

REGULAR MEETING OF THE COMMON COUNCIL
OCTOBER 11, 2023
7:00 PM

PRESENT: Mayor Sandra Magiera
Council Members: John Hill, Kylee Johnson, Barry Smith,
Michael Reed, Janet Koch
City Clerk: Tracy Chamberlain
Grant Writer: Sandra Brundage
Human Resource Trainee: Elizabeth Downie
Fire Chief: Tom Sturdevant
Assistant Fire Chief: Brandon Smith
Firefighters: Kyle Gross, Travis Whitehouse, Patrick Steffan,
Harley Kettle, Tyler Smith

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

At this time the Public Hearing on the proposed Local Law #3 for 2023 to amend the Charter of the City of Salamanca, NY, with regard to eligibility of city officers through residency, was opened.

It is noted this is the public hearing before the Mayor that is required before the final adoption of any Local Law.

With no persons wishing to be heard, the public hearing was closed at 7:02 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 September 27, 2023.

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

Moved by Smith and seconded by Johnson:

RESOLVED: That the following Local Law for 2023 is hereby adopted:

A LOCAL LAW AMENDING THE ZONING LAW OF THE CITY OF SALAMANCA, NEW YORK TO CHANGE THE USE DISTRICT CLASSIFICATION OF 501 BROAD STREET, S.B.L. No. 73.078-1-1.1, FROM R1 SINGLE FAMILY RESIDENTIAL TO B3 NEIGHBORHOOD COMMERCIAL USE DISTRICT

WHEREAS, the City of Salamanca Planning Commission has recommended that the Zoning Law of the City of Salamanca be amended to change the use district classification of 501 Broad Street, Tax Map No. 73.078-1-1.1 (the "Property") from R1 Single Family Residential to B3 Neighborhood Commercial Use District; and

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WHEREAS, the reason for the recommended change is the request of the Planning Commission, and that it is consistent with current character of the neighborhood which contains both residential and business related structures; and

WHEREAS, a legal description of the Property is attached as Schedule A; and

WHEREAS, a copy of portion of the County Tax Map page showing the Property is attached as Schedule B; and

WHEREAS, the Common Council has determined that the changes in Zoning use classification as recommended by the Planning Commission are appropriate and in the best interest of the public health, safety, and welfare.

NOW, THEREFORE, BE IT ENACTED, as follows:

Section 1. ARTICLE 3- ESTABLISHMENT OF DISTRICTS, Section 3.3 Zoning Map of the City of Salamanca is hereby amended as follows:

The Classification of the Zoning Use District of premises located at 501 Broad Street, Tax Map No. 73.078-1-1.1 is changed from R1 Single Family Residential to B3 Neighborhood Commercial Use District.

This local law shall become effective upon its filing with the Secretary of State pursuant to the provisions of the Municipal Home Rule Law.

BE IT FURTHER RESOLVED: That we hereby refer this proposed local law to the Cattaraugus County Planning Board to amend the Zoning Law of the City, and

BE IT FURTHER RESOLVED: That the Common Council wishes to declare Lead Agency and conduct a coordinated State Environmental Quality Review (SEQR) of the proposal.

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

Moved by Koch and seconded by Reed:

RESOLVED: That we hereby accept the quote of Allied Alarm Services, Inc., Falconer, NY for the Police Department access control system at a cost of \$4,975.00 for installation and \$45 per month for service.

Grant Writer Brundage noted that this would be a locking system that would give the Police Department better control of the system.

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

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Moved by Smith and seconded by Johnson:

RESOLVED: That we hereby approve a Lump Sum Municipal Snow and Ice Agreement between the NYSDOT and the City for the bridge portion of Route 353 (Center Street) for 2022-2023, and

BE IT FURTHER RESOLVED: That the Mayor is authorized to sign such agreement.

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

Moved by Johnson and seconded by Smith:

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

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

Moved by Koch and seconded by Hill:

RESOLVED: That we hereby approve the submission of a Law Enforcement Technology (LETECH) Application to the Department of Criminal Justice Services, on behalf of the Salamanca Police Department, in the amount of \$184,967.20 for Patrol PC Rhino Tablets, License Plate Readers, Surveillance Cameras, and Portable Radios.

Grant Writer Brundage noted this grant is due by November 8, 2023 and includes the request for funds to replace equipment that is obsolete and install cameras on the portion of the Pennsy walk trail that does not have coverage.

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

Communications from the Mayor and Council:

- Mayor Magiera read the attached White Cane Awareness Day Proclamation for October 15, 2023.
- Mayor Magiera stated that she appreciated the Salamanca Firemen in more ways than one. Over the past year her family has kept the EMS busy. At this time the Mayor read the attached Salamanca Paid Fire Department 100 Year Anniversary Proclamation. She then presented the Fire Department with the Proclamation and an anniversary Statuette. She also presented them with a Proclamation from Assemblyman Giglio.
- Council Member Johnson stated she appreciates the Fire Department and everything they have done. She feels they do a great job for the Community.

