

REGULAR MEETING OF THE COMMON COUNCIL
SEPTEMBER 25, 2024
7:00 PM

PRESENT: Mayor Sandra Magiera
Council Members: John Hill, Kylee Johnson, Barry Smith,
Michael Reed, Janet Koch
City Clerk: Tracy Chamberlain
Youth Bureau Director: Markie Phillips
Grant Administrator: Jay Bartoszek
Police Captain: Adam Carlson
Police Officer: William Hunt
City Comptroller: Robert Earley

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

Moved by Hill and seconded by Smith:

RESOLVED: That we hereby approve and dispense with the reading of the minutes of the last regular meeting of September 11, 2024, with the correct attachment for the Community Safety Plan.

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

Agenda Item #3 to appoint a Dog Caretaker, was withdrawn.

Moved by Johnson and seconded by Smith:

RESOLVED: That we hereby appoint Heather Price, as Part-Time Police Officer effective September 30, 2024, up to 20 hours per week, according to the current Police Union Contract, with fifty-two weeks probation.

Council Member Koch noted Officer Price currently is a Cattaraugus County Sheriff and this will fill part of one full-time position that is open.

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

Moved by Smith and seconded by Hill:

WHEREAS, the City Council of the City of Salamanca has established fees for various permits available from the Office of Code Enforcement and the Department of Public Works; and

WHEREAS, the City Council has determined that amendment of such permit fee schedules is appropriate, in order to promote the effective administration of City government, to address circumstances where a property owner commences work for which a permit is required prior to obtaining such permit from the City;

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NOW, THEREFORE, BE IT ORDAINED, that the City of Salamanca Municipal Code be amended as follows:

1. Chapter 18, Section 18.4 (DPW Permit Fee Schedule) be amended by adding the following provision therein: “In any instance where a property owner commences work or which a permit under this Section is required prior to obtaining such a permit, the applicable permit fee shall be doubled. This shall be in addition to any and all other remedies available to the City under such circumstances.”
2. Chapter 26, Article III, Section 26.34 (Fees for Various Permits) be amended by adding a new Subdivision 3, to read as follows: “In any instance where a property owner commences work for which a permit under this Section is required prior to obtaining such a permit, the applicable permit fee shall be doubled. This shall be in addition to any and all other remedies available to the City under such circumstances.”
3. This Ordinance shall become effective upon publication as set forth in the City Charter.

Council Member Koch confirmed that applicants not be penalized if there is no Code Enforcement Officer available when a permit is applied for .

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

Moved by Johnson and seconded by Reed:

WHEREAS, the City Council of the City of Salamanca has determined that, under the Municipal Home Rule Law, it is necessary to amend the Municipal Code, in order to protect public property and the public health, safety and welfare from unreasonable interference with the public’s use and enjoyment of public property from the erection and use of tents, sleeping and related activities associated with camping on public property not otherwise designated for such activities.

NOW THEREFORE, BE IT ORDAINED, that the Municipal Code of the City of Salamanca is hereby amended as follows:

1. Adding a new Section 44.26 to Article II (“Use and Protection of Public Streets”) of Chapter 44 (“Streets and Public Places”) which shall read as follows:

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“Notwithstanding any provision of this Code to the contrary, and unless otherwise authorized by permit duly issued by the City of Salamanca, there shall be no camping and/or erection of tents or similar structures on public property of the City. Further, there shall be no lying down or sleeping on the ground, or lying down or sleeping on benches, sitting areas or walkways comprising or located on City Property which unreasonably interferes with the use of such City property or use of related benches, sitting areas or walkways by others. In addition, there shall be no placement of tarps, sleeping bags, blankets or other coverings, and no storage or placement of personal property, on City property which unreasonably interferes with the use of such public property by others. The fine for such offence shall be Fifty Dollars (\$50) for the 1st violation, One Hundred Dollars (\$100) for the 2nd violation, Two Hundred (\$200) for the 3rd violation and any subsequent violation, or imprisonment of not more than fifteen (15) days, or both such fine and imprisonment.

