

REGULAR MEETING OF THE COMMON COUNCIL
SEPTEMBER 23, 2020
7:00 PM

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

ABSENT: Council Member: Sandra Magiera

Mayor Smith called the meeting to order at 7:00 PM. After the Pledge of Allegiance, Mayor Smith asked for a moment of silence and prayers for Deb Nichols who was in an accident. Council Member Koch asked for a moment of silence in memory of Council Member Hill's father-in-law, John Wass. *

CLD TO ORDER,
PLEDGE, MOM OF
SIL FOR DEB
NICHOLS, &
JOHN WASS

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 9, 2020.

APRVL OF MINS
OF 09/09/20

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

Moved by Flanigan and seconded by Koch:

RESOLVED: That we hereby declare the attached list of equipment, which is of no use to the Police Department, as surplus and dispose of or sell as scrap, as recommended by the Police Commission.

RESOL TO
DECL ATTACHED
LIST OF EQUIP
FROM SPD AS
SURPLUS & TO
SELL AS SCRAP
OR DISPOSE

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

Moved by Lonto and seconded by Koch:

RESOLVED: That we hereby waive the agenda rule to consider other business.

RESOL TO WAIVE
AGENDA RULE

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

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Moved by Lonto and seconded by Flanigan:

RESOLVED: That we hereby authorize the sale of a Broad Street Lot, (# 73.079-2-42) to Jess Wilson, for a purchase price of \$500.00, with the purchaser to pay the cost of consent for the Seneca Nation Indian Lease Assignment and all recording costs to record the deed and related paperwork with Cattaraugus County.

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

Moved by Hill and seconded by Lonto:

RESOLVED: That we hereby establish the hours for "Trick or Treat" in the City as 5:00 PM to 7:00 PM on Saturday, October 31, 2020, with those residents wishing to participate leaving their porch lights on.

Mayor Smith noted the NYS Governor Cuomo stated the public can trick or treat however, the CDC recommends against it. He urges everyone to do it safely and be sure to wear a mask.

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

Under Communications from the Mayor and Council:

- Police Commission authorized Officer Brandon Snyder to attend the Pat McCarthy's Street Crimes training November 16 - 18, 2020, to be held at the Binghamton Police Department, NY, at a cost of \$399.00 plus housing and meals.
- Mayor Smith stated he is asking to hold a Work Session with the Common Council and the Police Commission on October 28, 2020 at 5:30 PM. This will be a work session regarding the NYS Police Reform requiring Law Enforcement agencies create a plan.
- Mayor Smith noted that the Department of Public Works plans to finish the cleanup of the gravel and dust from the street repairs by the end of next week.
- Council Member Koch stated the Salamanca City Central School District is under the assumption that they are not responsible the Veteran's Park stone archway. She noted the Intermunicipal Agreement states "The City hereby leases to the District and the District hereby leases from the City the entirety of the Park, excluding the area from the stone archway entrance to Broad Street (memorial walkway, military tank, etc)..." City Attorney Weyand noted the wording does not specify from the back or the front of the archway. It was decided that the attorneys will need to discuss this further to make a determination.

RESOL TO AUTH
SALE OF BROAD
ST LOT TO
JESS WILSON,
PP \$500, HE
TO PAY COST
OF CONSENT
FOR SNI LEASE
AGRMT, & CO.
RECORDING
COSTS

RESL TO ESTAB
TRICK OR TRT,
5-7 PM, 10/31,
2020, PARTIC
TO LEAVE ON
PORCH LIGHT

COMMUNICATIONS

-POL COMM AUTH
BRANDON SNYD-
ER TO ATND
PAT MCCARTHYS
STREET CRIMES
TRNG, 11/16-18,
2020, \$399
plus HOUSG &
MEALS
-MAYOR REQ
WORK SESN W/
CC & POL COMM
10/28/20,
5:30 PM

-DPW TO CLEAN
UP FROM ST
REPAIRS BY
END OF NEXT
WK

-SCCSD & CITY
ATTYS TO DIS-
CUSS WHO MAIN-
TAINS VETS PK
ARCH

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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 Fire Chief, City Judge and Dog Control Officer for the month of August 2020 are hereby accepted and filed.

