

REGULAR MEETING OF THE COMMON COUNCIL
JULY 26, 2023
7:00 PM

PRESENT: Mayor Sandra Magiera
Council Members: John Hill, Kylee Johnson, Barry Smith,
Michael Reed, Janet Koch
City Clerk: Tracy Chamberlain
City Comptroller: Robert Earley
Grant Writer: Sandra Brundage
BPU General Manager: Dennis Hensel
Account Clerk/Typist: Julia Wass

Mayor Magiera called the meeting to order at 7:02 PM. After the Pledge of Allegiance, Mayor Magiera asked for a moment of silence to pray for the families that lost loved ones and the one survivor of an accident this past weekend.

At this time a public hearing on the Local Government Efficiency Grant/NYS Consolidated Funding Application for funds to replace the DPW fuel tanks and tracking system.

Grant Writer Sandra Brundage stated this project was done in conjunction with the Salamanca City Central School District (SCCSD). However, the quote received is not doable. The existing tanks were installed in 1999 at a cost of \$45,000.00. The current quote is \$700,000.00 for replacement. The maximum grant award is \$200,000.00. She noted they can continue using the existing tanks and pumps. Mayor Magiera asked if the Salamanca City Central School District would be willing to provide some funds. Grant Writer Brundage stated that they did not have that discussion. Clerk Chamberlain noted there is not resolution for action at this time. The hearing is a requirement of the grant and if the project is revisited the hearing has been held. With no other persons wishing to be heard, the hearing was closed at 7:07 PM.

Moved by Koch and seconded by Reed:

RESOLVED: That we hereby approve and dispense with the reading of the minutes of the last regular meeting of July 12, 2023.

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

Moved by Koch and seconded by Smith:

RESOLVED: That we hereby accept the quote of Stohl Environmental, LLC, Orchard Park, NY, for the asbestos abatement of flooring in the Police Department at a cost of \$12,700.00.

Such quotes are attached to and made part of these minutes.

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

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Moved by Koch and seconded by Hill:

RESOLVED: That we hereby approve the Change Orders of Dynasty Construction for the Police Department construction project in the amount of \$7,200.00 for General Construction, to extend asphalt and add a handicap accessible ramp.

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

Moved by Hill and seconded by Johnson:

RESOLVED: That we hereby accept the proposal of HUNT Engineers, Horseheads, NY for the engineering services for mill and overlay of City streets in the amount of \$61,000.00 for Front Avenue, \$61,000.00 for West State Street and \$59,000.00 for East State Street.

It was noted HUNT recommends a budget of \$3,000.00 per project for various disbursements, which is added to the project totals.

There was some discussion regarding the projects and the need for the Front Avenue culvert replacement before the Seneca Nation of Indians roundabout project on Broad Street. The CHIPS funds can be used for the cost of the culvert replacement.

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

Moved by Koch and seconded by Hill:

RESOLVED: That we hereby approve the purchase of one new 2023 Chevrolet 1500 Silverado pickup truck for the Police Department from DeNooyer Chevrolet, Inc, Albany, NY in the amount of \$53,495.00, under NYS OGS Group 40440-23166, PC69048, as approved in the 2023-2024 Budget.

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

Council Member Hill noted that when the truck is no longer used by the Police Department, it can be transferred to another department for use.

Council Member Koch noted that the amount budgeted was \$65,000.00. With the additional cost of additional equipment, the total should be within the budgeted amount.

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

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Moved by Reed and seconded by Hill:

WHEREAS, on August 31, 2022 the Common Council of the City of Salamanca, Cattaraugus County, New York (the “City”) adopted bond resolution (the “Original Bond Resolution”) entitled:

BOND RESOLUTION, DATED AUGUST 31, 2022, OF THE COMMON COUNCIL, CITY OF SALAMANCA, CATTARAUGUS COUNTY, NEW YORK (THE “CITY”), AUTHORIZING A WATER SYSTEM CAPITAL IMPROVEMENTS PROJECT WITHIN THE CITY, AT AN ESTIMATED MAXIMUM COST OF \$24,950,560, AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$24,950,560, PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SUCH PURPOSE, SUCH AMOUNT TO BE OFFSET BY ANY GRANTS AND/OR ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE CITY COMPTROLLER.

WHEREAS, the Common Council of the City adopted the Original Bond Resolution authorizing a certain water system capital improvements project consisting of the reconstruction of and construction of improvements to the Water Treatment Plant and water distribution system in the City, at an estimated maximum cost of \$24,950,560; and

WHEREAS, the City anticipates a portion of the project will be paid for by anticipated grant funds that the City is hopeful to receive through the Water Infrastructure Improvement Act (“WIIA”) administered by the New York State Environmental Facilities Corporation (“EFC”); and

WHEREAS, notwithstanding such expectation, the Common Council has decided to increase the estimated maximum cost of the project from \$24,950,560 to \$27,223,840 in order to clarify and restate the amount to be borrowed to undertake the project should the amount of the WIIA grant funds received by the City to pay the costs of the project be less than anticipated; and

WHEREAS, the Common Council now wishes to modify the Original Bond Resolution for the purposes of: (a) increasing the estimated maximum cost of the project from \$24,950,560 to \$27,223,840 and (b) increasing the aggregate principal amount of serial bonds authorized from \$24,950,560 to \$27,223,840 and to make other modifications to the Original Bond Resolution as may be consistent with law; and

WHEREAS, the scope of the project has not changed from the Original Bond Resolution; and

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WHEREAS, the Common Council now wishes to amend and restate (in its entirety) the Original Bond Resolution for the reasons identified above, and to make other modifications to the Original Bond Resolution as may be consistent with law; and

