

AGENDA FOR REGULAR MEETING OF THE COMMON COUNCIL
JANUARY 14, 2026
7:00 PM
COURT ROOM OF THE MUNICIPAL BUILDING

At approximately 6:30 PM, the Mayor and Council will hold a work session for the purpose of reviewing agenda items and signing bills. No official action will be taken during this time.

Pledge of allegiance and moment of silence.

1. Call to order at 7:00 PM.
2. A resolution approving and dispensing with the reading of the minutes of the last regular meeting of December 10, 2025.

OLD BUSINESS.

NEW BUSINESS:

REORGANIZATION OF THE COMMON COUNCIL FOR 2026, AS FOLLOWS:

Sponsor: Mayor Magiera

3. Election of a Council President for the year 2026.
4. A resolution to:
 - Establish the times for the regular Common Council meetings on the second and fourth Wednesday of each month at 7:00 PM to be held in the courtroom of the City Municipal Building.
 - Designating Five Star Bank, Community Bank, N.A., and Cattaraugus County Bank as the official depositories for the City and formally designating the persons authorized to handle the funds of the City (check signatures required) in such a manner as to comply with the laws of the State and the New York State Comptroller.
 - Authorizing the Mayor, City Clerk and City Comptroller to sign checks ahead of time where discounts may be saved or penalties may be avoided by paying them on time.
 - Designating the Salamanca Press and the Olean Times Herald as the official newspapers and WPIG as the official radio station for the City.
 - Adopt certain rules of order for Council meetings and submission of agenda items.

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5. A resolution confirming the appointment of Jem Yarbour, Salamanca, NY as Part-time Dog Caretaker as needed with a maximum of 28 hours per week at hourly minimum wage, effective December 17, 2025. Sponsor: Mayor Magiera
6. A resolution confirming the acceptance of the proposal of 4ward Planning Inc., New York, NY for services on the evaluation of Central Avenue / Route 219 property. Sponsor: Mayor Magiera
7. A resolution approving the City of Salamanca – Seneca Nation of Indians Joint Leasing Commission Budget for 2026 and authorizing payment of one half of the budget in the amount of \$5,000.00. Sponsor: Mayor Magiera
8. Certain appointments by the Mayor and Common Council
9. A resolution to waive the agenda rule to consider other items(s), if necessary.
 - a. A resolution approving the change order for BECC Electric, Fredonia, NY, for the Records Room alternations project, in the amount of \$2,622.63.
10. Communications from the Mayor and Council.
11. Reminder of other meetings – January 15th Library at 4:00, January 19th Police at 4:30, January 27th Youth Board at 4:30 and the next Regular Council will be January 28th at 7:00.
12. A resolution authorizing payment of the bills as warranted and recommended by the appropriate Commissions and/or Department Heads, the City Comptroller and City Clerk and accept reports.
13. Public discussion, other matters.
14. Motion to hold a work session and/or executive session, if necessary.
15. Adjournment.

RESOLVED: That the regular Common Council meetings will be held on the second and fourth Wednesday of each month at 7:00 PM in the courtroom area of the City Municipal Building, and

WHEREAS, the City of Salamanca Common Council designates the City's official depositories at the reorganizational meeting each year, and

WHEREAS, the City of Salamanca has governmental type funds which consist of the following:

1. General Fund
2. Capital Projects Fund (as needed)
3. Special Revenue Fund

WHEREAS, the City of Salamanca has a fiduciary fund which consists of the Trust and Agency Fund, and

WHEREAS, the City of Salamanca has a Special Revenue Fund which consists of processing and issuing checks for the City's Community Development projects, and City's Special Grant Fund, and

WHEREAS, the City of Salamanca collects County Taxes and such funds are deposited into Cattaraugus County controlled account, and

WHEREAS, the City of Salamanca has, through past practice and statutory provision, established that certain persons are authorized to sign for certain types of checks and to withdraw for cash in time deposit accounts, and

WHEREAS, the City of Salamanca maintains user accounts for "online banking" with Cattaraugus County Bank, Five Star Bank, and Community Bank, N.A. for the purpose of monitoring checking, savings and money market account balances, printing reports, and transfer of funds, with manual documentation of such transactions authorized by two signatories on file with the appropriate bank, and

WHEREAS, signatures for new, renewals and withdrawals of Certificates of Deposits will be directed from the policy of the Cattaraugus County Bank, Five Star Bank, and Community Bank, N.A., and

WHEREAS, signatures of the Mayor, City Comptroller and City Clerk are required on transfer of funds from the Special Revenue Fund to the General Fund, once the need has been established. All three signatures shall be required.

