

REGULAR MEETING OF THE COMMON COUNCIL  
MARCH 27, 2024  
7:00 PM

PRESENT: Mayor Sandra Magiera  
Council Members: John Hill, Kylee Johnson, Barry Smith,  
Michael Reed, Janet Koch  
City Clerk: Tracy Chamberlain  
Human Resource Trainee: Elizabeth Downie  
BPU General Manager: Dennis Hensel  
BPU Electric Dept. Supervisor: Jeffery Pond Jr.  
Youth Bureau Director: Markie Phillips  
Grant Administrator: Jay Bartoszek  
City Attorney: Jeffrey Swiatek

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 Johnson and seconded by Smith:

RESOLVED: That we hereby approve and dispense with the reading of the minutes of the last regular meeting of March 13, 2024 and the special meeting of February 21, 2024.

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

Moved by Hill and seconded by Johnson:

RESOLVED: That we hereby accept the quote of HUNT Engineers, Horseheads, NY for engineering services approved November 2022, for the culvert replacement on Front Avenue over Titus Creek, to convert to a bridge replacement, for additional engineering fees, for a total cost of \$48,000.00.

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

Moved by Johnson and seconded by Smith:

WHEREAS, fees charged for emergency medical services include ambulance services provided by City of Salamanca, and

WHEREAS, recent meeting and discussions have been held and it has been determined that the City of Salamanca should increase these fees in order to be more compatible with other municipal ambulance services in the local area, and

WHEREAS, after comparing the rates with those charged by other local municipalities and upon the advice of the City's billing processing company, the Common Council has determined it to be in the best interest of the City of Salamanca to raise its rates.

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NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The rates for EMS provided by the City of Salamanca are hereby established as follows:

Advanced Life Support 2 (ALS 2)	\$1,600.00
Advanced Life Support 1 (ALS)	\$1,300.00
Basic Life Support (BLS)	\$1,000.00
Treat and Release	\$ 400.00
Mileage	\$ 35.00 per mile
Medicaid Fuel	\$ 0.12 per mile

2. This resolution shall take effect on April 1, 2024.

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

Moved by Koch and seconded by Hill:

RESOLVED: That we hereby approve a 2% general raise for all full and part time Salamanca Housing Authority non-union employees, with the exception of the Full-time Account Clerk/Typist, who is to receive a \$3.00 per hour raise, all effective April 1, 2024.

Council Member Hill asked why the Account Clerk/Typist is to receive \$3 per hour. Council Member Koch stated that the this a good employee has been there two years and could be offered a job elsewhere for more pay.

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

Moved by Hill and seconded by Johnson:

RESOLVED: That we hereby authorize the renewal of the agreement for the City of Olean Community Development, Olean Area Transit System bus services within the City of Salamanca for June 1, 2023 through May 31, 2024, and further authorize the Mayor to sign such agreement.

It was noted this program is funded through six sources. Olean proposed to cease the service due to lack of funding. There has been discussion among the groups to extend service for six months to work on a plan. The City has budgeted \$15,000 annually.

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

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Moved by Smith and seconded by Johnson:

RESOLVED: That we hereby authorize the closing of City Hall offices at 2:00 PM on Monday, April 8, 2024 for public safety in observance of the Solar Eclipse and further authorize staff to leave at the discretion of the Department Head, with the use of their available leave time.

Council Member Smith stated the safety issue would be for people driving to City Hall during the time of the eclipse. Council Member Koch stated she is not for the closing as it will be for 6 to 8 minutes. Mayor Magiera noted there is a concern that if the staff is sent home they would need to be paid. Council Member Hill stated he feels it is up to the individual if they want to work or not.

Adopted Ayes: Smith  
Nays: Hill, Johnson, Reed, Koch

Moved by Johnson and seconded by Reed:

RESOLVED: That we hereby permanently appoint Markie (Mohr) Phillips of Salamanca, NY as Recreation Director, after successfully passing the exam and being reachable, effective March 15, 2024, according to the Cattaraugus County Civil Service.

