

REGULAR MEETING OF THE COMMON COUNCIL
JANUARY 25, 2023
7:00 PM

PRESENT: Mayor Sandra Magiera
Council Members: John Hill, Kylee Johnson, Barry Smith,
Michael Reed, Janet Koch
City Clerk: Tracy Chamberlain
BPU Manager: Dennis Hensel
Police Chief: Jamie Deck
Police Officers: Tina Darling, Adam Carlson, Tustin Swift,
John Sandy, Kristen Lasseter, Matthew Smith,
Cale Benjamin, William Hunt, Anibal Santiago
Police Commission Members: Heather Jackson, Robert Kennedy
Human Resource Specialist: William Hernandez

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

At this time the Public Hearing on a proposed Local Law for 2023 which will amend the Zoning Law of the City to change the Use District Classification of 486 East State St. TM# 73.073-4-1 from R1 Single Family Residential to B3 Neighborhood Commercial Use District was opened.

It was noted this is the public hearing before the Mayor that is required before the final adoption of any Local Law and in accordance with the New York State Environmental Quality Review Act for the action of amending the Zoning Law.

Resident Lane Hoag noted he feels the plans look excellent. He stated to save trouble down to the road and since Antone's business has been there so long, that the other two corner properties at Central Avenue and East State Street be rezoned now. Council Member Koch stated she thinks it would be great to get those all zoned as commercial, however that has to go through the process to rezone parcels. Mr. Hoag stated the Council could take the action tonight. Council Member Koch noted she does not know how that works. Mr. Hoag stated this is a good project.

Council Member Smith stated he was happy to see the property owners have taken the time and money to have the asbestos siding removed properly. He noted this proves that they care about the land and environment. He stated he appreciates it and thanked them.

With no others wishing to be heard, the public hearing was closed at 7:04 PM

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Moved by Smith and seconded by Hill:

RESOLVED: That we hereby approve and dispense with the reading of the minutes of the last regular meeting of January 11, 2023.

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

Nays: None

Council Member Koch asked to withdraw Agenda Items 4, 5, and 6.

Moved by Reed and seconded by Johnson:

RESOLVED: That the BPU's Electric Department is hereby authorized to borrow up to \$400,000.00 from the City for the purpose of paying outstanding accounts payable invoices of the Electric Department, due to recent demand for electricity arising and market costs exceeding the ability of the BPU pending receipt of customer payments, and further authorize the Mayor to sign an Intra- Municipal Agreement with the BPU for repayment, as recommended by the Board of Public Utilities Commission.

Mr. Hoag asked why the BPU doesn't borrow from their other utility funds. General Manager Hensel explained that the Public Service Commission (PSC) states the BPU cannot charge customers ahead of time, even when they know a large bill is coming. They are also not allowed to transfers within the electric, water and sewer funds.

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

Nays: None

Moved by Smith and seconded by Hill:

RESOLVED: That the following appointment by the Mayor is hereby approved:

BOARD OF ASSESSMENT REVIEW

Appointment of Robert Ellis, Salamanca, NY, to fill the unexpired term of Jeffrey Walker, beginning on January 25, 2023 and ending September 30, 2025.

JOINT VENTURE COMMISSION

Appointment of Mayor Sandra Magiera, Salamanca, NY, for a term commensurate with her elected term beginning on January 25, 2023 and ending December 31, 2024.

Appointment of Council President Janet Koch, Salamanca, NY, for a term commensurate with her elected term beginning on January 25, 2023 and ending December 31, 2024.

Appointment of John Hill, Salamanca, NY, for a term commensurate with his elected term beginning on January 25, 2023 and ending December 31, 2024.

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POLICE COMMISSION

Appointment of Charles Talbot, Salamanca, NY, for a three-year term beginning on February 1, 2023 and ending January 31, 2026.

SALAMANCA YOUTH BOARD

Appointment of Ann Smith, Salamanca, NY, to fill the unexpired term of Michael Lonto, beginning on January 25, 2023 and ending February 28, 2025.

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

Moved by Reed and seconded by Smith:

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

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

Moved by Reed and seconded by Smith:

RESOLVED: That we hereby authorize that the City share the cost of the repairs to the Board of Public Utilities wood chipper machine, as quoted by CJ Logging, Little Valley, NY, in the estimated amount of \$6,800.00, with the BPU to pay \$5,000.00 and the City can cover the balance of the bill.

It was noted that the BPU owns the chipper and the City DPW borrows it on occasion. The BPU will pay \$5,000.00 and the City can cover the balance of the bill, estimated at \$1,800.00.

