

REGULAR MEETING OF THE COMMON COUNCIL  
OCTOBER 9, 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  
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.

CLD TO ORDER

At 7:00 PM, the Mayor opened the public hearing on the proposed Local Law amending the Zoning Law of the City to change the Use District Classification of 148 Clinton Street (TM# 73.080-5-1) from R1 Single Family Residential to B3 Neighborhood Commercial Use District, as recommended by the Planning Commission.

PUBLIC HEARING  
OP-7:00 PM  
AMENDING ZONING  
LAW 148 CLINTON  
ST FR R1 TO B3  
NEIGHBORHOOD COM-  
MERCIAL USE  
(SIDNEY WATT)

In answer to a question from resident Fran Lord, Mayor Smith explained the location on Clinton Street to be across from another business and therefore would be a continuation of the business zoning. The property owner, Sydney Watt, would like to put up a commercial building that would not be a gas station or for cigarette sales.

It was noted that when the project is determined, it will then go to the Planning Commission for approval.

WHEN PROJ IS DET-  
ERMINED, WILL GO  
TO PLANNING COMM

With no other persons wishing to be heard, the Mayor closed the public hearing.

PUBLIC HEARING  
CLOSED

At 7:04 PM, the Mayor opened the public hearing on the proposed Local Law which will reduce the rate of the consumption component of the Sewer Rent from 152% to 137%. Note: This is the public hearing before the Mayor that is required before the final adoption of any local Law.

PUBLIC HEARING  
OP 7:04 PM  
PROPOSED LOCAL  
LAW TO REDUCE  
SEWER RENT CON-  
SUMPTION RATE FR  
152% TO 137%

With no persons wishing to be heard, the Mayor closed the public hearing.

PUBLIC HEARING  
CLOSED

Moved by Lonto and seconded by Flanigan:

RESOLVED: That we hereby approve and dispense with the reading of the minutes of the last regular meeting of September 25, 2019 and the special meeting of September 25, 2019.

APPRVL OF MINS  
OF 09/25/19 &  
SPEC MTG 09/25/19

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

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Moved by Hill and seconded by Lonto:

WHEREAS, the City of Salamanca Planning Commission has recommended to the Common Council that an amendment be adopted to the City of Salamanca Zoning Law, and

WHEREAS, an Environmental Assessment Form under the provisions of the New York State Environmental Quality Review Act (SEQRA) has been provided to the Common Council with respect to the proposed actions, and

WHEREAS, the project is an unlisted action under SEQRA and the Common Council is the only involved agency and, therefore, the Lead Agency; and

WHEREAS, on October 9, 2019, after proper notice, the Common Council held a public hearing to discuss the potential environmental impacts of the proposed amendment to the Zoning Law, and

WHEREAS, no significant adverse environmental impacts were identified with respect to the project actions, and

WHEREAS, the proposed amendment to the City of Salamanca Zoning Law was referred to the Cattaraugus County Planning Board for review and recommendations as required by General Municipal Law Section 239, and

NOW, THEREFORE, be it resolved that: Based upon the Common Council's thorough review of the Short Form Environmental Assessment Form and all other materials submitted in connection therewith, the City Council hereby determines that the project will not result in any significant environmental impacts pursuant to SEQRA.

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

Nays: None

Moved by Flanigan and seconded by Lonto:

RESOLVED: That we hereby approve the Agreement between the City and the NYS Unified Court System for the period commencing on April 1, 2019 through March 31, 2020 (reimbursement for Court Security) and further authorizing the Mayor and the Police Chief to sign such agreement, as recommended by the Police Commission.

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.