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

Moved by Reed and seconded by Koch:

RESOLVED: That we hereby provisionally re-appoint Markie (Mohr) Phillips of Salamanca, NY as Youth Bureau Director, at a prorated wage of \$58,000.00 annually, contingent on taking the test and being reachable on the Civil Service list, according to the Non-Union Benefits Rules, effective March 15, 2024.

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

Moved by Smith and seconded by Reed:

RESOLVED: That we hereby increase the Dog Control Officer's hourly wage to \$15.00, at a maximum of 25 hours per week, retro-effective January 1, 2024.

Council Member Koch asked if this was based on 20 hours. It was noted that records show 25 hours.

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

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Moved by Koch and seconded by Reed:

RESOLVED: That we hereby end the payment of salaries by the City for employees who are absent from work due to a documented positive COVID test, also known as “COVID pay;” going forward, employees must use their available Paid Time Off to cover any COVID-related illnesses, effective March 31, 2024.

It was noted the CDC no longer considers COVID an emergency Federal or State wide and the City no longer receives any reimbursement funds.

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

Moved by Reed and seconded by Hill:

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

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

Moved by Hill and seconded by Johnson:

RESOLVED: That we hereby confirm the termination of Department of Public Works full-time Class B Driver Gordon Sullivan, Jr., effective March 22, 2024, with no accumulated paid time off.

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

Moved by Koch and seconded by Hill:

RESOLVED: That we hereby appoint Samara Lindberg, Salamanca, NY as Part-Time Dog Caretaker at minimum wage, as needed up to 20 hours per week, with the requirement of receiving the rabies pre-exposure vaccination, effective immediately.

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

Moved by Koch and seconded by Hill:

RESOLVED: That we hereby create the Civil Service position of Assessor Trainee in the Assessment/Zoning/Code Enforcement Office at an annual salary of \$42,000.00 to \$45,000.00 in accordance with the Non-Union Employee Agreement.

Such new position duties statement is attached to and made part of these minutes.

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

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Under Communications from the Mayor and Council:

- Mayor Magiera said the Drive Thru Easter Event went well. Approximately 161 kids participated. The Salamanca City Central School District (SCCSD) provided food boxes and there were 11 stops of different items for the vehicles.
- Council Member Smith asked that the City Attorney prepare a local law to amend the City Zoning Law, for a vacant lot on Center Street to be re-zoned from R1 (Residential Use District) to AC (Agricultural Conservation Use District). The City Planning Commission has recommended this re-zoning as requested by property owner Melinda Palmer. Clerk Chamberlain noted this is to ask the attorney to prepare, then it will go to Council for vote, the City schedules a public hearing, it would be referred to the Catt. County Planning Board and the final approval before filed with NY State. It was noted this is at 22-acre parcel TM#73.061-1-3, which runs from the Town of Salamanca line south to West State Street.
- Council Member Koch stated that the SCCSD held a groundbreaking for Phase 4 construction. She was asked to speak on behalf of the City, thanking them for all the beautiful remodeling and building the SCCSD is doing.

Moved by Koch and seconded by Reed:

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 Police Chief for the month of February 2024 is hereby accepted and filed.