WHEREAS, the City has not previously issued bond anticipation notes pursuant to the Original Bond Resolution, and has not yet entered into permanent financing arrangements (i.e., the issuance of long-term serial bonds); and

NOW, THEREFORE, BE IT RESOLVED, by the Common Council (by the favorable vote of not less than two-thirds of all the members of the Council) as follows:

SECTION 1. The City of Salamanca shall undertake a water system capital improvements project, generally consisting of improvements to its Water Treatment Plant and water distribution system to comply with Ten States Standards to meet source, treatment, protection, and distribution requirements, and to improve the system; such work to generally consist of, but not limited to, the development of new primary and reserve water sources and new Water Treatment Plant building, transmission main to existing system interconnect, fire protection and distribution system improvements, abandonment of existing water well sources at the Water Treatment Plant on Water Street, site and equipment upgrades at Parkway Drive booster pump station and the Great Valley #1 well site, meter replacements, general water storage tank site improvements, and general associated improvements and appurtenances thereof all as more fully identified in, or contemplated by, one or more the engineering reports prepared by Hunt Engineers (collectively, the "Project"), and general obligation serial bonds in an aggregate principal amount not to exceed \$27,223,840 and bond anticipation notes in anticipation thereof (and renewals thereof) of the City are hereby authorized to be issued to finance said purpose, and said amount is hereby appropriated therefor.

SECTION 2. The Common Council plans to finance the estimated maximum cost of the Purpose by the issuance of serial bonds of the City in an aggregate principal amount not to exceed \$27,223,840 hereby authorized to be issued therefor pursuant to the Local Finance Law, such amount of bonds to be offset by any additional federal, state, county and/or local funds received (including, but not limited to, anticipated grant funds received through the Water Infrastructure Improvement Act ("WIIA") administered by the New York State Environmental Facilities Corporation ("EFC"), if any).

SECTION 3. It is hereby determined and declared that (a) said purpose is one of the class of objects or purposes described in Subdivision 1 of Paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of said purpose is forty (40) years, (b) the proposed maximum maturity of said bonds authorized by this resolution will be in excess of five years, (c) current funds required to be provided prior to

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the issuance of the bonds or notes herein authorized, pursuant to Section 107.00 of the Local Finance Law, to the extent applicable, if any, will be provided, (d) the notes herein authorized are not issued in anticipation of bonds for an assessable improvement, and (e) there are presently no outstanding bond anticipation notes issued in anticipation of the sale of said bonds.

SECTION 4. The bonds and notes authorized by this resolution shall contain the recital of validity prescribed in Section 52.00 of the Local Finance Law and such bonds and notes shall be general obligations of the City and unless paid from other sources or charges all the taxable real property in the City is subject to the levy of *ad valorem* taxes to pay the principal thereof, and interest thereon, without limitation as to rate or amount, subject to statutory limitations if any.

SECTION 5. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of said bonds.

SECTION 6. It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

SECTION 7. The faith and credit of the City are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation will be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there will annually be levied on all the taxable real property of the City a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 8. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Common Council pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the City Comptroller, the chief fiscal officer of the City. Without in any way limiting the scope of the foregoing delegation of powers, the

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City Comptroller, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the City.

SECTION 9. To the extent not previously authorized, the temporary use of available funds of the City, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in this resolution.

SECTION 10. This resolution shall constitute the declaration (or reaffirmation) of the City's "official intent" to reimburse the expenditures authorized in this resolution with the proceeds of the bonds, notes or other obligations authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 11. The City Comptroller is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3) of the Code.

SECTION 12. The City Comptroller is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 13. The City Comptroller is further authorized to call in and redeem any outstanding obligations that were authorized hereunder (at such times and in such amounts and maturities as may be deemed appropriate after consultation with City officials and the City's municipal advisor), to approve any related notice of redemption, and to take such actions and execute such documents as may be necessary to effectuate any such calls for redemption pursuant to Section 53.00 of the Local Finance Law, with the understanding that no such call for redemption will be made unless such notice of redemption shall have first been filed with the City Clerk.

SECTION 14. To the extent applicable, the City Comptroller is hereby authorized to execute and deliver in the name and on behalf of the City a project financing agreement prepared by the New York State Environmental Facilities Corporation ("EFC") (the "Project Financing Agreement"). To the extent applicable, the City Comptroller and the City Clerk and all other officers, employees and agents of the City are hereby authorized

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and directed for and on behalf of the City to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby, including, but not limited to, the Project Financing Agreement.

SECTION 15. The City has complied with applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQRA"), comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issued a negative declaration and/or other applicable documentation, and therefore, no further action under the State Environmental Quality Review Act is necessary.

SECTION 16. In the absence or unavailability of the City Comptroller, the Deputy Comptroller is hereby specifically authorized to exercise the powers delegated to the City Comptroller in this resolution.

SECTION 17. The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

1. (a) such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
(b) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication; or
2. such obligations are authorized in violation of the provisions of the Constitution of New York.

SECTION 18. The City Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of such Local Finance Law, in a newspaper having a general circulation in such City and hereby designated as the official newspaper of such City for such publication.

SECTION 19. Nothing in this amendment shall affect the validity of the Original Bond Resolution, or any actions taken thereunder, and any such actions are hereby ratified.

SECTION 20. This Resolution is effective immediately.

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

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Under Communications from the Mayor and Council:

- Mayor Magiera noted that the Fire Department held an open house for their 100 Year Anniversary celebration on Saturday, July 22, 2023. A representative of Senator George Borrello's office attended.
- Mayor Magiera noted the Charter Commission held a meeting with the City Attorney and plan to hold a meeting August 21, 2023 to approve the final amended Charter. The proposed question for public vote will go to the Board of Elections by August 7, 2023.
- Mayor Magiera stated she has a lot of questions regarding zoning requirements. She noted that the current City zoning regulations state a business needs to be in a commercial zoned property. The Common Council feels any business in the City should be following the zoning laws. If property is not zoned commercial a request can be made to change the zoning, which may not be approved. She also noted a special use permit can be applied for businesses making a product being sold or a service is offered.