APRVL OF BILL
 AND CERTAIN
 REPORTS FOR
 THE MONTH OF
 AUG FR. DPT
 HEADS

--DATE--	--TYPE--	NUMBER	-----DESCRIPTION-----	----AMOUNT----
9/11/2020	CHECK	060429	CITY OF SALAMANCA FED WITHHOLD	5,166.17CR
9/11/2020	CHECK	060430	CITY OF SALAMANCA PAYROLL ACCO	69,980.66CR
9/18/2020	CHECK	060431	CITY OF SALAMANCA FED WITHHOLD	5,323.89CR
9/18/2020	CHECK	060432	CITY OF SALAMANCA PAYROLL ACCO	72,041.84CR
9/17/2020	CHECK	060433	CARDMEMBER SERVICE	1,133.00CR
9/25/2020	CHECK	060434	CITY OF SALAMANCA FED WITHHOLD	5,482.03CR
9/25/2020	CHECK	060435	CITY OF SALAMANCA PAYROLL ACCO	74,148.90CR
9/25/2020	CHECK	060436	AMCHAR WHOLESALE INC.	4,141.18CR
9/25/2020	CHECK	060437	CATTARAUGUS COUNTY DPW	297.72CR
9/25/2020	CHECK	060438	EAGLE RADIO TECHNOLOGIES	162.00CR
9/25/2020	CHECK	060439	EMERLING FORD, INC	650.70CR
9/25/2020	CHECK	060440	FEDERAL EASTERN INTERNATIONAL	4,492.00CR
9/25/2020	CHECK	060441	INTERACTION INSIGHT CORPORATIO	4,838.00CR
9/25/2020	CHECK	060442	INTERACTION INSIGHT GLR DBA ST	4,169.00CR
9/25/2020	CHECK	060443	THE PAPER FACTORY	115.00CR
9/25/2020	CHECK	060444	ACME BEARINGS CORP.	66.91CR
9/25/2020	CHECK	060445	ATLANTIC BROADBAND	133.24CR
9/25/2020	CHECK	060446	AURORA ELECTRONICS	650.49CR
9/25/2020	CHECK	060447	BLUE COLLAR WORKWEAR	200.00CR
9/25/2020	CHECK	060448	CATTARAUGUS COUNTY DPW	76.31CR
9/25/2020	CHECK	060449	CHEMUNG SUPPLY CORP	4,474.00CR
9/25/2020	CHECK	060450	CITY OF SALAMANCA BPU	439.94CR
9/25/2020	CHECK	060451	DUFF & PHELPS LLC	1,325.00CR
9/25/2020	CHECK	060452	FASTENAL COMPANY	25.83CR
9/25/2020	CHECK	060453	GFC BUSINESS SYSTEM, INC.	390.30CR
9/25/2020	CHECK	060454	HENDERSON PRODUCTS INC	1,163.21CR
9/25/2020	CHECK	060455	JAMESTOWN MACADAM, INC	5,405.40CR
9/25/2020	CHECK	060456	JAMESTOWN SOAP & SOLVENT, INC.	271.50CR

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9/25/2020 CHECK	060457	JOE JOHNSON EQUIPMENT	2,957.57CR
9/25/2020 CHECK	060458	METROPOLITAN TELECOMMUNICATION	1,436.38CR
9/25/2020 CHECK	060459	NEW ENTERPRISE STONE & LIME CO	560.06CR
9/25/2020 CHECK	060460	NYS ASSOCIATION OF CITY AND VI	50.00CR
9/25/2020 CHECK	060461	PROFESSIONAL AMBULANCE BILLING	2,413.38CR
9/25/2020 CHECK	060462	QUADIENT FINANCE USA, INC	2,000.00CR
9/25/2020 CHECK	060463	QUADIENT LEASING USA, INC.	251.77CR
9/25/2020 CHECK	060464	RICOH USA	219.72CR
9/25/2020 CHECK	060465	SOUTHWORTH-MILTON, INC	32.94CR
9/25/2020 CHECK	060466	SUIT-KOTE CORPORATION	101,777.12CR
9/25/2020 CHECK	060467	THE PAPER FACTORY	263.90CR
9/25/2020 CHECK	060468	U.S. BANK EQUIPMENT FINANCE	119.13CR
9/25/2020 CHECK	060469	WINTER EQUIPMENT COMPANY INC	377.70CR

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

Public Discussion

Moved by Hill and seconded by Flanigan:

RESOLVED: That we hereby authorize the Salamanca Community Watch group to livestream the public discussion.

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

Mayor Smith thanked the group of community members for attending the meeting. He noted that the City has collected the following:

- The City has a Local Law specifying where in the City sex offenders can live. However, NYS Court of Appeals made the decision preventing local government from passing or enforcing a law that is more restrictive than the NYS Sex Offender Registration Act (SORA).
- The Seneca Nation of Indians has an Executive Order, which states "... classified as Level I, II, & III sex offender, are hereby prohibited from entering into, or being present at the following Nation facilities: Nation Community Centers; Nation ECLE Facilities; Nation education department buildings and outdoor facilities (e.g pools, playground, etc.); Gil Lay Arena, the Allegany and Cattaraugus Libraries; the housing and gathering facilities for Nation elders, including the surrounding parking..."

