

REGULAR MEETING OF THE COMMON COUNCIL  
FEBRUARY 26, 2020  
7:00 PM

PRESENT: Mayor Michael R. Smith  
Council Members: John Hill, Michael Lonto,  
Sandra Magiera, Janet Koch  
City Clerk: Tracy Chamberlain  
City Attorney: Erich Weyand  
BPU General Manager: Dennis Hensel  
BPU Electric Department Supervisor: Jeffrey Pond, Jr.  
BPU Water Department Supervisor: Justin Chudy

ABSENT: Council Member Timothy Flanigan

Mayor Smith called the meeting to order at 7:05 PM. After the Pledge of Allegiance, Mayor Smith asked for a moment of silence.

CLD TO ORDER  
MOM OF SIL

Moved by Lonto and seconded by Hill:

RESOLVED: That we hereby approve and dispense with the reading of the minutes of the last regular meeting of February 12, 2020 and the special meeting of February 4, 2020.

APRVL OF MINS  
OF 02/12/20 &  
SPEC MTG 02/04/  
20

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

Moved by Hill and seconded by Lonto:

RESOLVED: That we hereby appoint Robert Earley, Salamanca, NY, to the position of full time Provisional Senior Accountant in the Comptroller Office, contingent upon placing on the top of the Civil Service list.

RESOL TO APT  
ROBERT EARLEY,  
FT PROV SR ACT-  
ANT, COMPTROL  
OFFC, CONTING ON  
PLACING ON TOP  
OF CIVIL SERV  
LIST, ANUL WAGE  
\$55,000 PROBY  
FOR ONE YR,  
ON CONTINGY.

It was noted after placing on the top of the Civil Service list, a probationary period of one year would start. This will be at the annual wage of \$55,000.00.

Council Member Koch stated she is not happy with the salary approved since the position was created at a different amount.

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

Moved by Koch and seconded by Hill:

BOND RESOLUTION, DATED FEBRUARY 26, 2020, AUTHORIZING THE PURCHASE OF A NEW 2019 DODGE CHASSIS, CYNCON EQUIPMENT SERVICE TRUCK AT A MAXIMUM COST OF \$86,445.16, AND AUTHORIZING THE ISSUANCE OF A STATUTORY INSTALLMENT BOND IN THE AMOUNT OF \$86,000.00 OF SAID CITY TO FINANCE THE COST OF SAID PURCHASE

BOND RESOL, \$  
\$86,000, 2019  
DODGE CHASSIS,  
CYNCON EQUIP SER  
VICE TRUCK,  
BPU

REGULAR MEETING OF THE COMMON COUNCIL  
FEBRUARY 26, 2020  
PAGE TWO

WHEREAS, the City of Salamanca Board of Public Utilities, at a meeting held on May 28, 2019, authorized the purchase of a new 2019 Dodge Chassis, Cyncon Equipment Service truck at a maximum cost of \$86,445.16, and

WHEREAS, the maximum amount proposed to be expended for said purchase is \$86,445.16 and the plan for financing the cost includes the issuance of a Statutory Installment Bond of the City of Salamanca in the amount of \$86,000.00;

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 purchase of a new 2019 Dodge Chassis, Cyncon Equipment Service truck.

SECTION 2. It is hereby determined that the maximum estimated cost of the said purchase is Eighty-Six Thousand and 00/100 Dollars (\$86,445.16) 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 Eighty-Six Thousand and 00/100 Dollars (\$86,000.00)

SECTION 3. It is hereby determined that subdivision 28 of paragraph A of Section 11 of the Local Finance Law applies to the expenditures and a period of probable usefulness of the new 2019 Dodge Chassis, Cyncon Equipment Service truck is over Five (5) 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 Eighty-Six Thousand and 00/100 Dollars (\$86,000.00) 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.

SECTION 6. The Bond shall be in the amount of Eighty-Six Thousand and 00/100 Dollars (\$86,000.00) and shall mature Four (4) years after the date of the purchase of the Bond, and shall be paid in Four (4) annual principal payments of Twenty-One Thousand, Five Hundred and 00/100 Dollars (\$21,500.00), together with interest of 2.4% per annum thereon projected to be payable on the 4th day of March, 2021, 2022, 2023, and 2024. The Bond shall bear interest at a rate of 2.4% per annum as set by Cattaraugus County Bank, and as fixed and determined by said bank in its usual and customary manner.