Council Member Hill stated this is not a new law. There are issues due to the way NYS made the sale of marijuana legal, without regulations. The City should have enforced zoning laws, but was waiting for the NYS regulations. His opinion is to start enforcing the law.

Council Member Smith stated the City is not saying they cannot have these businesses, but they have to go through the proper process to have them. He noted the City is breaking its own laws by not enforcing them.

Darra Lichy asked if these rules apply to enrolled Seneca's operating on the reservation. Council Member Koch stated the Seneca Nation of Indians is sovereign and the individual is not and therefore has to follow the City laws.

Mayor Magiera explained that enrolled Seneca businesses have gone through the process for rezoning and building plan approval. Ms. Lichy asked to clarify that the business requests would go through the Assessor's Office. Ms. Lichy asked about the possible issue of business sales from a vehicle. Mayor Magiera noted that this will need to be addressed. There is a law against selling from a RV.

Council Member Reed stated that the City was waiting for clarification from NYS. Clerk Chamberlain explained there are no regulations for food truck vendors, therefore they require approval from a commercial property owner. They are not allowed on City property, with the exception of a festival. It was noted a food truck is required to obtain a health department permit. BPU General Manager Hensel stated a commercial property requires a back-flow prevention device on the water source so nothing will flow back into the City water system.

- Mayor Magiera was contacted about parking on Main Street from the Theater to the Senior Center. She noted there are two-hour parking signs and the Police will need to enforce this by giving parking tickets.

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- Council Member Smith suggested the money from the sale of City properties be invested by putting in a separate interest bearing account. The interest could then be used toward building projects. Council Member Reed also noted it could be built into the budget and used toward projects for community items.
- Council Member Smith also asked if the boat launch dock at Front Avenue will be installed. The DPW can be asked to look into installing.
- Council Member Smith had IT look at his laptop which needed updates installed
- Council Member Johnson was asked if a memorial plaque for an active community member, could be installed at the Crowley Park football concession area. It was noted the Recreation Commission could consider this request.
- Council Member Koch asked if there are any City owned properties in need of demo. One bidder withdrew her offer on property with a structure. It was noted there may be additional properties to be taken for unpaid taxes.
- Council Member Koch asked about a price for a For Sale sign on the property at State Park Avenue.
- Council Member Koch requested that the City Attorney prepare an ordinance to amend the City Municipal Code to allow no-parking on the south side of Front Avenue easterly from 47 Front Avenue to the intersection of Sycamore Avenue, as recommended by the Police Commission.
- Council Member Koch spoke with Police Commission about the following:
 - The Police will look into the van in the Theater parking lot.
 - They will look into the request for no parking on a portion of Merden Street.
 - They were not in favor of a making Gravel Pit Road one-way.
 - They will monitor speeding West State Street
 - They do monitor Jefferson Street Park and Main Street. They can not address issues at Rite Aid.
- Council Member Reed stated that Mr. Bach has a group of neighbors that are mowing lawns and picking up trash.
- It was asked that the City Attorney to look into the legality of commercial agriculture in the City.

Moved by Johnson and seconded by Smith:

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 Police Chief, City Judge and Dog Control Officer for the month of June 2023 is hereby accepted and filed.

Vendor Number	Vendor Name	Payment Date	Payment Amount	Number
0122	ELAN FINANCIAL SERVICES	07/14/2023	11,204.39	1996
1252	PITNEY BOWES	07/14/2023	553.59	1997

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1134	PROFESSIONAL AMBULANCE BILLING LLC	07/14/2023	2,859.59	1998
0300	SIRCHIE	07/14/2023	48.51	1999
1244	ALICIA FISKE	07/21/2023	56.33	2000
1238	AMAZON CAPTIAL SERVICES	07/21/2023	1,087.67	2001
0371	CALE BENJAMIN	07/21/2023	38.65	2002
1256	KAYLA KYLER	07/21/2023	25.00	2003
0135	QUADIANT LEASING USA, INC.	07/21/2023	755.31	2004
1175	SAVE A LOT	07/21/2023	204.84	2005
1255	SHANNON SMITH	07/21/2023	25.00	2006
1254	SHELLY FOLLMAN	07/21/2023	25.00	2007
0278	AIRGAS USA, LLC	07/26/2023	99.37	2008
0382	AUTOZONE, INC.	07/26/2023	391.99	2009
0099	BARMORE & SELLSTROM	07/26/2023	855.80	2010
0086	CHURCHVILLE FIRE EQUIPMENT CORP.	07/26/2023	60.81	2011
0499	TWIN TIERS OUTERWEAR	07/26/2023	834.98	2012
1048	WITMER PUBLIC SAFETY GROUP, INC	07/26/2023	420.84	2013
0371	CALE BENJAMIN	07/26/2023	29.80	2014
1012	CATTARAUGUS COUNTY DPW	07/26/2023	152.90	2015
1196	DYNASTY CONSTRUCTION	07/26/2023	54,625.00	2016
0560	EMERLING FORD, INC	07/26/2023	989.21	2017
0685	LINSTAR	07/26/2023	76.80	2018
0765	SEWING TECHNOLOGY UNIFORM INC	07/26/2023	1,176.33	2019
0300	SIRCHIE	07/26/2023	127.62	2020
0499	TWIN TIERS OUTERWEAR	07/26/2023	223.99	2021
1207	AHLSTROM SCHAEFFER ELECTRIC	07/26/2023	5,100.00	2022
1244	ALICIA FISKE	07/26/2023	64.19	2023
1097	BREEZELINE	07/26/2023	362.63	2024
0186	CASELLA WASTE SYSTEMS, INC.	07/26/2023	93.40	2025
1257	ENCHANTED MT. URGENT VETERINARY CARE	07/26/2023	619.08	2026
0709	HODGSON RUSS, LLP	07/26/2023	9,363.70	2027
1045	LAWLEY BENEFITS CONSULTING	07/26/2023	1,500.00	2028
0831	METROPOLITAN TELECOMMUNICATIONS	07/26/2023	2,246.42	2029
0290	NYS UNEMPLOYMENT INSURANCE	07/26/2023	27.32	2030
0557	PRO-FLEX ADMINISTRATORS LLC	07/26/2023	295.20	2031
1258	SALAMANCA LITTLE LEAGUE	07/26/2023	100.00	2032
0570	SCOTT J COLLINS	07/26/2023	1,459.00	2033
1059	STAPLES CONTRACT & COMMERCIAL	07/26/2023	745.48	2034
0370	STAPLES CREDIT PLAN	07/26/2023	51.18	2035
0912	U.S. BANK EQUIPMENT FINANCE	07/26/2023	119.13	2036
0415	ADAM'S SERVICES, LLC	07/26/2023	175.00	2037
0915	BLUE COLLAR WORKWEAR	07/26/2023	162.00	2038
0900	DECKER TREE SERVICE	07/26/2023	5,900.00	2039
0598	EAGLE RADIO TECHNOLOGIES	07/26/2023	383.80	2040
0191	GERNATT ASPHALT	07/26/2023	859.82	2041
0164	GRAINGER	07/26/2023	828.72	2042