NOW, THEREFORE BE IT RESOLVED, that the City of Salamanca formally designates the persons authorized to handle the funds of the City in such a manner as to comply with the Laws of the State of New York and in compliance with the New York State Comptroller's financial guidelines. They are as follows:

A. GOVERNMENTAL FUNDS

1. General Fund
Checks: Two of the following person's signatures are required: Mayor, City Comptroller or City Clerk. Cash In Time Deposit: Two (2) signatures of the following are required for withdrawals: Mayor, City Comptroller or City Clerk.
2. Capital Projects Fund
Checks: Two of the following person's signatures are required: Mayor, City Comptroller, or City Clerk. Cash In Time Deposit: Two (2) signatures of the following are required for withdrawals: Mayor, City Comptroller or City Clerk.
3. Special Revenue Fund
Checks: Two of the following person's signatures are required: Mayor, City Clerk or City Comptroller.
4. Handling of Small Cities Block Grant Funds are to be known as City-Community Development.
(The following procedure starts after Common Council action and all contracts are signed for the project(s).)

PROCEDURE FOR SMALL CITIES GRANT FUNDS:

- a. The bills are to be submitted to the Mayor or the Architect/Clerk of the Works for their approval.
- b. The person who has the most direct knowledge of the project will approve the bills.
i.e. The Consultant and Architect bills are to be approved by Mayor, Contractors bills approved by Architect/Clerk of the Works.
- c. Payment is made in accordance with terms of contract. Including the electronic formal drawdown request.
- d. Once the funds are wired into the Community Development Account, the City Comptroller's Office will process payment in a timely manner.
- e. The paid vouchers will then be given to the Consultant for completing the accounting cycle.

B. FIDUCIARY FUND

1. Trust and Agency Fund Checks:
 - a. The City payroll account requires the signatures of the Mayor and City Comptroller which are automatic signatures printed on checks.
 - b. The other payroll-related accounts require one signature or as noted of Mayor, City Clerk, or City Comptroller or set up for electronic transfer of funds for the following:
 - i. State Retirement System (for electronic wire)
 - ii. Federal Tax Payments (for electronic wire)

- iii. NYS Tax Payments (for electronic wire)
- iv. Payroll Electronic (for electronic wire)
- c. The Guaranty & Bid Deposit Account, Tax Redemption Account, the Pooled Cash Account and the Cash Trust & Agency Account require two of the following signatures: Mayor, City Clerk or City Comptroller.

C. PROPRIETARY TYPE FUNDS:

Board of Public Utilities – Electric, Water and Sewer Accounts.

Checks: Two of the following signatures are required: General Manager, Business Office Manager and Account Clerk Typist with seniority.

Cash In Time Deposits: Two signatures of the following are required for withdrawals: General Manager, Business office Manager and Account Clerk Typist with seniority.

Signatures for new, renewals and withdrawals of Certificates of Deposits will be directed from the policy of the Cattaraugus County Bank, Five Star Bank, and Community Bank, N.A.

Certified copies of this Resolution shall be provided to the three banks.

D. CASH IN TIME DEPOSIT:

The Special Youth Center Building Trust and other Youth Center Trust Account requires two (2) of the following signatures: Mayor, City Clerk or City Comptroller for withdrawals.

The Ambulance Memorial Trust Funds requires two (2) of the following signatures: Mayor, City Clerk or City Comptroller for withdrawals.