REGULAR MEETING OF THE COMMON COUNCIL  
FEBRUARY 26, 2020  
PAGE THREE

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.

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

Moved by Koch and seconded by Lonto:

BOND RESOLUTION, DATED FEBRUARY 26, 2020, AUTHORIZING THE PURCHASE OF A USED 2012 DIGGER/DERRICK LINE TRUCK AT A MAXIMUM COST OF \$89,900.00, AND AUTHORIZING THE ISSUANCE OF A STATUTORY INSTALLMENT BOND IN THE AMOUNT OF \$89,900.00 OF SAID CITY TO FINANCE THE COST OF SAID PURCHASE

WHEREAS, the city of Salamanca Board of Public Utilities, at a meeting held on February 11, 2020, authorized the purchase of a used 2012 Digger/Derrick Line truck at a maximum cost of \$89,900.00, and

WHEREAS, the maximum amount proposed to be expended for said purchase is \$89,900.00 and the plan for financing the cost includes the issuance of a Statutory Installment Bond of the City of Salamanca in the amount of \$89,900.00;

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

REGULAR MEETING OF THE COMMON COUNCIL  
FEBRUARY 26, 2020  
PAGE FOUR

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 purchase of a used 2012 Digger/Derrick Line truck.

SECTION 2. It is hereby determined that the maximum estimated cost of the said purchase is Eighty-Nine Thousand, Nine Hundred and 00/100 Dollars (\$89,900.00) 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 Eighty-Nine Thousand, Nine Hundred and 00/100 Dollars (\$89,900.00)

SECTION 3. It is hereby determined that subdivision 28 of paragraph A of Section 11 of the Local Finance Law applies to the expenditures and a period of probable usefulness of the used 2012 Digger/Derrick Line truck is over Five (5) 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 Eighty-Nine Thousand, Nine Hundred and 00/100 Dollars (\$89,900.00) 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.

SECTION 6. The Bond shall be in the amount of Eighty-Nine Thousand, Nine Hundred and 00/100 Dollars (\$89,900.00) 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 Seventeen Thousand, Nine Hundred and Eighty and 00/100 Dollars (\$17,980.00), together with interest of 2.5% per annum thereon projected to be payable on the 4th day of March, 2021, 2022, 2023, 2024 and 2025. 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.

REGULAR MEETING OF THE COMMON COUNCIL  
FEBRUARY 26, 2020  
PAGE FIVE

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.

It was noted purchasing a new vehicle would have cost between \$140,000.00 and \$200,000.00. The current vehicle needs to be replaced as soon as possible due to a hydraulic line leaking.

Council Member Koch noted that during budget discussions the BPU Board removed an additional truck requested to purchase at a cost of approximately \$300,000.00.

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

Moved by Koch and seconded by Hill:

RESOLVED: That we approve the financing for the Wastewater Treatment Plant Ultraviolet (UV) upgrade project, through a Statutory Installment Bond at an estimated amount of \$450,000.00.

RESOL TO APV  
FINANCING FOR  
WASTEWATER  
TREATMT PLANT  
UV UPGRADE  
PROJ, \$450,000

This project is required to be done by the Environmental Protection Agency. If the discharge is not addressed by the end of May, there would be fines of \$10,000 per day. With the commitment and construction work commencing this will reduce the risk on being fined.

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

Moved by Hill and seconded by Lonto:

RESOLVED: That we hereby authorize the notification to the Cattaraugus County Health Department that the City wishes to participate in the aerial mosquito spraying program for 2020.

RESOL TO AUTH  
NOTIF TO CATT  
CO HEALTH DPT  
THAT CITY  
WISHES TO PAR-  
TICIPATE IN  
MOSQUITO SPRYG  
PROG

It was noted that the cost will be determined after the County determines the number of municipalities wishing to participate in the program.