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0277	JAMESTOWN MACADAM, INC	07/26/2023	1,615.00	2043
0175	JAMESTOWN SOAP & SOLVENT, INC.	07/26/2023	799.85	2044
0568	NEW ENTERPRISE STONE & LIME CO., INC	07/26/2023	7,606.88	2045
1233	SAWMILL CREEK OUTDOORS, LLC	07/26/2023	1,450.00	2046
1253	SHARE CORPORATION	07/26/2023	306.24	2047
1216	STONEY HOLLOW TIRE	07/26/2023	2,850.86	2048
0014	THE PUMP DOCTOR	07/26/2023	69.22	2049
0491	UNIFIRST CORPORATION	07/26/2023	337.17	2050
0774	URBAN AUTO CENTER	07/26/2023	10.00	2051
0783	VALLEY FAB AND EQUIPMENT INC	07/26/2023	294.28	2052

Special Accounts

Date	Account Name	Amount	Check #
7/26/2023	Capitol Projects Fund – Southern Tier Electric Supply	\$184.31	1001

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

Moved by Koch and seconded by Johnson:

RESOLVED: That the Mayor and Council enter into executive session for the purpose of discussing personnel matters relating to a particular person 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 Koch:

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

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

Moved by Reed and seconded by Hill:

RESOLVED: That we hereby request the Code Enforcement Office to monitor the Zoning Laws for businesses.

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

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Moved by Smith and seconded by Johnson:

RESOLVED: That we hereby adjourn – 9:00 PM.

Carried.

Tracy Chamberlain, City Clerk

Dated: August 1, 2023

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

Sandra Magiera, Mayor

Dated: August , 2023

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Moved by Smith and seconded by Johnson:

RESOLVED: That we hereby adjourn – 9:00 PM.

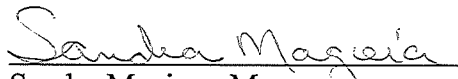
Carried.



Tracy Chamberlain, City Clerk

Dated: August 1, 2023

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



Sandra Magiera, Mayor

Dated: August 4, 2023

July 14, 2023

John Newhall
 INSCALE ARCHITECTS
 1723 Liberty Street
 Warren, PA 16365

Re: Asbestos Abatement
 Floor Tile and Mastic in Police Station

Dear Mr. Newhall:

Thank you for the opportunity to submit this quotation. Stohl Environmental proposes to remove approximately 630 SF of floor tile and mastic from the City of Salamanca Police Station in the corridors, lounge and men's/women's restrooms (drawing provided by Inscale Architects). Any tile and mastic that runs under walls will be left in place. The City of Salamanca is to clear all contents of all rooms in the scope of work prior to arrival of Stohl Environmental. Asbestos abatement will be conducted in accordance with New York State Industrial Code Rule 56, OSHA, Environmental Protection Agency requirements.

Price includes:

- Notification to necessary State and Government Agencies
- Coordination of removal activities at a time convenient to the Client
- Use of properly Licensed/Certified workers
- Mobilization to the work site
- Establish decontamination facility
- Establish negative pressure containment work area
- Use of HEPA filtered vacuums and negative air machines
- Proper removal and disposal of all asbestos as outlined per local, state, and federal regulations
- Proper cleaning of work areas and decontamination of objects in work areas
- Proper record retention according to local, state, and federal regulations
- Close out documentation at the conclusion of the project

Scope	Price
Notification to NYS DOL	\$1,000.00
Abatement and Disposal of 2,380 SF of two layers of Floor Tile and Mastic	\$11,700.00
Total for Abatement and Disposal	\$12,700.00

* Prices do not include sales tax. Return a copy of your Sales Tax-Exempt Certificate, or a copy of a Certificate of Capital Improvement, or sales tax will be added.

** Note - It is a requirement of the Labor Law that project and air monitoring for asbestos projects be conducted by a third party employed by the building owner. Project and air monitoring is not included in the above pricing.