This shall take effect immediately, and

BE IT FURTHER RESOLVED: That the Mayor, City Clerk and City Comptroller are hereby authorized to sign checks ahead of time where discounts may be saved or penalties may be avoided by paying them on time, and

BE IT FURTHER RESOLVED: That the Salamanca Press and the Olean Times Herald are hereby designated as the official newspapers and WPIG are hereby designated as the official radio stations for the City, and

BE IT FURTHER RESOLVED: That the Common Council complies with the Open Meetings Law of New York State and they shall conduct its business in such a way that order is maintained at all times. Meetings are open to the public and any of our citizens attending these meeting shall be fully aware of what is taking place here. Therefore:

1. Any Council member having the floor shall be entitled to its privileges for a reasonable length of time and shall not be interrupted by another member or any member of the audience until he has finished speaking.
2. The Mayor or any Council member may recognize anyone from the audience and that person may speak for a reasonable length of time only on the specific agenda item being considered at the time.
3. The State's Open Meetings Law does not include any provisions about the public addressing the Council during its meetings. However, the City of Salamanca Common Council will allow visitors to its meetings to address the Council. In order for the Council to fulfill its obligation to complete its scheduled agenda in an effective and efficient fashion, a maximum of thirty minutes of public participation will be permitted at the end of each meeting.
4. All persons wishing to address to the Council are required to sign in prior to the call of order and will be recognized in the order in which they signed-in. Each speaker is given a maximum of five (5) minutes to address the Council. If several persons wish to speak, each will be allotted a maximum of five (5) minutes until the public participation of 30 minutes is used. Persons who address the Council may speak only once per meeting and for no longer than a maximum of five (5) minutes each. Speakers must limit their topic to City matters only.
5. The Council President at the meeting will introduce each registered speaker and will keep track of the time. Any person securing the floor shall give his/her name and address and briefly state the purpose. They shall address their remarks to such issue(s) however not discuss personalities nor use profanity. Comments must be addressed the Council as a whole and not directed to individual members or city staff. The Council appreciates comments from the public, but may not address the issues.
6. If the speaker wishes to share additional comments, he/she may schedule an appointment with the City Clerk or Mayor, who will then present a summary of that meeting to the Council.
7. It is the duty of the Mayor to enforce the rules and order of the Council. When the Mayor is unable the Council President may call for order.
8. In fairness to anyone in the audience and to the representatives of the press, the Mayor, any member of the Council or the Clerk thereof shall speak in a voice loud enough to be heard by all present.
9. When the Clerk takes the roll of any resolution or other matters requiring a vote, she shall call the Council member's names by ward numerically (1 to 5) and slowly to leave no room for error. At the conclusion of such a vote, the Clerk shall announce the results of the vote and declare whether the question was carried or defeated.

10. Business conducted at all official meetings of the Common Council shall be governed by Roberts Rules of Order, where applicable, with the exception of the above rules.

11. In all cases, an abstention shall be considered as no vote at all, and

WHEREAS: It is the responsibility of the City Clerk to prepare and distribute the Agenda for the Regular Meetings of the Common Council on the Friday before the Common Council meetings, and

WHEREAS: All agenda items (including all back up material) must be submitted to the City Clerk by noon on the Thursday before the regular meeting of the Common Council. The only exception is when Friday falls on a scheduled city holiday. In that case, items must be submitted on Wednesday before the Common Council meeting, and

WHEREAS: An item not appearing on the agenda (such items should be city matters which need to be addressed immediately and cannot wait until the next meeting) can be considered by the Common Council after a majority of the Common Council votes to waive the agenda rule to consider such item, and

WHEREAS: When an agenda item is recommended by a City Commission or Board, the sponsor shall automatically be the Council members who sit on the Board or Commission. Note: This sponsorship only means that the legislative member has agreed that the item will appear on the agenda for consideration and the sponsor can still vote no on the agenda item, and

WHEREAS: All other agenda items (not recommended by a Board or Commission) will be sponsored by the member (s) of the legislative body (Mayor or Council member (s)) who first contacts the City Clerk with a request to place the item on the agenda, and

WHEREAS: Only the sponsor of the agenda item may withdraw the item from the agenda, and under no circumstances can the sponsor of the agenda item be changed without the sponsor's permission, and

RESOLVED: That this policy shall become part of the Rules of Order for Council Meetings which are considered at the reorganizational meeting in January of each year.

This resolution shall take effect immediately.