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

REGULAR MEETING OF THE COMMON COUNCIL  
FEBRUARY 26, 2020  
PAGE SIX

Moved by Lonto and seconded by Hill:

RESOLVED: That we hereby approve the following trainings recommended by the Police Commission:

- Police Officer John Sandy and Dennis Brown to attend Field Training Officer Course, March 3-6, 2020, at Niagara County Law Enforcement Academy, Niagara University, NY, at a cost of \$150.00 each, plus hotel cost.
- Lt. Tina Owens to attend Sex Offense Trauma-Informed Response Training, March 12, 2020 (now required in each NYS police agency), Steuben County, at no cost.
- Chief Troy Westfall to attend Transformation Leadership on April 2, 2020, Buffalo, NY, at a cost of \$150.00.
- Police Officer William Hunt and Zachary Petrichko to attend Advanced Roadside Impaired Driving Enforcement (ARIDE), on April 20-21, 2020, at Jamestown Community College, Jamestown, NY, at no cost.

Mayor Smith noted that he has had discussion with Fire personnel that are not happy with the Police personnel being allowed to attend trainings that are not mandatory. Council Member Magiera stated that the Fire Commission only authorizes mandatory trainings. She also mentioned some Fire personnel have gone to trainings off duty and paid for them on their own.

It is noted although there is no cost for two of the Police trainings, there is a cost of wages for officers attending all trainings and shift replacement wages. \*\*

Council Member Koch stated she is not in favor of these being that they are not mandatory.

Adopted Ayes: Hill, Lonto, Magiera  
Nays: Koch

Under Communications from the Mayor and Council:

- Mayor Smith stated the apartment above the Senior Center was looked at for cost of repairs to possibly rent.
- Council Member Koch read the Police Commission minutes as follows: "The Commission discussed for their desire to allow more investigation on the part of the Salamanca Police Department and not to call in the County Sheriff's Department quite so quickly."  
Council Member Koch stated she does not feel the Salamanca Police Department should handle some of the incidents on their own. It was suggested that Council Member/ Police Commission Chairman Timothy Flanigan be asked to speak with the Commission to consider allowing the Cattaraugus County Sheriff's Department to assist with incidents that may require more expertise.

REGULAR MEETING OF THE COMMON COUNCIL  
 FEBRUARY 26, 2020  
 PAGE SEVEN

At this time Council Member Lonto left the meeting.

- Council Member Magiera stated there are two Firefighters that will be leaving and transferring to other Fire Departments.
- Council Member Koch stated that an employee left a City office at \$50,000 and was offered \$58,000 to remain. This person did not accept the offer due to the way she was previously treated in that office. \*\*

Moved by Magiera and seconded by Hill:

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 and Police Chief for the month of January 2020 are hereby accepted and filed.

--DATE--	--TYPE--	NUMBER	-----DESCRIPTION-----	----AMOUNT----
2/14/2020	CHECK	059613	CITY OF SALAMANCA FED WITHHOLD	5,021.66CR
2/14/2020	CHECK	059614	CITY OF SALAMANCA PAYROLL ACCO	68,121.99CR
2/21/2020	CHECK	059615	CITY OF SALAMANCA FED WITHHOLD	4,865.06CR
2/21/2020	CHECK	059616	CITY OF SALAMANCA PAYROLL ACCO	66,066.40CR
2/25/2020	CHECK	059617	CARDMEMBER SERVICE	1,246.86CR
2/25/2020	CHECK	059618	JOHN WASS	146.16CR
2/25/2020	CHECK	059619	STEVEN DIETRICH	198.36CR
2/25/2020	CHECK	059620	NIAGARA COUNTY	300.00CR
2/26/2020	CHECK	059621	BLUE CROSS/BLUE SHIELD OF WNY	39,028.01CR
2/26/2020	CHECK	059622	BLUE CROSS/BLUE SHIELD OF WNY	2,030.00CR
2/26/2020	CHECK	059623	DELTA DENTAL OF NEW YORK, INC.	1,179.76CR
2/26/2020	CHECK	059624	VISION SERVICE PLAN- (NR)	562.77CR
2/28/2020	CHECK	059625	AIRGAS USA, LLC	65.00CR
2/28/2020	CHECK	059626	ATLANTIC BROADBAND	298.70CR
2/28/2020	CHECK	059627	AUSTIN SECURITIES	439.00CR
2/28/2020	CHECK	059628	BERNARD P. DONEGAN, INC.	2,640.20CR
2/28/2020	CHECK	059629	BOYLE'S MOTOR SALES INC.	3,808.98CR
2/28/2020	CHECK	059630	CDW GOVERNMENT	3,209.72CR
2/28/2020	CHECK	059631	CYNTHIA A. FRANKLIN	56.88CR
2/28/2020	CHECK	059632	EBERL IRON WORKS, INC.	1,770.00CR
2/28/2020	CHECK	059633	FASTENAL COMPANY	104.21CR
2/28/2020	CHECK	059634	GFC BUSINESS SYSTEM, INC.	984.70CR