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

Nays: None

RESOL TO APV  
THAT THE PROJECT  
PRESENTLY UNDETER-  
MINED, WILL HAVE  
NO ENVIRONMENTAL  
IMPACT PER SEQRA

RESOL TO APV AGRM  
BETW CITY & NYS  
UNIFIED COURT  
SYSTEM FOR COURT  
SECURITY REIMBSMT  
04/1/19-03/31/20

RESOL TO WAIVE  
AGENDA

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Moved by Koch and seconded by Lonto:

RESOLVED: That we hereby authorize the Salamanca Board of Public Utilities Office Manager Dawn Fish to attend the MEMA Accounting and Financial workshop in Syracuse, NY on October 16 & 17, 2019 at a cost of \$209.00, and

BE IT FURTHER RESOLVED: That we hereby authorize General Manager Dennis Hensel to attend the NYMPA semi-annual conference as voting delegate in Syracuse, NY on October 30, 2019 with no fee:

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

Communications from the Mayor and Council:

- Mayor Smith noted it is National Fire Prevention month. Now that the colder weather has started he suggests residents check heating equipment. Be careful if using space heaters and make sure smoke detectors are operable.
- Mayor Smith wants to thank the Falling Leaves Festival Committee and all involved in the festival held on October 4, 5 & 6, 2019. They feel it was one of the largest with 90 plus vendors and good weather.
- Council Member Koch noted the Salamanca City Central School District's Kristin Dudek reviewed the SCCSD grant funds with her, as a local politician. Council Member Koch briefly reviewed the various grants the SCCSD receives.

Moved by Flanigan and seconded by Magiera:

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 Fire Chief, City Clerk and City Judge for the month of September 2019 are hereby accepted and filed.

RESOL TO AUTH  
SALA BPU OFC  
MGR D. FISH  
TO ATND MEMA  
ACCTG&FIN  
WORKSHOP,  
10/16-17/19  
\$209.00  
and further  
TO AUTH GEN  
MGR D. HENSEL  
TO ATND AS VO-  
TING DELEG  
SEMI-ANNUL  
NYMPA CONF,  
10/30/19, NO  
FEES

COMMUNICATIONS  
-NATIONAL FIRE  
PREV MO.  
-THINK YOU TO  
FLF COMM &  
OTHERS FOR  
SUCCESSFUL  
FLF  
-SCCSD VAR  
SCHOOL GRANTS

APRVL OF BILLS  
AND VARIOUS  
DPT REPORTS  
FOR SEPT

--DATE--	--TYPE--	NUMBER	-----DESCRIPTION-----	-----AMOUNT----
9/26/2019	CHECK	059060	NUSSBAUMER & CLARKE INC	189.50CR
9/26/2019	CHECK	059061	ESI	1,375.00CR
9/26/2019	CHECK	059062	STREET COP TRAINING	398.00CR
10/01/2019	CHECK	059063	TROY J. WESTFALL	6.00CR
10/04/2019	CHECK	059064	CITY OF SALAMANCA FED WITHHOLD	4,854.06CR
10/04/2019	CHECK	059065	CITY OF SALAMANCA PAYROLL ACCO	65,832.42CR
10/08/2019	CHECK	059066	TROY J. WESTFALL	88.68CR
10/08/2019	CHECK	059067	ZACHARY PETRICHKO	25.29CR
10/09/2019	CHECK	059068	SALAMANCA PUBLIC LIBRARY	50,000.00CR
10/11/2019	CHECK	059069	CITY OF SALAMANCA FED WITHHOLD	5,994.26CR