Vendor Number	Vendor Name	Payment Date	Payment Amount	Number
1396	EMILY WHITE	03/15/2024	1,039.67	3055
0371	CALE BENJAMIN	03/15/2024	17.29	3056
0186	CASELLA WASTE SYSTEMS, INC.	03/15/2024	98.54	3057
0193	GALLS PARENT HOLDINGS, LLC	03/15/2024	145.64	3058
0164	GRAINGER	03/15/2024	1,026.33	3059
1071	PETTY CASH- CITY OF SALAMANCA	03/15/2024	208.42	3060
1059	STAPLES CONTRACT & COMMERCIAL	03/15/2024	1,428.77	3061
0912	U.S. BANK EQUIPMENT FINANCE	03/15/2024	129.05	3062
1392	ARMSTRONG BUSINESS SOLUTIONS	03/22/2024	150.45	3063
0592	BRANDON SMITH	03/22/2024	153.34	3064
1097	BREEZELINE	03/22/2024	131.47	3065
0122	ELAN FINANCIAL SERVICES	03/22/2024	43.00	3066
1257	ENCHANTED MOUNTAINS URGENT VET CARE	03/22/2024	620.00	3067
1330	HOME DEPOT CREDIT CARD SERVICES	03/22/2024	537.64	3068

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0693	JOHN SANDY	03/22/2024	363.81	3069
1397	RICHARD CARSON	03/22/2024	101.87	3070
0823	SOUTHERN TIER GLASS & WINDOW, INC.	03/22/2024	925.00	3071
1069	TIM HAYNOSKI	03/22/2024	137.92	3072
0571	CYNCON EQUIPMENT, INC	03/27/2024	628.32	3073
0237	FASTENAL COMPANY	03/27/2024	220.05	3074
0129	JOE JOHNSON EQUIPMENT LLC	03/27/2024	96.75	3075
1091	KURK FUEL COMPANY	03/27/2024	12,550.48	3076
0515	NOCO ENERGY CORP.	03/27/2024	16,450.98	3077
1035	ULINE	03/27/2024	328.86	3078
0491	UNIFIRST CORPORATION	03/27/2024	50.42	3079
1029	10-75 EMERGENCY VEHICLES	03/27/2024	24,609.82	3080
0371	CALE BENJAMIN	03/27/2024	43.09	3081
0560	EMERLING FORD, INC	03/27/2024	348.11	3082
0193	GALLS PARENT HOLDINGS, LLC	03/27/2024	192.64	3083
1023	RANDOLPH AUTO SUPPLY	03/27/2024	79.61	3084
0765	SEWING TECHNOLOGY UNIFORM INC	03/27/2024	303.99	3085
0774	URBAN AUTO CENTER	03/27/2024	21.00	3086
1029	10-75 EMERGENCY VEHICLES	03/27/2024	916.37	3087
0210	ACADEMY OF FIRE SCIENCE	03/27/2024	342.00	3088
0017	ACME BUSINESS MACHINES	03/27/2024	13.72	3089
0278	AIRGAS USA, LLC	03/27/2024	31.65	3090
0382	AUTOZONE, INC.	03/27/2024	234.98	3091
0099	BARMORE & SELLSTROM	03/27/2024	1,128.75	3092
0915	BLUE COLLAR WORKWEAR	03/27/2024	220.00	3093
0618	BREATHING AIR RESOURCES	03/27/2024	490.90	3094
1369	EAST END AUTO SERVICES	03/27/2024	2,754.00	3095
0681	IRVIN ROBINSON III	03/27/2024	166.91	3096
0742	MUNICIPAL EMERGENCY SVCS	03/27/2024	2,599.82	3097
1333	PLYLER ENTRY SYSTEM	03/27/2024	199.00	3098
1026	SALAMANCA FIREFIGHTERS LOCAL 2501	03/27/2024	20.00	3099
1175	SAVE A LOT	03/27/2024	25.45	3100
1398	SELPH'S FIRE SERVICE	03/27/2024	78.00	3101
0575	SHERWIN-WILLIAMS	03/27/2024	248.80	3102
0499	TWIN TIERS OUTERWEAR	03/27/2024	767.91	3103
0982	UNITED UNIFORM CO., INC.	03/27/2024	255.00	3104
1048	WITMER PUBLIC SAFETY GROUP, INC	03/27/2024	3,634.00	3105
1207	AHLSTROM SCHAEFFER ELECTRIC	03/26/2024	436.80	3106
0319	CENTURY CARPET & BEDDING	03/26/2024	9,096.52	3107
0092	CHAUTAUQUA BRICK CO., INC	03/26/2024	50.00	3108
0153	CNA SURETY DIRECT BILL	03/26/2024	120.00	3109

