

REGULAR MEETING OF THE COMMON COUNCIL
DECEMBER 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
Human Resource Specialist: William Hernandez
Grant Writer: Sandra Brundage
Police Chief: Jamie Deck
BPU General Manager: Dennis Hensel
BPU Electric Supervisor: Jeffrey Pond Jr.

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

At this time the Public Hearing for the proposed Local Law to amend the Charter of the City of Salamanca, NY, to provide that the Board of Public Utilities shall have the sole authority to appoint, hire, remove and set the compensation of all Board of Public Utilities employees unless specifically provided otherwise by law, was opened.

With no one wishing to be heard, the public hearing was closed at 7:03 PM

Moved by Koch and seconded by Myers:

RESOLVED: That we hereby approve and dispense with the reading of the minutes of the last regular meeting of December 14, 2022 and the Special Meeting of December 7, 2022.

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

Council Member Hill asked that Agenda Item # 4. to accept the Memorandum of Agreement with the Salamanca Police Union regarding holiday pay, be tabled at this time, for further discussion.

Council Member Hill asked that Agenda Item # 5. to accept the Memorandum of Agreement with the Salamanca Police Union regarding mandatory overtime, be tabled at this time, for further discussion.

Moved by Koch and seconded by Johnson:

RESOLVED: That we hereby approve a Shared Services Agreement between the NYSDOT and the City for the winter maintenance on Route 950B, North State Street, with the NYSDOT delivering road salt for the 2022-2023 winter season, and

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

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

Moved by Smith and seconded by Johnson:

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

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, 2022.

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, 2022.
2. This resolution shall take effect immediately.

Council Member Koch noted she has asked every year, since being a Council Member, to not authorize this and the Charter states the City is to have the annual tax sale. She noted the Comptroller's Office feels it is too busy to do this and she has asked them to be ready by December.

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

Communications:

- Council Member Koch wished everyone a Happy New Year. She also thanked Council Member Myers for serving as a Council Member.
- Council Member Myers noted due to a change in residency he was unable to continue as Ward 4 Council Member. He stated he will be back in two years. He noted it is a wonderful thing to experience.

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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 Dog Control Officer for the month of November 2022 are hereby accepted and filed.

CARDMEMBER SERVICE	12/20/2022	2,433.01	1192
CARDMEMBER SERVICE	12/20/2022	105.41	1193
JAMES B SCHWAB CO	12/21/2022	41.03	1194
BLUE CROSS/BLUE SHIELD OF WNY	12/21/2022	1,170.00	1195
DELTA DENTAL OF NEW YORK, INC.	12/21/2022	1,737.00	1196
HIGHMARK BCBSWNY	12/21/2022	45,891.37	1197
RENAISSANCE	12/21/2022	182.47	1198
VISION SERVICE PLAN-(NR)	12/21/2022	608.93	1199
VOID	12/22/2022	-	1200
CALE BENJAMIN	12/22/2022	6.58	1201
CHAUTAUQUA COUNTY HUMANE SOCIETY INC, SPCA	12/28/2022	25.00	1202
DECKER TREE SERVICE	12/28/2022	1,750.00	1203
FASTENAL COMPANY	12/28/2022	27.00	1204
FSC SYSTEMS, LLC	12/28/2022	384.00	1205
GRAINGER	12/28/2022	128.54	1206
HODGSON RUSS, LLP	12/28/2022	31,083.70	1207
M.I.S. OF AMERICA, INC.	12/28/2022	306.00	1208
METROPOLITAN TELECOMMUNICATIONS	12/28/2022	1,801.92	1209
PROFESSIONAL AMBULANCE BILLING LLC	12/28/2022	3,349.87	1210
QUADIANT LEASING USA, INC.	12/28/2022	755.31	1211
SCOTT J COLLINS	12/28/2022	1,459.00	1212
SOUTHWORTH-MILTON, INC	12/28/2022	218.44	1213
SUSAN WHITCOMB	12/28/2022	66.00	1214
TRACY CHAMBERLAIN	12/28/2022	60.74	1215
UNIFIRST CORPORATION	12/28/2022	49.75	1216
VALPRO SANITARY SUPPLIES, INC.	12/28/2022	148.00	1217
WNY ASSOC OF YOUTH BOARDS & BUREAUS	12/28/2022	60.00	1218
AMCHAR WHOLESALE INC.	12/28/2022	2,341.32	1219
EMERLING FORD, INC	12/28/2022	109.95	1220
INCIDENT RESPONSE & MITIGATION SERVICES, LLC	12/28/2022	637.94	1221
RANDOLPH AUTO SUPPLY	12/28/2022	146.81	1222
CATTARAUGUS COUNTY DPW	12/28/2022	30.00	1223
SOUTHERN TIER ELECTRIC SUPPLY INC	12/28/2022	164.62	1224

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

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Public Discussion:

- Resident Gordon Brown asked about the status of the former Weast Agency building at 123 Main Street. Mayor Magiera explained that the property has not been transferred to the City by the Attorney. She also noted that the property would have to be listed for auction and the Salamanca Area Historical Society has expressed interest in the upper two floors. Mr. Brown stated he would be interested in sharing the space.
- Resident Tara Halterman discussed a recent death of Patricia Johnson and how the matter was handled by the Salamanca Police Department. She noted that after phone calls to the Police Department it did not appear that any welfare checks were conducted or a missing persons report was started. She asked for reassurance that if a call is made to the Police Department for a welfare check, that it is taken seriously. Mayor Magiera stated she feels the Police Department should respond to any calls they received. Council Member Hill noted that there will be an executive session for personnel to discuss that matter. He apologized to anyone that had to go through this and feels anyone should be looked after regardless of their situation.
- At this time Mayor Magiera asked for a moment of silence in memory of Patty Johnson.
- Council Member Koch noted she briefly heard about this matter and will look into this matter. She thanked Ms. Halterman for bringing this to the Council's attention. She feels if anyone calls the Police Department the issue should be looked into.

Moved by Johnson and seconded by Myers:

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 Johnson and seconded by Smith:

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

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Moved by Koch and seconded by Johnson:

RESOLVED: That we hereby require all City employees, that require a driver's license for their position, be required to have a valid driver's license.

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

Moved by Koch and seconded by Johnson:

RESOLVED: That we hereby request Cattaraugus County Civil Service to hold an exam for Open Competitive Police Chief and Promotional Police Chief with a wage range of \$65,000.00 to \$85,000.00.

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

Moved by Koch and seconded by Hill:

RESOLVED: That we hereby authorize Cattaraugus County Civil Service to canvass the list for Full-time Account Clerk/Typist at a wage of \$15.00 to \$16.00 per hour, for the City Comptroller's Office.

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

Moved by Myers and seconded by Smith:

RESOLVED: That we hereby adjourn – 9:00 PM.

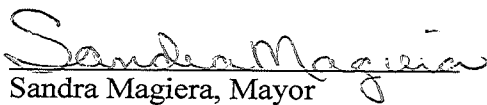
Carried.



Tracy Chamberlain, City Clerk

Dated: January 4, 2023

THE ABOVE RESOLUTIONS AND LOCAL LAW # 1 FOR 2022, AS ADOPTED
BY THE COMMON COUNCIL, ARE HEREBY APPROVED.



Sandra Magiera, Mayor

Dated: January 6, 2022