3860 California Road
Orchard Park, New York 14127
(P) 716-312-0070 (F) 716-312-8092
www.stohlenvironmental.com

Sincerely,
Stohl Environmental, LLC

Michael Scinta

Please indicate acceptance of the above by signing in the area below.

Signature

Date



NORTHEASTERN ENVIRONMENTAL MANAGEMENT

June 14, 2023

Sandra Brundage
City of Salamanca
Youth Bureau Director
36 South Avenue
Salamanca, NY 14779

Re: Price quote for complete NYSDOL Asbestos Abatement, Air Monitoring and Final Reporting of the floor tile and mastic within the Police Department.

Sandra:

Northeastern Environmental Management (NEM) is pleased to submit the following price quote to complete the removal activities of the floor tiles and mastic included within proposed plans at the Salamanca Police Department.

Based upon our recent site visit it has been determined that the project will be completed in two (2) Phases. This approach will help police officials better coordinate work operations with minimal interruption.

Floor tiles will be removed under negative air conditions. The mastic will be encapsulated using certified materials. Air Monitoring will be completed throughout the abatement process, laboratory analytics will be performed in an expedited manner, in order to minimize project downtime. All project activities will be recorded daily and included within a Final Report.

NEM certified personnel can perform all required abatement activities for \$ 16,850.

If you have any questions, please do not hesitate to contact us.

Sincerely,

Northeastern Environmental Management

Daniel Kellam, R.E.A.

- Environmental Assessments
- Underground Storage Tank Remediation
- Asbestos/Lead Abatement

- Wetland Delineation/Permitting
- Land Surveying
- Hazardous Materials Consulting

West State St + East State
Proposals also attached.

HUNT ENGINEERS | ARCHITECTS | SURVEYORS

June 1, 2023

Mr. Rob Carpenter, Superintendent
City of Salamanca Department of Public Works
241 Rochester Street
Salamanca, NY 14779

**Re: Proposal for Engineering Services
Front Ave/Sycamore Ave Mill and Overlay**

Dear Mr. Carpenter:

Hunt Engineers, Architects, Land Surveyors & Landscape Architect DPC (HUNT) is pleased to submit this proposal to the City of Salamanca to provide engineering services for the design of the Front Ave/Sycamore Ave mill and overlay project.

DESCRIPTION OF THE PROJECT

Front Ave/Sycamore Ave is located within the City of Salamanca and is considered an urban collector/major collector. The AADT of Front Ave is close to 1,500 with 4% of the vehicles being trucks. The portion of Front Ave/Sycamore Ave slated for construction extends from Main Street west to Center Street and a small portion west of Center Street. This equates to approximately 1.6 miles of work. The existing roadway surface is showing its age as cracking and patched potholes are present throughout the corridor. A portion of the corridor is also made up of bricks. Concrete curbing exists along portions of the corridor but is not present throughout. Closed drainage exists within the curbed sections of the corridor. Underground water and sanitary lines exist along the corridor but the City does not own and maintain them. Gas and electric lines are also present.

It is understood that the goals of the project are to perform a mill and overlay operation along the corridor. The portions of the corridor comprised of brick will be removed and a new asphalt pavement section will be installed. New pavement markings will be placed on the finished surface. Existing drainage will also be investigated as part of the project and improved if deemed necessary. The City has expressed keeping the roadway width the same as existing. Underground water and sanitary work will not be included in this scope of work since they are owned by the BPU. It is understood that no curb or sidewalk work will be included as part of the project.

To assist the City of Salamanca with the construction of this corridor, HUNT proposes the following Scope of Services:

SCOPE OF SERVICES

Survey

- HUNT will obtain information on the existing closed drainage system for use in improving the drainage along the corridor, if deemed necessary. This data will be compiled into a mapping.
- HUNT will perform a site visit to become familiar with the project site and identify project needs and obstacles that will benefit the project's final product.

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
ALBANY, NY 12205
TELE: 607-798-8081

Preliminary Design

- HUNT will develop preliminary plans consisting of typical sections, grading plans in areas of drainage concern (if needed), and general plans and a cost estimate of the construction for use in reviewing the proposed work with the City.
- All design will meet the NYSDOT and AASHTO design requirements.

Final Design and Contract Documents

- Upon the City's acceptance of the preliminary design, HUNT will proceed with the project's detailed design, including the engineering efforts required for the development of contract documents, including the final plans, specifications, and estimate for advertisement and bidding.
- HUNT will then prepare ten sets of plans and specifications for bidding the construction project to contractors.

Bid Administration and Construction Administration

- Furnish ten sets of plans, technical specifications, and contract documents for bidders and the City to use.
- Answer questions during the advertisement period leading up to bid opening.
- Prepare any addenda, if necessary.
- Attend bid opening, tabulate, check bids, and prepare a recommendation on action to be taken.
- Prepare contract documents for signing.
- Once the contract is awarded, HUNT will:
 - conduct a preconstruction meeting.
 - review shop drawings and submittals.
 - visit the site at periodic key points (three (3) visits assumed) during construction.
 - conduct a final inspection with a representative of the City.
 - prepare record documents (As-Built Plans) certified by a professional engineer.

