Pepsi Cola	\$161.68

SPECIAL REVENUE ACCOUNT BILLS

<u>VOUCHER#</u>	<u>AMOUNT</u>	<u>VENDOR</u>
1523	2,427.62	TOWN-SALAMANCA TAX COLLECTOR
1524	186.13	CITY OF SALAMANCA

Adopted Ayes: Hill, Flanigan, Lonto, Magiera, Koch
 Nays: None

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Moved by Hill and seconded by Koch:

RESOLVED: That we hereby adjourn – 7:35 PM.

Carried.

ADJOURN



Tracy Chamberlain, City Clerk

Dated: December 13, 2019

THE ABOVE RESOLUTIONS and ORDINANCE #4 FOR 2019, AS ADOPTED BY
THE COMMON COUNCIL, ARE HEREBY APPROVED.



Michael R. Smith, Mayor

Dated: December 19, 2019