

REGULAR MEETING OF THE COMMON COUNCIL
JUNE 26, 2024
7:00 PM

PRESENT: Mayor Sandra Magiera
Council Members: John Hill, Barry Smith
Michael Reed, Janet Koch
City Clerk: Tracy Chamberlain
City Attorney: Jeffrey Swiatek
ABSENT: Council Member Kylee Johnson

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 Koch and seconded by Hill:

RESOLVED: That we hereby approve and dispense with the reading of the minutes of the last regular meeting of June 12, 2024.

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

Moved by Hill and seconded by Reed:

RESOLVED: That we hereby confirm the appointments of Department of Public Works Part-Time Cleaner, Mark Wujastyk, Salamanca, NY and Seasonal Part-Time Laborer Kylee Slater, Salamanca, NY effective June 13, 2024, both at \$17.20 per hour, up to 30 hours per week.

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

Moved by Koch and seconded by Smith:

RESOLVED: That we hereby accept the resignation of Elizabeth Downie as Human Resource Trainee, effective June 21, 2024 and further authorize the attached separation agreement.

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

Moved by Koch and seconded by Hill:

RESOLVED: That we hereby appoint Ronald Brown, Cattaraugus, NY, as Permanent Full-time Dispatcher, effective June 17, 2024 according to the current Police Union Contract.

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

REGULAR MEETING OF THE COMMON COUNCIL
JUNE 26, 2024
PAGE TWO

Moved by Koch and seconded by Hill:

RESOLVED: That we hereby remove Joshua Coolidge, Springville, NY as Probationary Full-time Police Officer, effective June 5, 2024.

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

Moved by Smith and seconded by Hill:

RESOLVED: That we hereby confirm the appointment of Gary Sticek, Salamanca, NY, as part-time Dog Caretaker up to 20 hours per week at minimum wage, effective immediately, with the requirement of receiving the rabies pre-exposure vaccination.

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

Moved by Reed and seconded by Hill:

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

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

Moved by Smith and seconded by Koch:

RESOLVED: That we hereby authorize the closing of the following on Main Street for the Salamanca Summer Fest to be held on Saturday, July 13, 2024.

The festival will begin at 11:00 AM. The streets will need to be closed at 8:00 AM until clean-up at approximately 7:00 PM.

Closing of Main Street between Atlantic St. and River St./Wildwood Ave.

Closing of Main Street Bridge between River St./Wildwood Ave. and Sycamore Ave.

Traffic can travel at the following:

- One south bound lane of traffic on Main Street from Rochester St. to Atlantic St.
- East and West across Main Street from River St. to Wildwood Ave.

Parking can be found off Atlantic St., behind the Main St. Mall, at Sycamore Park, and behind the Senior Center/Theater.

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

REGULAR MEETING OF THE COMMON COUNCIL
JUNE 26, 2024
PAGE THREE

Moved by Koch and seconded by Hill:

RESOLVED: That we hereby accept the quote of Morris Masonry Restoration, LLC, Buffalo, NY, for the repairs to the Veteran's Park stone archway pillar, in the amount of \$2,440.00.

It is noted this cost is to be reimbursed by the insurance company for the bus that damaged the pillar.

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

Moved by Hill and seconded by Koch:

RESOLVED: That we hereby approve the Undertaking Agreement between the City and the New York State DOT Department of Transportation for Highway Work Permits and further authorize the Mayor to sign such agreement.

Resident Jodi Clark noted the Seneca Nation of Indians should be made aware of such agreement.

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

Under Communications from the Mayor and Council:

- Council Member Koch has been requested to have no-parking on Highland Avenue across from a driveway for 62 Linden Avenue. She will take this request to the Police Department for review. Mayor Magiera noted there was also a request to relocate the no-parking signs on South Main Street back to where they previously were between Clinton Street and East Jefferson Street.
- Mayor Magiera noted the parade to honor the Salamanca School Graduating Seniors was postponed to Thursday, June 27, 2024 at 5:30 PM starting on Main Street and ending at Veteran's Park.

Moved by Hill 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 report of the Dog Control Officer for the month of May 2024 is hereby accepted and filed.