REGULAR MEETING OF THE COMMON COUNCIL  
FEBRUARY 26, 2020  
PAGE EIGHT

2/28/2020 CHECK	059635	GRAINGER	156.84CR
2/28/2020 CHECK	059636	JANICE TINNEMAN & JAMES MENDE	353.12CR
2/28/2020 CHECK	059637	LANDPRO EQUIPMENT LLC	1,276.00CR
2/28/2020 CHECK	059638	MAILFINANCE	251.77CR
2/28/2020 CHECK	059639	METROPOLITAN TELECOMMUNICATION	1,552.84CR
2/28/2020 CHECK	059640	NATIONAL FUEL	899.39CR
2/28/2020 CHECK	059641	NYS DEPARTMENT OF STATE	60.00CR
2/28/2020 CHECK	059642	OLEAN TIMES HERALD	37.50CR
2/28/2020 CHECK	059643	PORTVILLE TRUCK & AUTO REPAIR,	136.81CR
2/28/2020 CHECK	059644	ROBERT GREEN AUTO & TRUCK, INC	553.97CR
2/28/2020 CHECK	059645	ROBERT KOSINSKI	696.38CR
2/28/2020 CHECK	059646	SCOTT J COLLINS	1,457.00CR
2/28/2020 CHECK	059647	SOUTHERN TIER ELECTRIC SUPPLY	18.00CR
2/28/2020 CHECK	059648	SOUTHWORTH-MILTON, INC	84.45CR
2/28/2020 CHECK	059649	STAPLES CONTRACT & COMMERCIAL	520.58CR
2/28/2020 CHECK	059650	STAPLES CREDIT PLAN	171.75CR
2/28/2020 CHECK	059651	TEMPLE DISPLAY LTD	698.47CR
2/28/2020 CHECK	059652	THE PAPER FACTORY	215.32CR
2/28/2020 CHECK	059653	THE PUMP DOCTOR	270.00CR
2/28/2020 CHECK	059654	U & S SERVICES INC	2,469.82CR
2/28/2020 CHECK	059655	VALPRO SANITARY SUPPLIES, INC.	933.20CR
2/28/2020 CHECK	059656	AUTOZONE	65.44CR
2/28/2020 CHECK	059657	BLUETARP FINANCIAL, INC	117.16CR
2/28/2020 CHECK	059658	BOUND TREE MEDICAL, INC.	1,136.48CR
2/28/2020 CHECK	059659	CATT CO DEPT OF HEALTH	120.78CR
2/28/2020 CHECK	059660	GANOUNG'S FIRE PROTECTION, INC	542.60CR
2/28/2020 CHECK	059661	RANDOLPH AUTO SUPPLY	40.50CR
2/28/2020 CHECK	059662	VALPRO SANITARY SUPPLIES, INC.	308.75CR
2/28/2020 CHECK	059663	WITMER PUBLIC SAFETY GROUP, IN	402.00CR

Adopted Ayes: Hill, Magiera, Koch  
Nays: None



REGULAR MEETING OF THE COMMON COUNCIL  
FEBRUARY 26, 2020  
PAGE NINE

Under public discussion:

- County Legislator David Koch discussed the information provided on Shared Services with Cattaraugus County funded through NYS. He encouraged the City to participate as much as possible.
- \*\* Currently the City is included in the Shared Services, with funds for Human Resources trainings programs through the EPA and grant writing assistance funds.

Moved by Koch and seconded by Magiera:

RESOLVED: That we hereby adjourn – 7:30 PM.

Carried.



Tracy Chamberlain, City Clerk

Dated: February 28, 2020

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



Michael Smith, Mayor

Dated: March 5, 2020