2. The title of Article II of Chapter 44 of the Municipal Code of the City of Salamanca shall further be amended to read: “Use and Protection of Public Streets and Public Property.”
3. The provisions of this Ordinance are severable. If any provision of this Ordinance is found invalid, such finding shall not affect the validity of this Ordinance as a whole or any part or provision thereof other than the provision found to be invalid.
4. This Ordinance shall become effective upon publication as set forth in the City Charter.

There was discussion regarding what will happen when individuals cannot find housing. It was noted that the Police have resources to offer.

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

Moved by Hill and seconded by Johnson:

RESOLVED: That we hereby confirm the acceptance of the attached quote from D & S Glass Products, Jamestown, NY for the replacement of the entry door at 123 Main Street, in the amount of \$5,162.20.

Such quote is attached to and made part of these minutes.

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

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Moved by Reed and seconded by Hill:

RESOLVED: That we hereby authorize the City to apply for Game Time Playground Grant in the amount of \$50,000.00, with the City matching funding of \$50,000.00 for the replacement of playground equipment at the Youth Center.

Youth Bureau Director Markie Phillips noted this Youth Center playground has the oldest equipment and there are funds budgeted to cover this project.

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

Moved by Koch and seconded by Reed:

RESOLVED: That we hereby approve the City of Salamanca Personnel Rules/Benefits for Non-Union Employees to be effective October 1, 2024.

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

Moved by Smith and seconded by Hill:

RESOLVED: That the following appointments by the Mayor are hereby approved:

BOARD OF ASSESSMENT REVIEW

Reappointment of Lisa Carpenter, Salamanca, NY, for a five year term beginning on October 1, 2024 and ending September 30, 2029.

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

Moved by Johnson and seconded by Hill:

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

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

Moved by Smith and seconded by Reed:

RESOLVED: That we hereby approve the Service Agreement between the City of Salamanca and Gallego Information Services, Buffalo, NY, to provide records management services, in the amount of \$55,550.00, paid for with NYS Archives Local Government Records Management Improvement (LGRMI) grant funds and further authorize the Mayor to sign such agreement.

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

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Moved by Hill and seconded by Koch:

RESOLVED: That we hereby accept the low bid of Schumaker Construction for the installation of a new Backup Generator to be located at the DPW building on Rochester Street, in the amount of \$156,200.00.

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

Communications from the Mayor and Council:

- Mayor Magiera noted that the Seneca Nation of Indians invited the City for a presentation of 7 additional surveillance cameras the SNI purchased to be installed along the Pennsy Trail. She thanked the SNI very much for contributing to this project. The SNI and the City plan to purchase more and the Police have advised that the cameras be installed at playgrounds.
- Mayor Magiera reminded everyone of the Falling Leaves Festival to be held October 4, 5 and 6, 2024.
- Council Member Johnson praised the Fire Department for the great job on a couple of big fires on September 22 and 23, 2024.

Moved by Johnson 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 report of the Dog Control Officer for the month of August 2024 are hereby accepted and filed.

Vendor Number	Vendor Name	Payment Date	Payment Amount	Number
1330	HOME DEPOT CREDIT CARD SERVICES	09/13/2024	114.00	3899
1059	STAPLES	09/13/2024	943.24	3900
0540	WILLIAM SMITH	09/13/2024	606.95	3901
1097	BREEZELINE	09/20/2024	162.47	3902
0186	CASELLA WASTE SYSTEMS, INC.	09/20/2024	98.54	3903
1003	CSEA, INC.	09/20/2024	77.10	3904
1333	PLYLER ENTRY SYSTEM	09/20/2024	199.00	3905
1397	RICHARD CARSON	09/20/2024	317.56	3906
1069	TIM HAYNOSKI	09/20/2024	262.21	3907
0912	U.S. BANK EQUIPMENT FINANCE	09/20/2024	119.13	3908
1388	UBEO, LLC	09/20/2024	60.51	3909
0555	AURORA ELECTRONICS	09/25/2024	250.00	3910
0794	CHAUTAUQUA CO. HUMANE SOCIETY INC, SPCA	09/25/2024	50.00	3911
0122	ELAN FINANCIAL SERVICES	09/25/2024	579.00	3912