Vendor Number	Vendor Name	Payment Date	Payment Amount	Number
0529	ESO SOLUTIONS, INC.	06/14/2024	795.00	3458
1134	PROFESSIONAL AMBULANCE BILLING LLC	06/14/2024	3,269.79	3459
1113	IDENTOGO	06/17/2024	89.25	3460

REGULAR MEETING OF THE COMMON COUNCIL
JUNE 26, 2024
PAGE FOUR

1113	IDENTOGO	06/17/2024	89.25	3461
1414	CINDY SMITH	06/21/2024	87.10	3462
0122	ELAN FINANCIAL SERVICES	06/21/2024	13.00	3463
1422	ELASTEC, INC	06/21/2024	6,010.00	3464
0922	MATTHEW PAONESSA	06/21/2024	152.00	3465
1235	MIKE O'SULLIVAN	06/21/2024	71.98	3466
1069	TIM HAYNOSKI	06/21/2024	149.20	3467
0499	TWIN TIERS OUTERWEAR	06/21/2024	169.00	3468
0912	U.S. BANK EQUIPMENT FINANCE	06/21/2024	119.13	3469
1238	AMAZON CAPITAL SERVICES	06/26/2024	313.21	3470
1392	ARMSTRONG BUSINESS SOLUTIONS	06/26/2024	150.45	3471
1097	BREEZELINE	06/26/2024	152.47	3472
0186	CASELLA WASTE SYSTEMS, INC.	06/26/2024	98.54	3473
0081	CATTARAUGUS COUNTY REAL PROPERTY	06/26/2024	2,787.00	3474
1105	JAMES B SCHWAB CO	06/26/2024	72.06	3475
1423	KAYLA TAYLOR	06/26/2024	25.00	3476
0831	METROPOLITAN TELECOMMUNICATIONS	06/26/2024	3,524.76	3477
0240	SCHUBERT ENTERPRISES, LLC	06/26/2024	183.00	3478
0570	SCOTT J COLLINS	06/26/2024	1,459.00	3479
1059	STAPLES	06/26/2024	2,477.12	3480
1069	TIM HAYNOSKI	06/26/2024	34.26	3481
1388	UBEO, LLC	06/26/2024	43.73	3482
0429	VALPRO SANITARY SUPPLIES, INC.	06/26/2024	183.20	3483
0017	ACME BUSINESS MACHINES	06/26/2024	93.99	3484
0581	BOUND TREE MEDICAL, INC.	06/26/2024	84.50	3485
1194	DIVAL SAFETY & SUPPLIES FOR LIFE	06/26/2024	39,863.00	3486
1361	FIREMATIC SUPPLY CO. INC.	06/26/2024	1,589.48	3487
0074	GORMAN ENTERPRISES	06/26/2024	21,804.80	3488
0065	HULL ELECTRIC, INC	06/26/2024	308.21	3489
1023	RANDOLPH AUTO SUPPLY	06/26/2024	67.44	3490
0625	ROCK-N-RESCUE/J.E. WEINEL, INC	06/26/2024	335.19	3491
0982	UNITED UNIFORM CO., INC.	06/26/2024	85.00	3492
1048	WITMER PUBLIC SAFETY GROUP, INC	06/26/2024	173.00	3493
0098	WORTH W SMITH	06/26/2024	267.09	3494
0108	MATTHEW BENDER & CO, INC.	06/26/2024	64.56	3495
0765	SEWING TECHNOLOGY UNIFORM INC	06/26/2024	417.94	3496
0300	SIRCHIE	06/26/2024	140.75	3497
0415	ADAM'S SERVICES, LLC	06/26/2024	165.60	3498
1238	AMAZON CAPITAL SERVICES	06/26/2024	801.99	3499
0915	BLUE COLLAR WORKWEAR	06/26/2024	365.00	3500
1012	CATTARAUGUS COUNTY DPW	06/26/2024	51.75	3501
0448	CJ LOGGING EQUIPMENT & MOTOR SPORTS	06/26/2024	1,749.95	3502
0191	GERNATT ASPHALT	06/26/2024	5,333.16	3503
0164	GRAINGER	06/26/2024	181.40	3504

REGULAR MEETING OF THE COMMON COUNCIL
JUNE 26, 2024
PAGE FIVE

0277	JAMESTOWN MACADAM, INC	06/26/2024	1,665.00	3505
0175	JAMESTOWN SOAP & SOLVENT, INC.	06/26/2024	99.50	3506
0129	JOE JOHNSON EQUIPMENT LLC	06/26/2024	38.74	3507
1405	KISS MY GRASS LAWN CARE LLC	06/26/2024	3,000.00	3508
1091	KURK FUEL COMPANY	06/26/2024	12,976.69	3509
0683	LANDPRO EQUIPMENT LLC	06/26/2024	234.75	3510
0248	NATIONAL FUEL	06/26/2024	621.99	3511
0568	NEW ENTERPRISE STONE & LIME CO., INC	06/26/2024	15,270.07	3512
0469	STRATE WELDING SUPPLY CO., INC.	06/26/2024	186.51	3513
1416	THE PLUMBER'S CHOICE	06/26/2024	390.00	3514
0491	UNIFIRST CORPORATION	06/26/2024	87.54	3515
0098	WORTH W SMITH	06/26/2024	329.34	3516