PROJECT PARAMETERS AND ASSUMPTIONS

- Construction Specifications will be the NYSDOT Standard Specifications Construction and Materials with all current updates.
- A full topographical survey of the corridor has not been included in this proposal. Only the existing closed drainage facilities will be surveyed as part of this project. Lidar will be used for approximating the existing ground surface along the corridor.
- A design report has not been included in this proposal but can be provided as an additional service if the City desires.
- It is assumed that no water main or sanitary sewer main design will be included in this project.
- It is assumed that no private utilities will be impacted as part of this project. No utility coordination has been included in this proposal.
- No soil borings are included in this proposal.
- No street lighting design is included in this proposal.
- No Stormwater Pollution Prevention Plan (SWPPP) is included in this proposal.
- Stormwater Pollution Prevention Plan (SWPPP) inspections during construction are not included in this proposal.
- It is assumed that all proposed work will take place outside of the NYSDOT Right-of-Way and no NYSDOT Highway Work Permit will be needed for this project and is not included as part of this proposal.

Front Ave

Rob Carpenter, Superintendent
Re: Front Ave/Sycamore Ave Mill and Overlay

June 1, 2023
Page | 3

- There are no hazardous materials or other environmental issues that need to be addressed or designed as part of this project.
- There are no wetlands mitigation or investigations necessary for the project.
- There will be no State Historical Preservation Office (SHPO) involvement with the project.
- Right of Way acquisition/easement maps and coordination has not been included in this proposal but can be provided as an additional service if the City desires.
- It is understood that this project will be progressed with local funding, and no other funding agency procedures, reviews, or approvals will be required.
- HUNT will prepare the advertisement for bidding purposes. However, the City will pay for the ad to be placed in the local paper.
- Construction Inspection Services are not included at this time but can be provided as an additional service if the City desires.
- If inspection services are requested, the Engineering Technician assigned to the project would be equivalent to a NICET III or higher. Inspection services would be provided at a maximum hourly rate of \$95/hour plus disbursements.

FEE

HUNT proposes to provide the scope of work described above for the following Lump Sum Fees.

Survey (if needed)	\$ 2,500
Preliminary Design	\$ 17,500
Final Design	\$ 28,500
Bid and Construction Administration	\$ 9,500

Total	\$58,000
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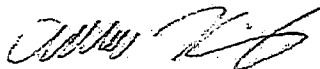
Project-related disbursements are not included in the fees above and will be billed as they are incurred. Plotting, photocopies, prints, and mileage will be invoiced according to HUNT's current schedule of fees. Other disbursements, such as photography, postage, telephone, etc., will be billed at cost plus 10 percent.

A budget of **\$3,000** is recommended for disbursements.

HUNT appreciates the opportunity to provide this proposal. If the above scope of services and the associated fee are acceptable, please sign the attached agreement and return a copy to HUNT. Please do not hesitate to contact me at (607) 358-1032 or kinsleya@hunt-eas.com with any questions.

Sincerely,

Hunt Engineers, Architects, Land Surveyors & Landscape Architect, DPC



Andrew E. Kinsley, P.E.
Transportation Engineer

Attachments (1): Agreement

CC; Barry J. Dumbauld – HUNT

HUNT ENGINEERS | ARCHITECTS | SURVEYORS

AGREEMENT FOR PROFESSIONAL SERVICES

The Terms and Conditions set out herein and in the referenced cover letter constitute an offer by Hunt Engineers, Architects, Land Surveyors & Landscape Architect D.P.C. (hereinafter called HUNT), to perform for the City of Salamanca (hereinafter called the CLIENT) the services described. HUNT's offer constitutes a Contract on these same Terms and Conditions when receipted or acknowledged by the CLIENT. This Contract supersedes all previous understandings, if any, and constitutes the entire Agreement between HUNT and the CLIENT relating to the services described.

TERMS AND CONDITIONS

CLIENT OBLIGATIONS: At such time as HUNT may request, the CLIENT at his expense, shall provide full, complete and correct information, including a written program of objectives, constraints and criteria, with respect to which the services are performed.

HUNT OBLIGATIONS: Professional Services, basic to the Scope of Work, shall be performed, findings obtained, and recommendations prepared in accordance with generally accepted engineering, architectural, and land surveying practices. This Warranty is in lieu of all other Warranties expressed or implied. HUNT assures no responsibility for interpretations made by others based upon the work or recommendations made by HUNT. Project cost estimates are to the best of HUNT's knowledge and are not guarantees of actual construction costs.

ADDITIONAL SERVICES: Additional services or changes requested in writing by the CLIENT, beyond the original Scope of Work agreed upon as described per the referenced cover letter, shall be performed by HUNT in the same methods and manner as herein stated. Payment to HUNT for additional services shall be the same as outlined under PAYMENT of these Terms and Conditions, unless superseded by Separate Terms and Conditions as may be proposed and agreed to in writing by both parties.

PAYMENT: Payment for services rendered shall be monthly as billed. No percentage of bills shall be withheld or retained. In the event that any payment is not made within thirty (30) days from the date of billing, interest will be charged at a rate of one and one-half percent (1-1/2%) per month, or the legal rate of interest, whichever is less.

WAIVER: The CLIENT and HUNT mutually agree to waive all claims of consequential damages arising from disputes, claims, or other matters relating to this agreement.

This Agreement may be terminated by either party upon thirty (30) days written notice to the other. In the event of termination, HUNT shall be compensated for services performed up to the date of termination, plus reasonable termination costs. Upon receipt of final payment to HUNT, all finished or unfinished documents prepared to the date of termination shall become the property of the CLIENT and shall be surrendered to the CLIENT by HUNT.

ACCEPTANCE:

I have read and understand the Scope of Work as described in the attached letter from Andrew E. Kinsley dated June 1, 2023 and the above Terms and Conditions, and accept the terms and costs as stated. I hereby retain Hunt Engineers, Architects, Land Surveyors & Landscape Architect D.P.C. to provide services as necessary to accomplish the Scope of Work.