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0199	CYNTHIA A. FRANKLIN	03/26/2024	48.24	3110
1105	JAMES B SCHWAB CO	03/26/2024	12.77	3111
0831	METROPOLITAN TELECOMMUNICATIONS	03/26/2024	2,394.87	3112
0638	RANDOLPH VETERINARY CLINIC	03/26/2024	825.00	3113
0570	SCOTT J COLLINS	03/26/2024	1,459.00	3114
1069	TIM HAYNOSKI	03/26/2024	47.94	3115

Special Revenue

Date	Account Name	Amount	Check #
03/15/2024	Special Revenue- Town of Salamanca (Taxes State Park Ave)	\$2385.34	1605

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

Public Discussion:

- Grant Administrator Jay Bartoszek is working on Congressional funding for repairs to the Ray Evans Seneca Theater. A grant application has been submitted for the Historical Society expansion. There was also a meeting with the NYS DOT at which they provided information on available grant funds.

Moved by Koch and seconded by Johnson:

RESOLVED: That the Mayor and Council enter into executive session for the purpose of discussion with legal counsel under the provisions of the State's Open Meetings Law.

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

Moved by Hill and seconded by Johnson:

RESOLVED: That the Mayor and Council reconvene after approximately one hour in executive session.

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

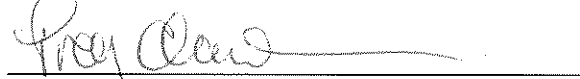
There was a consensus of the Common Council to have Todd VanDyke provide additional information on the rental management of the apartment at 18 Main Street, above the Senior Center and possible the leasing the first floor of the former Weast Agency. The DPW can provide Mr. VanDyke with access to the 18 Main Street apartment.

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Moved by Hill and seconded by Johnson:

RESOLVED: That we hereby adjourn – 8:35 PM.

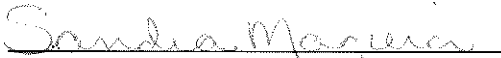
Carried.



Tracy Chamberlain, City Clerk

Dated: April 2, 2024

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



Sandra Magiera, Mayor

Dated: April 3, 2024

Civil Service Law, Section 22: Certification for positions. Before any new position in the service of a civil division shall be created or any existing position in such service shall be reclassified, the proposal therefore, including a statement of the duties of the position, shall be referred to the municipal commission having jurisdiction and such commission shall furnish a certificate stating the appropriate civil service title for the proposed position or the position to be reclassified. Any such new position shall be created or any such existing position reclassified only with the title approved and certified by the commission. Effective 1978

**ASSESSOR TRAINEE**

(Title)

**New Position Duties Statement**

Department head or other authority requesting the creation of a new position, prepare a separate description for each new position to be created except that one description may cover two or more identical positions in the same organizational unit.

**Forward one typed copy to this Commission.**

<b>1. Department</b> ASSESSMENT/ZONING & CODE ENFORCEMENT	<b>Bureau, Division, Unit or Section</b> ASSESSMENT/ZONING & CODE ENFORCEMENT	<b>Location of Position</b> CITY OF SALAMANCA
<b>2. Description of Duties:</b> Describe the work in sufficient detail to give a clear word picture of the job. Use a separate paragraph for each kind of work and describe the more important or time-consuming duties first. In the left column, estimate how the total working time is divided.		

**Job Title:** ASSESSOR TRAINEE

**Percent of Work Time**  
**100%**

**Job Duty**

The work involves assisting in the collection, recording, and maintenance of real property assessment data in a city, town or village. Duties are performed under the direct supervision of the Assessor in accordance with established procedures. An Assessor Trainee does related work as required.