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

Public Discussion:

- The BPU will be having a Public Hearing on a water rate increase at the July 9, 2024 at 6:00 PM. Council Member Reed noted there has not been a water rate increase in eleven years. It was noted the sewer rate will not change, however it is a percentage of the water rate, which will increase the fee.
- Resident Jodi Clark thanked Council Member Koch for the discussion at the last Police Commission meeting. Ms. Clark discussed some recent incidents. She asked why the Police are not patrolling and addressing them before complaints are called in. There was some discussion regarding the installation of cameras along the Pennsy Trail and the City plans to add them to other areas. Ms. Clark also discussed recent incidents involving women being attacked within the City. She would like to see warnings made public and feels these should be taken seriously. Council Member Koch noted that they cannot say the Police Department is not taking these incidents seriously. Mayor Magiera noted she is willing to assist people with issues they are having.
- Dennis Urbanski stated he has been a business owner in the City for 49 years. He is asking that his business be the primary contact for towing and if not available the City could contact the businesses outside the City. He asked that the Council consider his proposal.

Moved by Koch and seconded by Reed:

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

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

REGULAR MEETING OF THE COMMON COUNCIL
JUNE 26, 2024
PAGE SIX

Moved by Koch and seconded by Smith:

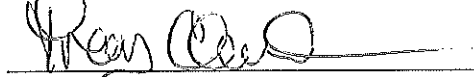
RESOLVED: That the Mayor and Council reconvene after approximately forty-five minutes in executive session.

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

Moved by Hill and seconded by Reed:

RESOLVED: That we hereby adjourn – 8:31 PM.

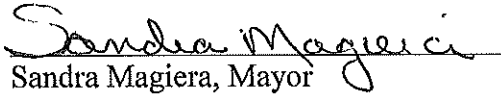
Carried.



Tracy Chamberlain, City Clerk

Dated: July 2, 2024

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



Sandra Magiera, Mayor

Dated: July 8, 2024



ROBERT EARLEY
CITY COMPTROLLER

225 WILDWOOD AVE
SALAMANCA, NY 14779

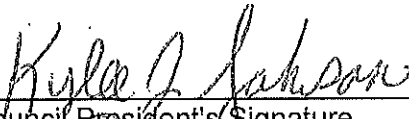
Employees Name:
Separation Type
Date of Separation

ELIZABETH DOWNIE
RESIGNATION
6/21/2024

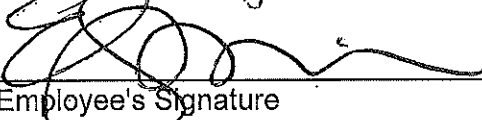
Separation Payouts are as followed as of:

6/21/2024

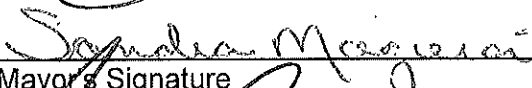
	Hours	Allowed	Rate	Payment
Sick Time	53.25	0%	\$ 25.78	\$0.00
Vacation Time	75.00	100%	\$ 25.78	\$1,933.50
Comp Time**	135.75	100%	\$ 25.78	\$3,499.64
Holiday Time	0.00	100%	\$ 25.78	\$0.00
Personal Time	0.00	0%	\$25.78	\$0.00
Total Separation Payment				\$5,433.14


Council President's Signature

6/27/24
Date


Employee's Signature

06/21/2024
Date


Mayor's Signature

6/21/24
Date


Comptroller's Signature

6/20/24
Date

* Signature means that there is an agreement with these amounts.

**Comp Time number was 108.75 hours as of 6/7/2024, then additional
10 hours for week ending 6/14/24 plus 17 hours for week ending 6/21/2024



9.6.

441 Bailey Ave.
Buffalo, NY 14210
p 716-894-0102
f 716-894-8194

mmr@morrisrestoration.com

TO: Town of Salamanca
ATTN: Tracy Chamberlain

Date: 6/20/2024
RE: Veterans Park Pier Damage

Scope of Work

We propose to furnish labor, materials and equipment necessary to perform the following work

Scope:

- Remove dislodged stone masonry units and salvage for reinstalation
- Remove damaged Mortar
- Relay Stone masonry matching original profile

Quotation: \$2,440.00

Note: At this time all the existing stone appear to be present.

- Excludes:
- Sales tax
 - Permits
 - Removal, handling and/or disposal of hazardous materials
 - Winter heat & protection

This pricing will be held firm for 45 days.