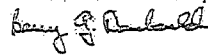
CLIENT:
CITY OF SALAMANCA

BY: 

JUL 17 2023

DATE: _____

CONSULTANT:
HUNT ENGINEERS, ARCHITECTS,
LAND SURVEYORS &
LANDSCAPE ARCHITECT, DPC

BY: 

Barry J. Dumbauld, P.E.

DATE: June 1, 2023

Rob Carpenter, Superintendent
Re: West State Street Mill and Overlay

June 1, 2023
Page | 3

- There are no hazardous materials or other environmental issues that need to be addressed or designed as part of this project.
- There are no wetlands mitigation or investigations necessary for the project.
- There will be no State Historical Preservation Office (SHPO) involvement with the project.
- Right of Way acquisition/easement maps and coordination has not been included in this proposal but can be provided as an additional service if the City desires.
- It is understood that this project will be progressed with local funding, and no other funding agency procedures, reviews, or approvals will be required.
- HUNT will prepare the advertisement for bidding purposes. However, the City will pay for the ad to be placed in the local paper.
- Construction Inspection Services are not included at this time but can be provided as an additional service if the City desires.
- If inspection services are requested, the Engineering Technician assigned to the project would be equivalent to a NICET III or higher. Inspection services would be provided at a maximum hourly rate of \$95/hour plus disbursements.

FEE

HUNT proposes to provide the scope of work described above for the following Lump Sum Fees.

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Final Design	\$ 28,500
Bid and Construction Administration	\$ 9,500

Total	\$58,000
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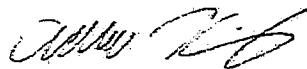
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A budget of **\$3,000** is recommended for disbursements.

HUNT appreciates the opportunity to provide this proposal. If the above scope of services and the associated fee are acceptable, please sign the attached agreement and return a copy to HUNT. Please do not hesitate to contact me at (607) 358-1032 or kinsleya@hunt-eas.com with any questions.

Sincerely,

Hunt Engineers, Architects, Land Surveyors & Landscape Architect, DPC



Andrew E. Kinsley, P.E.
Transportation Engineer

Attachments (1): Agreement

CC; Barry J. Dumbauld, P.E. – HUNT

HUNT ENGINEERS | ARCHITECTS | SURVEYORS

Rob Carpenter, Superintendent
Re: East State Street Mill and Overlay

June 1, 2023
Page | 3

- There are no hazardous materials or other environmental issues that need to be addressed or designed as part of this project.
- There are no wetlands mitigation or investigations necessary for the project.
- There will be no State Historical Preservation Office (SHPO) involvement with the project.
- Right of Way acquisition/easement maps and coordination has not been included in this proposal but can be provided as an additional service if the City desires.
- It is understood that this project will be progressed with local funding, and no other funding agency procedures, reviews, or approvals will be required.
- HUNT will prepare the advertisement for bidding purposes. However, the City will pay for the ad to be placed in the local paper.
- Construction Inspection Services are not included at this time but can be provided as an additional service if the City desires.
- If inspection services are requested, the Engineering Technician assigned to the project would be equivalent to a NICET III or higher. Inspection services would be provided at a maximum hourly rate of \$95/hour plus disbursements.

FEE

HUNT proposes to provide the scope of work described above for the following Lump Sum Fees.

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Preliminary Design	\$ 17,000
Final Design	\$ 27,500
Bid and Construction Administration	\$ 9,500

Total	\$56,000
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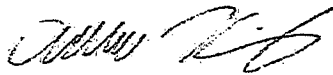
Project-related disbursements are not included in the fees above and will be billed as they are incurred. Plotting, photocopies, prints, and mileage will be invoiced according to HUNT's current schedule of fees. Other disbursements, such as photography, postage, telephone, etc., will be billed at cost plus 10 percent.

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Sincerely,

Hunt Engineers, Architects, Land Surveyors & Landscape Architect, DPC



Andrew E. Kinsley, P.E.
Transportation Engineer

Attachments (1): Agreement

CC: Barry J. Dumbauld – HUNT



Vehicle Locator

Detail Report for Customer

DENOYER CHEVROLET, INC.
127 WOLF RD, ALBANY, NY, 12205
518-458-7700

Customer/Company: undefined
Address: undefined

Sales Consultant:

Vehicle #1: 2023 Chevrolet 1500 Silverado	VIN/Order #	MSRP	Stock #
	3GCUAED6PG271495	\$53,495.00	NONE
Additional Vehicle Information			
GM Marketing Information			

Body Style: 4WD, Short Crew-CK10543
PEG: Work Truck Preferred Equipment Group-1WT
Primary Color: Summit White-GAZ
Trim: 1WT/1FL-Cloth, Jet Black, Interior Trim-H1T
Engine: Engine: 5.3L, EcoTec3 V-8, DI, Dynamic Fuel Mgt, V V T-L84
Transmission: 10-Speed Automatic-MI2