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

Under Communications from the Mayor and Council:

Moved by Johnson and seconded by Koch:

RESOLVED: That we hereby request that the City Attorney prepare an ordinance to amend the City Municipal Code with regard to fines for code violations within the City.

It was noted this is regarding fines and arrests for property owners.

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

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- Mayor Magiera thanked her team for helping while at home due to a medical issue. She thanked the Council for their help as well.

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 reports of the Police Chief, City Judge and Dog Control Officer for the month of December 2022 are hereby accepted and filed.

Vendor Number	Vendor Name	Payment Date	Payment Amount	Check #
1033	MAC TRUCK PARTS	01/13/2023	21.69	1285
0286	MICHAEL FOREMAN	01/13/2023	42.50	1286
0181	TRAVIS WHITEHOUSE	01/13/2023	59.05	1287
0131	CATTARAUGUS COUNTY TREASURER	01/20/2023	122,421.01	1288
0199	CYNTHIA A. FRANKLIN	01/20/2023	34.29	1289
0384	SALAMANCA PUBLIC LIBRARY	01/20/2023	43,750.00	1290
1207	AHLSTROM SCHAEFFER ELECTRIC	01/27/2023	9,052.50	1291
0278	AIRGAS USA, LLC	01/27/2023	27.08	1292
1202	AMERICAN HEART ASSOCIATION	01/27/2023	151.00	1293
0382	AUTOZONE, INC.	01/27/2023	329.95	1294
0055	BOYLE'S MOTOR SALES INC.	01/27/2023	173.43	1295
0974	BUSINESS MANAGEMENT SYSTEMS, INC.	01/27/2023	2,274.00	1296
0565	CAPPELLINO CHEVROLET	01/27/2023	401.49	1297
0122	CARDMEMBER SERVICE	01/27/2023	47.00	1298
0186	CASELLA WASTE SYSTEMS, INC.	01/27/2023	93.40	1299
0080	CATTARAUGUS COUNTY CLERK	01/27/2023	5,016.00	1300
0979	COAST TO COAST SOLUTIONS	01/27/2023	444.56	1301
0480	CUTTERS CHOICE EAST	01/27/2023	235.69	1302
1196	DYNASTY CONSTRUCTION	01/27/2023	57,641.25	1303
0560	EMERLING FORD, INC	01/27/2023	2,241.16	1304
0200	EMPIRE ANIMAL RESCUE SOCIETY	01/27/2023	6,169.11	1305
0237	FASTENAL COMPANY	01/27/2023	67.61	1306
1188	FRED SARADIN	01/27/2023	162.50	1307
1007	FSC SYSTEMS, LLC	01/27/2023	222.45	1308
0738	INSCALE ARCHITECTS	01/27/2023	1,012.50	1309

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0597	JOINT LEASING COMMISSION	01/27/2023	5,000.00	1310
1208	KARRIER COMPANY LLCQ	01/27/2023	264.26	1311
1045	LAWLEY BENEFITS CONSULTING	01/27/2023	1,500.00	1312
0108	MATTHEW BENDER & CO, INC.	01/27/2023	501.54	1313
0742	MUNICIPAL EMERGENCY SVCS	01/27/2023	377.55	1314
0206	MY-LOR, INC.	01/27/2023	222.30	1315
1134	PROFESSIONAL AMBULANCE BILLING LLC	01/27/2023	2,738.54	1316
1023	RANDOLPH AUTO SUPPLY	01/27/2023	375.75	1317
0570	SCOTT J COLLINS	01/27/2023	1,459.00	1318
0765	SEWING TECHNOLOGY UNIFORM INC	01/27/2023	276.13	1319
0575	SHERWIN-WILLIAMS	01/27/2023	200.57	1320
0414	SOUTHERN TIER WEST REGIONAL	01/27/2023	425.00	1321
1059	STAPLES CONTRACT & COMMERCIAL	01/27/2023	70.77	1322
0833	U & S SERVICES INC	01/27/2023	106.69	1323
0912	U.S. BANK EQUIPMENT FINANCE	01/27/2023	119.13	1324
0491	UNIFIRST CORPORATION	01/27/2023	98.00	1325
0774	URBAN AUTO CENTER	01/27/2023	42.00	1326
0783	VALLEY FAB AND EQUIPMENT INC	01/27/2023	482.63	1327
0429	VALPRO SANITARY SUPPLIES, INC.	01/27/2023	437.50	1328
1048	WITMER PUBLIC SAFETY GROUP, INC	01/27/2023	50.00	1329

Special Accounts

Check #	Date	Account Name	Amount
1007	1/17/2023	CDBG Funds/Police Renovations- Ahlstrom Schaffer Elect.	\$22,250.00

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

Public Discussion:

- At this time Police Officer Tina Darling read a statement, which is attached to these minutes.
- Resident Jodi Clark discussed the issues with drug activity at a property on Clinton Street. She feels something needs to change and work together.
- There was discussion from the Police Department staff regarding how they are addressing the issues and the process arrests are handled.