PG



UNDERTAKING

For the benefit of

The New York State Department of Transportation

In connection with work affecting state highways
(For use by New York municipalities and federal agencies)

WHEREAS, the undersigned _____ (Municipality, County, Town, City or Village, or any agency of the federal government, hereinafter referred to as "Permittee") from time to time receives permits from the New York State Department of Transportation (hereinafter referred to as the "NYSDOT") and otherwise conducts activities and operations upon highways and/or within right-of-way controlled by the State of New York for such purposes as the obstruction, installation, construction, maintenance and/or operation of facilities; and

WHEREAS, Permittee's access and operation upon state right-of-way is conditioned upon compliance with Highway Law Sections 52, 103, 203 and/or 234, including the conditions that Permittee assume all responsibility for (a) the temporary control of all modes of traffic (including motorized and non-motorized travel) affected by Permittee's operations, (b) complete restoration of state facilities to their condition prior to permitted use or activity, and (c) all claims, damages, losses and expenses,

NOW, THEREFORE, in relation to all operations and/or actions undertaken within state right-of-way, Permittee hereby agrees to the following terms and conditions:

1. Permit Applications. Excepting only activities undertaken to protect public safety because of emergency conditions or incidents, Permittee shall provide timely written notice to NYSDOT of operations or activities affecting state right-of-way. Under normal circumstances, a minimum of five business days notice shall be provided. Notification of emergency activities shall be provided to NYSDOT as soon as practicable after the activity. The Permittee shall apply for project-specific permits for activities not allowed under any existing annual permit. Such application shall identify proposed project locations, desired dates/hours, proposed work/activities, traffic control, and site restoration

2. Applicable Rules, Regulations & Conditions. Permittee shall comply with all of the laws, rules and regulations applicable to construction, maintenance activities and operations and shall further comply with such terms and conditions that may be imposed by NYSDOT in connection with permitted activity or operations. Temporary Traffic Control, highway safety appurtenances, and restoration of state facilities shall be completed in accordance with NYSDOT regulations and standards.

3. Site Restoration. Permittee shall, at its own expense, promptly complete the work allowed under each permit and, within a reasonable time, restore State property damaged by its work/activities to substantially the same or equivalent condition as existed before such work was begun as determined by the Commissioner or his/her designee. In the event that the Permittee fails to so restore damaged State property within what the Commissioner deems to be a reasonable time, the Commissioner, after giving written notice to the Permittee, may restore the property to substantially the same or equivalent condition as existed before the Permittee's work/activities, in which case, Permittee agrees to reimburse the reasonable expenses in connection therewith.

4. Payment & Release of Liens. Permittee shall be responsible for the payment of all costs and materials relating to its work in the public right-of-way, and agrees to defend and save harmless NYSDOT against any and all lien claims made by persons supplying services or materials to Permittee in connection with Permittee's work.

5. Indemnity. In addition to the protection afforded to NYSDOT under any available insurance, NYSDOT shall not be liable for any damage or injury to the Permittee, its agents, employees, or to any other person, or to any property, occurring on the site or in any way associated with Permittee's activities or operations, whether undertaken by Permittee's own forces or by contractors or other agents working on Permittee's behalf. To the fullest extent permitted by law, the Permittee agrees to defend, indemnify and hold harmless the State of New York, NYSDOT, and their agents from and against all claims, damages, losses and expenses, including but not limited to, claims for personal injuries, property damage, wrongful death, and/or environmental claims and attorney fees arising out of any such claim, that are in any way associated with the Permittee's, activities or operations under any and all permits issued using this Undertaking.

FURTHERMORE, Permittee hereby warrants that the obligations of this Undertaking are backed by the full faith and credit of Permittee. Permittee may insure or bond any of the obligations set forth herein, or may rely upon self-insurance, budgeted funds, or funds for general operations.

This Undertaking shall be applicable to all permitted activities and operations undertaken after the date of execution and work initiated while this Undertaking is in effect. This Undertaking may be revoked by the Permittee or rejected by NYSDOT upon thirty days written notice but will continue to apply to all permitted activities/operations that were permitted by virtue of this Undertaking. Unless terminated for the purpose of future activities/operations, this Undertaking shall have a term of twenty (20) years and shall be kept on file to facilitate the issuance of future permits to which it will apply.

IN WITNESS WHEREOF, _____ (Municipality-County, Town, City, Village or federal agency) agrees to the terms of this Undertaking, and has caused its execution by the authorized officer or employee (attach Resolution of Approval).

Authorized Agent

Date

Print Name/Title

Address

() _____
Phone number

Address

e-mail