Options: (SEO) Calibration, taillamp flasher, Red/Red-5LO
(SEO) Flasher System, Headlamp and taillamp-6J7
10-Speed Automatic-MI2
120 Volt Electrical Receptacle, In Cab-KI4
1WT Convenience 1 Package-PCV
1WT Value Package-PEB
1WT/1FL-Cloth, Jet Black, Interior Trim-H1T
2-USBs, Second Row Charge/Data Ports-UBI
Alternator, 220 AMP-KW5
Auto Locking Differential, Rear-G80
Automatic Emergency Braking-UHY
Bumper, Front, Chrome-V46
Bumper, Rear, Chrome Step-VJH
CT/MA/MD/ME/NJ/NY/OR/PA/RI/VT/WA Emissions-NE1
Calibration, Surveillance Mode Int. Lighting (SEO)-5J3
Calibration, Taillamp Flasher, Red/White (SEO)-5J9
Calibration, remote ext. lights/horn disable (SEO)-5J1
Chevrolet Infotainment, 7" Color Screen-IOR
Cooler, Engine Oil-KC4
Cruise Control-K34
Customer Choice-R7N
Defogger, Rear Window, Electric-C49
Durabed-E63
Engine: 5.3L, EcoTec3 V-8, DI, Dynamic Fuel Mgt, V V T-L84
Floor Covering: Rubberized Vinyl, Black-BG9
Following Distance Indicator-UE4
Front License Plate Mounting Provisions-VK3
GVW Rating 7100 Lbs-C5Y
Glass, Deep Tinted-AKO
Headlamps, Intellibeam-TQ5
Heavy Duty Air Filter-K47
Hill Descent Control-JHD
Holdback N/A, Dealer Fleet Assistance-VQ2
Key Equipment, 2 Additional Keys (SEO)-5H1
Keyless Remote Entry-AQQ
Lane Keep Assist/Departure Warning-UHX
Mirrors, O/S: Power, Heated-DLF
Police Package-9C1
Power Door Locks-AU3
Rear Axle: 3.23 Ratio-GU5
Rear Vision Camera, HD-UVB
Recovery Hooks-V76
SEO Processing Option-YK6
Seats: Front 40/20/40 Split-Bench, Full Feature-AZ3
Sensor, Forward Collision Alert-UEU
Sensor, Front Pedestrian Braking-UKJ
Skid Plate-NZZ
Spare Tire Lock-SAF
Speaker System: Standard Sound System-UQF
Standard Tailgate-QK1
Summit White-GAZ
Suspension Package: Off-Road-Z71
TIRE SPARE 275/60R20 SL 115S BW AT-RMW
Tailgate Function--EZ Lift, Power Lock & Release-QT5
Tires: 275/60 R20 All Terrain, Blackwall-QAE
Trailer Package-Z82
Transfer Case: Active, 2-Speed, Autotrac, Rotary Dial-NQH
Transmission Cooling System-KNP
Wheels: 20" Steel-PXT
Work Truck Preferred Equipment Group-1WT

Disclaimer:

GM has tried to make the pricing information provided in this summary accurate. Please refer to actual vehicle invoice, however, for complete pricing information. GM will not make any sales or policy adjustments in the case of inaccurate pricing information in this summary.

CONTRACTOR INFORMATION

DeNooyer Chevrolet, Inc.

CONTRACTOR/COMPANY INFORMATION	
Company Name:	DeNooyer Chevrolet, Inc.
Address:	127 Wolf Rd., Albany, NY 12205
Company Website:	Denooyerchevrolet.com
Federal ID #:	14-1542904
NYS Vendor ID #:	1000006802
Contract Administrator Name:	Steve Gordon
Title:	Fleet Manager
Email:	sgordon@denooyerchevrolet.com
Phone:	518-469-8804
Toll Free Phone:	N/A
Normal Business Days/Hours	Mon-Thurs-7am-8pm, Fri-8am-6pm, Sat-8am-5pm

PAYMENT/ORDERING INFORMATION

Does Contractor offer a prompt payment discount for payments made in less than 30 days after receipt of a proper invoice? If yes, please detail the additional discounts by providing the percentage of discounts and the specific number of days within which payment must be made for the discounts to apply (for example: 2% / 15 days; 1% / 20 days).	No
Does Contractor accept the NYS Purchasing Card (see Appendix B, Purchasing Card) at no additional charge, for orders up to and including \$50,000?	No
If Contractor requires a minimum and/or maximum purchase amount for orders placed using the NYS Purchasing Card, please indicate those minimum and maximum amounts. If there is no minimum or maximum, enter "N/A".	N/A
If Contractor offers an additional discount for purchases made with the NYS Purchasing Card, enter here (%).	N/A

NYS MINIMUM DISCOUNTS

The Contractor is an authorized Dealer of the following Single OEM Vehicle(s) and/or Chassis Make(s)/Model(s) and shall offer them at the NYS Minimum Discount(s) listed below, or a greater discount, for purchases under the Contract.

Make (e.g., Ford, International, Freightliner)	Model (e.g. All Models, F-150, Bolt EV, M2-106)	NYS Minimum Discount (Minimum of 1%)
Chevrolet	All Models	2%

BODIES OFFERED

The Contractor is an authorized Dealer of the Body OEM Product Line(s) and Body Types listed below and May offer them for purchases under the Contract.

Body OEM Product Line(s) Offered (e.g., Viking, Galion, Reading)	Body Types Offered (e.g., aerial lift, ambulance, beverage, box/van, bus, concrete mixer, dump, flat bed, log, pickup, recyclable/refuse, refrigerator, service/utility, stake, sweeper, tank, tow truck, trailer)
N/A	N/A

LEASE PROVIDER INFORMATION

The Contractor also offers Lease Vehicles under the Contract, and has designated the following Lease Provider(s), which are authorized to accept Purchase Orders and Payments for leases awarded through a Vehicle Marketplace Mini-Bid. Purchase orders should reference the NYS contract number and the lease provider.

Lease Provider Information	
Legal Business Name, including DBA	Americredit Financial Services Inc. DBA GM Financial Leasing
Business Address	1111 Old Eagle School Rd.
City, State, Zip Code	Wayne, PA 19087
Federal Tax ID #	75-2439888
NYS Vendor ID	1100173358
Contact Name	Griselda Cordova
Contact Title	Dealer Representative
Contact Email	griselda.hernandez@gmfinancial.com
Contact Phone Number	214-210-3141
MWBE and/or SDVOB Certification:	☐ NYS Certified Women Owned ☐ NYS Certified Minority Owned ☐ SDVOB
SBE	☐ NYS Small Business Enterprise (self-identified)