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1205	HIGHMARK BCBSWNY (MEDICARE 286543)	09/25/2024	415.00	3913
9014	HUNT ENGINEERS ARCHITECTS & LAND SURV, PC	09/25/2024	96,787.71	3914
1502	KATTIE SCHWAB	09/25/2024	25.00	3915
1045	LAWLEY BENEFITS CONSULTING	09/25/2024	1,500.00	3916
0831	METROPOLITAN TELECOMMUNICATIONS	09/25/2024	2,386.56	3917
1134	PROFESSIONAL AMBULANCE BILLING LLC	09/25/2024	3,752.48	3918
0638	RANDOLPH VETERINARY CLINIC	09/25/2024	325.00	3919
0570	SCOTT J COLLINS	09/25/2024	1,459.00	3920
1182	SUSAN WHITCOMB	09/25/2024	70.48	3921
0340	THE PAPER FACTORY	09/25/2024	559.90	3922
1388	UBEO, LLC	09/25/2024	59.18	3923
1211	ASCENDANCE TRUCKS PENNSYLVANIA	09/25/2024	417.30	3924
0900	DECKER TREE SERVICE	09/25/2024	4,000.00	3925
0134	DEN'S AUTO	09/25/2024	900.00	3926
0560	EMERLING FORD, INC	09/25/2024	705.39	3927
0237	FASTENAL COMPANY	09/25/2024	118.54	3928
0191	GERNATT ASPHALT	09/25/2024	65.71	3929
0277	JAMESTOWN MACADAM, INC	09/25/2024	1,665.00	3930
1091	KURK FUEL COMPANY	09/25/2024	12,461.44	3931
0568	NEW ENTERPRISE STONE & LIME CO., INC	09/25/2024	8,797.10	3932
1216	STONEY HOLLOW TIRE	09/25/2024	289.64	3933
0340	THE PAPER FACTORY	09/25/2024	351.99	3934
0491	UNIFIRST CORPORATION	09/25/2024	628.25	3935
0098	WORTH W SMITH	09/25/2024	145.12	3936
0099	BARMORE & SELLSTROM	09/25/2024	829.80	3937
0618	BREATHING AIR RESOURCES	09/25/2024	1,364.65	3938
1065	EMERGENCY SERVICES MARKETING CORP, INC.	09/25/2024	660.00	3939
0529	ESO SOLUTIONS, INC.	09/25/2024	1,495.00	3940
0404	MOTOROLA SOLUTIONS, INC.	09/25/2024	4,251.00	3941
1035	ULINE	09/25/2024	4,144.49	3942
0371	CALE BENJAMIN	09/25/2024	73.75	3943
0349	CATTARAUGUS CO. OFFICE OF EMERGENCY SERVICES	09/25/2024	160.00	3944
0122	ELAN FINANCIAL SERVICES	09/25/2024	73.00	3945
0193	GALLS PARENT HOLDINGS, LLC	09/25/2024	713.53	3946
0404	MOTOROLA SOLUTIONS, INC.	09/25/2024	2,609.40	3947
0765	SEWING TECHNOLOGY UNIFORM INC	09/25/2024	2,586.60	3948
1238	AMAZON CAPITAL SERVICES	09/25/2024	1,112.49	8000001
1238	AMAZON CAPITAL SERVICES	09/25/2024	370.62	8000002

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

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Public Discussion:

- John Bach mentioned the sidewalk that needs repair at the Board Street stairway.
- There was discussion regarding the US Dept. of Justice COPS grant received by the City and the next round that Police Departments are eligible to apply for. It was noted the new officers hired under the grant are required to attend the Law Enforcement Academy and department training.
- Mr. Bach asked if something could be done to clean up 19-21 Summit Street.
- There was discussion regarding the Recreation Vehicle Ordinance.
- It was noted that the City can work with the SNI regarding code violations that would be considered lease violations.