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10/11/2019 CHECK	059070	CITY OF SALAMANCA PAYROLL ACCO	80,737.82CR
10/11/2019 CHECK	059071	EMERLING FORD, INC	330.55CR
10/11/2019 CHECK	059072	MIDTOWN TIRE INC.	1,279.80CR
10/11/2019 CHECK	059073	RANDOLPH AUTO SUPPLY	458.20CR
10/11/2019 CHECK	059074	SIRCHIE	146.71CR
10/11/2019 CHECK	059075	BOUND TREE MEDICAL, INC.	1,172.65CR
10/11/2019 CHECK	059076	CHURCHVILLE FIRE EQUIPMENT COR	2,156.09CR
10/11/2019 CHECK	059077	INCIDENT RESPONSE & MITIGATION	204.96CR
10/11/2019 CHECK	059078	MOTOROLA SOLUTIONS, INC.	475.20CR
10/11/2019 CHECK	059079	NICHOLAS F BOCHARSKI JR	54.65CR
10/11/2019 CHECK	059080	OCCUSTAR INC.	16.00CR
10/11/2019 CHECK	059081	WITMER PUBLIC SAFETY GROUP, IN	60.00CR
10/11/2019 CHECK	059082	WORTH W SMITH	487.74CR
10/11/2019 CHECK	059083	VOID CHECK	0.00
10/11/2019 CHECK	059084	ZOLL MEDICAL CORPORATION	963.00CR
10/11/2019 CHECK	059085	ACME BEARINGS CORP.	26.36CR
10/11/2019 CHECK	059086	ADAM'S SERVICES, LLC	280.00CR
10/11/2019 CHECK	059087	AIRGAS USA, LLC	51.00CR
10/11/2019 CHECK	059088	BEICHNER WASTE SERVICES, INC.	130.00CR
10/11/2019 CHECK	059089	BLUE COLLAR WORKWEAR	590.00CR
10/11/2019 CHECK	059090	BOYLE'S MOTOR SALES INC.	15,133.20CR
10/11/2019 CHECK	059091	BRADFORD PUBLISHING COMPANY	33.90CR
10/11/2019 CHECK	059092	CHAUTAUQUA BRICK CO., INC	106.49CR
10/11/2019 CHECK	059093	CITY OF SALAMANCA BPU	18,247.31CR
10/11/2019 CHECK	059094	VOID CHECK	0.00
10/11/2019 CHECK	059095	EUGENE PUVEL	439.99CR
10/11/2019 CHECK	059096	FASTENAL COMPANY	237.67CR
10/11/2019 CHECK	059097	FIBAR SYSTEMS/THE FIBAR GROUP,	2,498.00CR
10/11/2019 CHECK	059098	FIVE STAR BANK	34,512.17CR
10/11/2019 CHECK	059099	GANOUNG'S FIRE PROTECTION, INC	108.00CR
10/11/2019 CHECK	059100	GERNATT ASPHALT	985.15CR
10/11/2019 CHECK	059101	GFC BUSINESS SYSTEM, INC.	412.80CR
10/11/2019 CHECK	059102	GOOD NEIGHBOR TREE SERVICE	4,200.00CR
10/11/2019 CHECK	059103	GRAINGER	57.83CR

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10/11/2019	CHECK	059104	HD SUPPLY CONSTRUCTION AND IND	800.00CR
10/11/2019	CHECK	059105	HENRY H. HILL INC.	64.79CR
10/11/2019	CHECK	059106	HODGSON RUSS, LLP	143.84CR
10/11/2019	CHECK	059107	J & J ABATEMENT SERVICES, LLC	2,350.00CR
10/11/2019	CHECK	059108	JOHN SIXT & SON INC.	32.40CR
10/11/2019	CHECK	059109	KINGS HEATING	1,309.90CR
10/11/2019	CHECK	059110	MAC TRUCK PARTS	31.29CR
10/11/2019	CHECK	059111	MICHAEL FOREMAN	17.40CR
10/11/2019	CHECK	059112	MIDTOWN TIRE INC.	562.28CR
10/11/2019	CHECK	059113	NATIONAL FUEL	29.23CR
10/11/2019	CHECK	059114	NOCO ENERGY CORP.	11,503.36CR
10/11/2019	CHECK	059115	PRO-FLEX ADMINISTRATORS LLC	256.00CR
10/11/2019	CHECK	059116	RANDOLPH AUTO SUPPLY	537.34CR
10/11/2019	CHECK	059117	VOID CHECK	0.00
10/11/2019	CHECK	059118	RICOH USA, INC.	1,073.22CR
10/11/2019	CHECK	059119	SALAMANCA SABERS	200.00CR
10/11/2019	CHECK	059120	SHERWIN-WILLIAMS	53.18CR
10/11/2019	CHECK	059121	SOUTHERN TIER MUNICIPAL & CONS	569.10CR
10/11/2019	CHECK	059122	SOUTHERN TIER WEST REGIONAL	25.00CR
10/11/2019	CHECK	059123	THE PAPER FACTORY	165.19CR
10/11/2019	CHECK	059124	UNIFIRST CORPORATION	427.62CR
10/11/2019	CHECK	059125	VALPRO SANITARY SUPPLIES, INC.	72.30CR
10/11/2019	CHECK	059126	VERIZON WIRELESS	859.36CR
10/11/2019	CHECK	059127	WORTH W SMITH	178.97CR