**TYPICAL WORK ACTIVITIES:**

- Reviews and makes determinations with respect to applications for tax exemptions (Native American, Veterans, STAR, Agricultural, etc.);
- Receives complaints filed and transmits them to the Board of Assessment Review
- Makes changes in assessments in accordance with law as directed by the Board of Assessment Review;
- Attends the public examination of the tentative assessment roll at times prescribed by law;
- Attends all hearings of the Board of Assessment Review;
- Utilizes and maintains current tax maps and assessment files;
- Assists in gathering, assembling, and recording data relating to property assessment;
- Records property transfers, name changes, address changes and other pertinent data;
- Reviews building permits;
- Maintains property sales records;
- Answers inquiries from taxpayers and the general public and gives out routine information;
- Maintains records for all exemptions;
- Makes deposits of monies collected from building permits as-needed;
- Prepares and combines tax bills for mailing;
- Performs duties and responsibilities of position using an electronic data processing system and other office software, supplies and equipment;
- Maintains all escrow accounts and bank codes for financial institutions;
- Assists the Board of Assessment Review with required information and records decisions;
- Scans documents and enters data into assessment software;
- Attends, oversees, compiles, and prepares minutes for all Planning Commission meetings in regard to Site Plans, Special Use Permits, Re-Zoning Applications, etc.;
- Attends, oversees, compiles, and prepares minutes for all Zoning Board of Appeals meetings in regard to Area Variances, Sign Variances, etc.;
- Creates a "combined" tax rate and maintains current tax rates;
- Becomes familiar with the City of Salamanca Zoning Law and Comprehensive Plan and their updates;
- Maintains a monthly and final yearly Assessor's Report;
- Prepares splits and combines to properties;
- Prepares all reports according to New York State requirements;
- Maintains records of death certificates;
- Keeps records of all bills paid out for the Assessor's office with charging off each bill.

3. Names and Titles of Persons Supervising this position (General, Direct, Administrative, etc.)

<u>Name</u>	<u>Title</u>	<u>Type of Supervision</u>
Cynthia Franklin	City Assessor	Direct

4. Names and Titles of Persons Supervised by Employee in this position

<u>Name</u>	<u>Title</u>	<u>Type of Supervision</u>
Lola Shaw	Account Clerk Typist	Secondary

5. Names and Titles of Persons doing substantially the same kind and level of work as will be done by the incumbent of this new position

<u>Name</u>	<u>Title</u>	<u>Location of Position</u>
N/A		

6. What minimum qualifications do you think should be required for this position?

**Education:** High School        --   Years  
College                                2   Years, with specialization in \_\_\_\_\_  
College                                4   Years, with specialization in \_\_\_\_\_

**Experience: (list amount and type)**    ...

**Essential knowledges, skills and abilities:** Working knowledge of office terminology, procedures, and equipment; working knowledge of business arithmetic and English; working knowledge of assessment terminology and procedures; ability to type accurately; ability to follow oral and written instructions; ability to deal tactfully with the public; ability to write legibly; clerical aptitude; physical condition sufficient to perform the essential functions of the position.

**Type of license or certificate required:**    N/A

7. The above statements are accurate and complete.

ELIZABETH DOWNIE

**Date:** 03/11/2024      **Title:** Human Resources Specialist Trainee      **Signature:**

**Certificate of Civil Service Commission**

8. In accordance with the provisions of Civil Service Law Section 22, the Cattaraugus County Civil Service certifies that the appropriate civil service title for the position described is:

**Title:** \_\_\_\_\_  
**Jurisdictional Classification:** \_\_\_\_\_

**Date:** \_\_\_\_\_      **Signature:** \_\_\_\_\_

**Action by Legislative Body or Other Approving Authority**

9. Creation of described position

**Approved**  
 **Disapproved**

**Date:** \_\_\_\_\_      **Signature:** \_\_\_\_\_