Moved by Johnson and seconded by Reed:

RESOLVED: That the Mayor and Council enter into executive session for the purpose of discussing collective bargaining negotiations under the provisions of the State's Open Meetings Law.

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

Moved by Smith and seconded by Johnson:

RESOLVED: That the Mayor and Council reconvene after approximately thirty minutes in executive session.

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

Moved by Koch and seconded by Johnson:

RESOLVED: That we hereby require the Salamanca Dog Control Officer to house only City of Salamanca seized animals in City kennels and that all other animals be removed.

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

Moved by Hill and seconded by Smith:

RESOLVED: That we hereby authorize an agreement between the City of Salamanca and Courtney James, Salamanca, NY for Dog Caretaker, after checking with the City Attorney, so not to affect retirement and overtime now and in the future, to be effective September 25, 2024, at minimum wage, with the requirement of getting the rabies vaccination.

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

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Moved by Johnson and seconded by Smith:

RESOLVED: That we hereby adjourn – 8:26 PM.

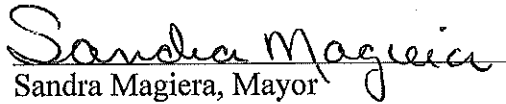
Carried.



Tracy Chamberlain, City Clerk

Dated: September 30, 2024

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



Sandra Magiera, Mayor

Dated: October 4, 2024

D & S GLASS PRODUCTS
333 FLUVANNA AVE.
JAMESTOWN NY 14701
(716)665-9106 Fax:(716)484-3168
Tax# 16-1275349

Quote: 2-13573
Date:08/28/2024

Customer

CITY OF SALAMANCA
225 WILDWOOD AVE
SALAMANCA NY 14779

Ph:(716)945-4620

Csr:TRACEY Tech: PO Terms:NET 30

Acct:1011998 Job:123 MAIN ST.

Qty Part / Description

Item Total

1 WE PROPOSE TO FURNISH AND INSTALL THE FOLLOWING:

5,162.20

(1) TUBELITE E4500 SERIES 1-3/4" X 4-1/2" NON-THERMAL DOOR FRAME, FRAME SIZE:

45-1/2" X 85-1/2" WITH (1) TUBELITE T14000 SERIES SINGLE THERMAL 2" X 4-1/2"

SIDELITE ONE SIDE TO FIT OVERALL WIDTH OF 63-1/4" and (1) TUBELITE 1-3/4"

NARROW STILE DOOR, 42" X 83-3/4"

TOP RAIL: 3", STILES: 2-1/8", BOTTOM RAIL: 4"

INCLUDES THE FOLLOWING HARDWARE:

3 BUTT HINGES

STD EXTERIOR PULL HANDLE

STD INTERIOR PUSH BAR

MS LOCK WITH CYLINDER & THUMB TURN

HAGER 5100 CLOSER

DROP PLATE

DOOR SWEEP

THRESHOLD

FINISH: (C2) CLASS II CLEAR ANODIZED

GLAZING: 1" INSULATED (1/4" CLEAR TEMP - 1/2" A.S. - 1/4" CLEAR TEMP)

JOB LOCATION: 123 MAIN ST.

SALAMANCA, NY 14779

CONTACT: SANDY, T: 716-945-3110

EMAIL: SMAGIERA@SALMUN.COM

Notes: 1-PRICE EXCLUDES TAX. SUBMIT EXEMPTION CERTIFICATE WITH ORDER OR TAX WILL BE APPLIED.

2-PRICE INCLUDES REMOVAL AND DISPOSAL OF EXISTING PAIR OF DOORS AND DOOR FRAME.

WE APPRECIATE THE OPPORTUNITY TO PROVIDE YOU WITH OUR PROPOSAL. PLEASE GIVE US A CALL AT 716-665-9106 WITH ANY QUESTIONS.

HUNT ENGINEERS | ARCHITECTS | SURVEYORS

September 24, 2024

The City of Salamanca
Attn: Rob Carpenter
225 Wildwood Ave
Salamanca, NY 14779

Re: Recommendation of Award of Bids
Salamanca DPW Backup Generator
HUNT 2962-015

Dear Rob:

The City of Salamanca received bids for the Salamanca DPW Backup Generator Project on September 18, 2024. A total of four (4) bids were received, see below for a bid tabulation.