Special Accounts

10/9/2019

<u>Check #</u>	<u>Date</u>	<u>Account Name</u>	<u>Amount</u>
348	9/19/2019	Trust & Agency-Sala Fire Dept-2% Fire Insur Proceeds	26,387.43
349	9/19/2019	Trust & Agency-Sala Vol. Fire Dept-2% Fire Insur Proceeds	1,465.97
350	9/19/2019	Trust & Agency-Sala. Exempt Firemen-2% Fire Insur Proceeds	1,465.97
290	10/2/2019	Pooled Cash-Sala FLF (Prizes)-Kathleen Sarver	2,120.00
291	10/2/2019	Pooled Cash Sala FLF (Band)-Heather Perrington	500.00
292	10/2/2019	Pooled Cash-Sala FLF (DJ)-James Gardner	700.00

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

Nays: None

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293	10/2/2019	Pooled Cash-Sala FLF(Pumpkin Carving)-Eric Jones	680.00
294	10/2/2019	Pooled Cash-Sala FLF (Photo Booth)-Curtis Peters	700.00
295	10/2/2019	Pooled Cash-Sala FLF (Rides)-American Amusement Rental	6,500.00
296	10/2/2019	Pooled Cash-Sala FLF (Wrestling)-Brett Stymus	3,500.00
297	10/2/2019	Pooled Cash-Sala FLF (Parade Band)-Jamie Smith	1,200.00
298	10/2/2019	Pooled Cash-Sala FLF (Parade Band)-Marilla Firemen's Ban	800.00
299	10/2/2019	Pooled Cash-Sala FLF (Parade Music)-Stephen Piotrowski	150.00
300	10/2/2019	Pooled Cash-Sala FLF (Parade Music)-Richard O'Dell	500.00
301	10/2/2019	Pooled Cash-Sala FLF (Parade Band)-The Hitmen Brass Bar	1,500.00
302	10/2/2019	Pooled Cash-Sala FLF (Parade Band)-Northcoast Brass Co.	800.00
303	10/2/2019	Pooled Cash-Sala FLF (Parade Band)-Down Beat Percussion	1,000.00
304	10/2/2019	Pooled Cash-Sala FLF (Parade)-Gowanda Shriners	250.00
305		VOID CHECK	
306	10/3/2019	Pooled Cash-Sala FLF (Football Game TV Rental)-Hometow	50.00

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

Public Discussion:


- Cattaraugus County Legislator Susan Labuhn stated she recently sponsored a resolution that was passed by the County Legislature to allocate \$3,000.00 for the improvements to the Salamanca Fire Department Training Facilities. Legislator Labuhn also noted the County has various shared services that the City could benefit from if they show interest. Mayor Smith noted that Sandra Brundage is looking into the list for the City to be included in.

PUBLIC DISCN  
CATT CO LEGIS S.  
LABUHN SPONSORED  
RESOL IN CATT CO  
LEGIS TO ALLOCATE  
\$3000 FOR SFD  
TRNING FACIL IM-  
PROVEMENTS AND  
ALSO ADV THERE ARE  
OTHER SHARED SERV  
AVAIL  
ADJOURN IN MEMORY  
OF RESID HELEN  
YAWORSKY

Moved by Koch and seconded by Lonto:


RESOLVED: That we hereby adjourn in memory of City resident Helen Yaworsky  
- 7:15 PM.

Carried.

  
Tracy Chamberlain, City Clerk

Dated: October 11, 2019

THE ABOVE RESOLUTIONS AND LOCAL LAWS # 1 AND #2 FOR 2019, AS  
ADOPTED BY THE COMMON COUNCIL, ARE HEREBY APPROVED.

  
Michael R. Smith, Mayor

Dated: October 16, 2019