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- Council Member/Police Chairperson Koch noted that arrest information will be provided through social media. At this time, they will not be providing it to individuals. She also will be working with the Police Chief regarding staffing issues. She would like to see issues go through a chain of command including the Commission
- Mayor Magiera noted that contract negotiation changes have always gone to the Council for approval.
- Police Commission Jackson asked where revenue will come from for increased wages. Officer Darling noted the Union is to let the Council know that other departments are pursuing the City's officers to transfer to their departments. There was discussion regarding wages and that there is a limited amount of people to hire for officers.
- Officer Darling stated the Union would be willing to have a meeting if necessary. Council Member Koch requested Chief Deck to schedule a meeting to discuss options.
- Mayor Magiera noted there are many properties and drug issues, however the officers are limited on what they can do. She appreciated them coming and taking questions on issues. She suggests notifying the Governor and other government official that the bail reform is not working. She gives the officers credit for still wanting to do the job that is harder to do. Officer Darling thanked the Mayor and Council and she appreciates the opportunity to talk.
- Council Member Smith noted he observed an incident in the early morning where there were multiple officers assisting.

Moved by Johnson and seconded by Smith:

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 thirty minutes in executive session.

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

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Moved by Koch and seconded by Hill:

RESOLVED: That we hereby advertise for a Junior Account in the Comptroller's Office at a wage between \$35,000.00 and \$45,000.00 annually, and

BE IT FURTHER RESOLVED: That we hereby advertise for an Account Clerk Typist in the Comptroller's Office at a wage between \$16.00 and \$19.00 per hour, and

BE IT FURTHER RESOLVED: That we hereby authorize the City Clerk to advertise for the two positions listed, if there are no eligible applicants.

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

Moved by Johnson and seconded by Hill:

RESOLVED: That we hereby adjourn – 8:54 PM.

Carried.



Tracy Chamberlain, City Clerk

Dated: February 2, 2023

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

Sandra Magiera, Mayor

Dated: February , 2023

Good Evening,

Mayor Magiera, and members of the Common Council thank you for allowing us a moment to speak at tonight's meeting. I currently serve as the Union President for our local unit through CSEA and we are here tonight to address the issue of Retention and Recruitment for the City of Salamanca Police Department.

The Mission Statement of the Police Department is to improve and maintain the quality of life within our community by working together to achieve a common goal- A safe and Secure City.

Our mission statement says what we are asking you as the elected officials of our City to do, work together..

My fellow officers and CSEA union members are asking you the City of Salamanca Common Council to open up an out of contract wage increase, not as a want but as a necessity. The reasons being for retention and recruitment of officers and to continue, keeping our community safe, while providing the services they have grown to expect and rely on, but not only to expect and rely on but what they deserve officers who are trained well, who know the laws, who treat people with respect and dignity and they know by name because we are all part of this community. This comes from the current officers that we are now in jeopardy of losing due to non-competitive wages with our neighboring departments.

Currently the City of Salamanca Police Department has 15 fulltime officers working to a safe and secure City open 24 hours a day 365 days a week. We have 15 fulltime officers, but are allocated 21 officers. This brings me to recruitment issues. The Academy numbers have been low in the last few years and the officers who are eligible are not looking to come to our department as our pay starting is \$23.33 as of 4/1/2022.

The starting salary currently for Cattaraugus County Sheriff's Office is \$30.58 and the starting wage for the City of Olean is \$26.91.

For the Cattaraugus County Sheriff's office after their deputies reach step 4 the wage increases to \$35.97. In Olean after 3 years city officers will have a wage of \$34.63. These wages also have percentage increases through their contract dates and officers time of service. In reference to retention, as stated earlier we have 15 fulltime officers and we have several officers who have prepared letters which state offers from other police departments requesting their lateral transfer.

Our police department is small, but every single one of our members from the newest to the oldest have a valuable role in our department. This is not a want this is necessity. We are a family and we are in jeopardy of our family not existing anymore.

We thank you for your time and your consideration and we will be happy to answer and questions you may have at this time and look forward to sitting down and working together.

Tina Darling
CSEA Salamanca Police Unit President