Bid Tabulation:

Schumaker Construction	\$156,200
Wm. T. Spaeder Co. Inc.	\$165,900
Ahlstrom Schaeffer Electric Corp.	\$179,735
BECC Electric	\$214,988

The low bidder was Schumaker Construction. Schumaker neglected to acknowledge the second addendum; however, since the bid opening HUNT has confirmed with the contractor that they agree to complete the work at their bid price and understand the 5% TERO requirement of the contract. HUNT sent a letter to the contractor to acknowledge this, the intention is for the contractor to sign and bring it to the 9/25/2024 meeting so the City can move forward with the award.

HUNT recommends awarding Schumaker Construction in their bid amount of One Hundred Fifty-Six Thousand Two Hundred Dollars (\$156,200).

Please do not hesitate to call me if additional information is needed to assist the City in its considerations.

Sincerely,

HUNT ENGINEERS, ARCHITECTS, LAND SURVEYORS & LANDSCAPE ARCHITECT



Gregory J. Barr, PE
Vice President

c: Tracy Chamberlain

143 COURT STREET
BINGHAMTON, NY 13901
TELE: 607.798.8081

4 COMMERCIAL STREET
SUITE 300
ROCHESTER, NY 14614
TELE: 585.327.7950

100 HUNT CENTER
HORSEHEADS, NY 14845
TELE: 607.358.1000

HUNT-EAS.COM

1 ELIZABETH STREET
SUITE 12
TOWANDA, PA 18848
TELE: 570.265.4868

251 NEW KARNER ROAD
SUITE 201, BOX #4
ALBANY, NY 12205
TELE: 607.798.8081

SECTION 00 41 13

BID FORM
(SUBMIT IN DUPLICATE)

Hunt Engineers, Architects, Land Surveyors & Landscape Architect, DPC
Airport Corporate Park, 100 HUNT Center Horseheads, NY 14845

BID SUBMITTED BY: Schumaker Construction
ADDRESS: 1380 NY 104, Ontario, NY 14519
PHONE NUMBER: 585-260-0617
E-MAIL ADDRESS: mattjewett@schumakerconstructionllc.net
FAX NUMBER: 585-672-6505
FEDERAL EMPLOYER IDENTIFICATION NUMBER: 99-1769130
PROJECT NAME: Salamanca DPW Backup Generator
HUNT PROJECT NUMBER: 2962-015
OWNER: City of Salamanca

The bidder (identified above) hereby certifies that he has examined and fully understands the requirements and intent of the BIDDING AND CONTRACT DOCUMENTS, including Drawings, Project Manual, and Addenda; and proposes to furnish all labor, materials, and equipment necessary to complete the Work on or before, the dates specified in the Contract Documents for the BASE BID sum of:

CONTRACT #:

(Refer to Section 01 10 00 Summary)

One hundred fifty-six thousand two hundred dollars

(AMOUNT IN WORDS)

\$156,200

(AMOUNT IN FIGURES)

Note: Base bid \$147,200, Alt 1 for two year maint \$9,000

SHOW AMOUNT OF BASE BID IN BOTH WORDS AND FIGURES; IN CASE OF DISCREPANCY BETWEEN WORDS AND FIGURES SHOWN, THE AMOUNT SHOWN IN WORDS WILL GOVERN.

ADDENDA

THE FOLLOWING ADDENDA HAVE BEEN RECEIVED. THE MODIFICATIONS TO THE BID DOCUMENTS NOTED BELOW HAVE BEEN CONSIDERED AND ALL COSTS ARE INCLUDED IN THE BID AMOUNT.

LIST OF ADDENDA RECEIVED

No. <u>1</u>	Date <u>8/28/2024</u>	No. _____	Date _____
No. _____	Date _____	No. _____	Date _____
No. _____	Date _____	No. _____	Date _____