PUBLIC DISCN

RESOL TO AUTH
 SALA COMMUNITY
 WATCH GRP TO
 LIVESTREAM
 PUBLIC DISCN

DISCN OF VARI-
 OUS ASPECTS &
 CONCERNS OF
 SALA COMMUNITY
 WATCH GROUP &
 CITY RE SEX
 OFFENDERS

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- The Salamanca Police Department prepared a list of properties in the City that are abandoned properties, drug house or frequent domestic violence residence.
- Council Member Magiera prepared a list of State and County officials for residents to contact regarding the laws. Mayor Smith stated the City's hands are tied and urge the public to contact the officials that make the laws.
- The Salamanca Police and Seneca Nation Marshalls have started a bicycle patrol. There will be a route along the Pennsy Trail, Main Street and in the Kinley Hill House area. The SCCSD also is assisting with this project. Police Captain Carlson noted that the patrols try to make it a practice to drive through the Kinley Hill House/ Save-a-Lot area.

CITY LIST OF
ABANDONED PROP,
DRUG HOUSE OR
FREQ DOM VIOL.

CITY LIST OF
STATE & CO OFFIC
FOR RESIDENT
CONTACT PURPOSES

BIKE PATROLS
ESTAB BY SNI &
CITY POL DEPT

Mayor Smith requested the group to assign three individuals to attend a joint meeting with Connecting Communities in Action (CCA), the Mayor and a few Council representatives.

JOINT MTGS REQD

Council Member Koch asked the representatives from CCA how many sex-offenders reside at Kinley Hill House. Ms. Fuller explained that there are two on the shelter side and six on the SRO emergency side.

Resident Claire Yarnes asked CCA how long a sex-offender is in the emergency housing before the public is notified. Ms. Fuller stated she understands the outrage over recent events. CCA attended this meeting listen to concerns. It was noted that such questions can be addressed at the joint meeting.

DISCN OF MCKIN-
LEY HOUSE

Resident Tonya Costello stated that sex offenders are required to report a change of address with two weeks. Attorney Weyand noted that the Cattaraugus County Sheriffs Department has a unit that is assigned to verify the residency reported. If they are in violation criminal charges can be brought against the individuals.

Resident Dorothy Barnes asked if sex offenders can live near a school. It is believed that SORA has restrictions on where they can live, based on the level of the sex offender.

Resident Gary Chapman asked how sex offenders can be listed as homeless. Captain Carlson stated Lieutenant Owens handles the SORA checks in the City and should be notified of questionable addresses. He also noted that if the sex offender does not report within 10 days they will be charged with a felony.

Resident Carmen Vecchiarella asked if sex offenders are restricted from being within a certain distance from a school etc. It was suggested to check with Lieutenant Owens on these rules.

Ms. Yarnes noted that there are some listed on the registry that have moved some time ago and not updated. She is concerned that there are others that have moved into the area and not notified authorities of the change. It was again suggested to speak with Lieutenant Owens and to report anything suspicion to the Police Department to be looked into.

Mayor Smith stated that of the sex offenders in Cattaraugus County, 17% live in the City of Salamanca, 30% live in the City of Olean, and the remaining 53% are throughout the rest of the County.

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Ms. Yarnes stated that a Salamanca Community Watch group has been started. Mayor Smith noted that the City and Police Department would like to help and to let them know of any needs.

Ms. Yarnes also noted that Olean has a sex offender registry listed on their City webpage and asked if Salamanca could do the same. Lieutenant Owens and the webpage administrator will be asked to post the list of the sex-offenders registered as living in the City of Salamanca.

Mayor Smith thanked everyone for coming and again urged residents to contact NYS government officials.

Moved by Lonto and seconded by Flanigan:

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

Carried.



Tracy Chamberlain, City Clerk

Dated: September 29, 2020

ADJOURN

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



Michael R. Smith, Mayor

Dated: Oct. 13, 2020



Salamanca Police Department

1 Barrett Dr. Salamanca, NY 14779

(716) 945-2330

Troy Westfall
Chief of Police
twestfall@salmun.com

Jamie Deck
Lieutenant
jdeck@salmun.com

Shift Supervisors:

James Schulz
Sergeant
jschulz@salmun.com

Tustin Swift
Sergeant
tswift@salmun.com

Adam Carlson
Sergeant
acarlson@salmun.com

Tina Owens
Investigator
tovens@salmun.com

Marra Campbell
Juvenile Officer
mcampbell@salmun.com

Department Fax
(716) 945-6522
(24 Hours)

February 20, 2019

Destruction of Property

To: Chief Troy Westfall and City of Salamanca Police Commissioners

Attached is a list of property that has been stored at the Police Department and is no longer of use or has value to the Police Department.. I am writing this letter with the intent of the Chief of Police and Police Commission to declare these items as surplus.

7 Data 911 computers/ printer/scanners and keyboards

1 Dell Dispatch Computer

Misc. Vehicle mounts , trays from old patrol cars

8 Siren and light control boxes

2 Power inverters

2 lightbars

Misc. small vehicle lights

1 minolta 35 mm camera

3 sony floppy disk cameras

1 Polaroid camera

1 Cage for dodge charger

Multiple wiring harness

Sincerely

Sgt. Tustin Swift