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- Council Member Koch request the City Attorney to prepare a local law to amend the City Zoning Law, for 73 Central Avenue, Salamanca, NY to be re-zoned from an R1, (Single-family Residential Use District) to a B3 (Neighborhood Commercial Use District). The City Planning Commission has recommended this re-zoning as requested by property owner Sydney Watt. She noted they have purchased the next property adjoining the original lots that have been zoned commercial.
- Council Member Koch noted that the Falling Leaves Festival was wonderful and thanked everyone that helped with the Festival. She also noted that someone approached her regarding the enforcement at the event of the City policy prohibiting smoking on City property. She will bring this up at the next Police Commission meeting.

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 City Clerk, City Comptroller and Dog Control Officer for the month of September 2023 is hereby accepted and filed.

Vendor Number	Vendor Name	Payment Date	Payment Amount	Number
1238	AMAZON CAPTIAL SERVICES	09/29/2023	84.40	2376
0555	AURORA ELECTRONICS	10/05/2023	1,922.71	2377
0917	DANIEL KRUSZYNSKI	10/05/2023	294.62	2378
1205	HIGHMARK BCBSWNY (MEDICARE 286543)	10/05/2023	1,206.00	2379
1113	IDENTOGO	10/05/2023	88.50	2380
1348	NIAGARA COUNTY LAW ENFORCEMENT	10/05/2023	1,000.00	2381
1349	PEOPLE INC	10/05/2023	25.00	2382
0958	RENAISSANCE	10/05/2023	258.45	2383
0166	TYLER TECHNOLOGIES, INC.	10/05/2023	250.00	2384
1211	ASCENDANCE TRUCKS PENNSYLVANIA	10/06/2023	515.22	2385
1351	DIY AWARDS	10/06/2023	279.98	2386
0778	BRADFORD PUBLISHING COMPANY	10/11/2023	66.81	2387
0849	BV MOBILE SHREDDING	10/11/2023	2,680.00	2388
0085	CATT CO DEPT OF HEALTH	10/11/2023	1,056.16	2389
0218	CITY OF SALAMANCA BPU	10/11/2023	11,036.71	2390
1196	DYNASTY CONSTRUCTION	10/11/2023	124,050.42	2391
0709	HODGSON RUSS, LLP	10/11/2023	15,742.10	2392
1105	JAMES B SCHWAB CO	10/11/2023	60.36	2393
0158	OLEAN TIMES HERALD	10/11/2023	37.50	2394
1333	PLYLER ENTRY SYSTEM	10/11/2023	19,690.00	2395
1353	RAYMOND WILSON	10/11/2023	25.00	2396
0931	RICOH USA (PO BOX 41564)	10/11/2023	104.63	2397
0646	SANDRA L. BRUNDAGE	10/11/2023	75.99	2398

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0429	VALPRO SANITARY SUPPLIES, INC.	10/11/2023	56.80	2399
0367	VERIZON WIRELESS	10/11/2023	978.02	2400
1211	ASCENDANCE TRUCKS PENNSYLVANIA	10/11/2023	14,817.56	2401
0415	ADAM'S SERVICES, LLC	10/11/2023	175.00	2402
0326	AUSTIN LOCKSMITH, INC	10/11/2023	225.00	2403
0432	BEICHER WASTE SERVICES, INC.	10/11/2023	157.66	2404
0055	BOYLE'S MOTOR SALES INC.	10/11/2023	685.89	2405
0092	CHAUTAUQUA BRICK CO., INC	10/11/2023	217.28	2406
0448	CJ LOGGING EQUIPMENT & MOTOR SPORTS	10/11/2023	119.96	2407
0571	CYNCON EQUIPMENT, INC	10/11/2023	893.05	2408
0697	EMERLING CHRYSLER DODGE JEEP RAM	10/11/2023	727.22	2409
0164	GRAINGER	10/11/2023	158.85	2410
1342	HEIDELBERG MATERIALS NORTHEAST - NY LLC	10/11/2023	2,046.00	2411
0782	HURTUBISE TRUCK TIRE OF OLEAN	10/11/2023	1,288.00	2412
0175	JAMESTOWN SOAP & SOLVENT, INC.	10/11/2023	400.38	2413
1091	KURK FUEL COMPANY	10/11/2023	15,176.50	2414
0563	M.I.S. OF AMERICA, INC.	10/11/2023	1,356.00	2415
0248	NATIONAL FUEL	10/11/2023	37.10	2416
0568	NEW ENTERPRISE STONE & LIME CO., INC	10/11/2023	16,792.82	2417
1023	RANDOLPH AUTO SUPPLY	10/11/2023	1,034.82	2418
1233	SAWMILL CREEK OUTDOORS, LLC	10/11/2023	1,450.00	2419
0937	SOUTHWORTH-MILTON, INC	10/11/2023	1,481.35	2420
1081	SUPERIOR AUTO SUPPLY INC	10/11/2023	545.22	2421
0491	UNIFIRST CORPORATION	10/11/2023	904.00	2422
0429	VALPRO SANITARY SUPPLIES, INC.	10/11/2023	296.05	2423
0098	WORTH W SMITH	10/11/2023	222.53	2424
0371	CALE BENJAMIN	10/11/2023	72.51	2425
1012	CATTARAUGUS COUNTY DPW	10/11/2023	42.90	2426
0134	DEN'S AUTO	10/11/2023	325.00	2427
1196	DYNASTY CONSTRUCTION	10/11/2023	124,130.42	2428
0560	EMERLING FORD, INC	10/11/2023	3,646.58	2429
0198	JAMIE DECK	10/11/2023	79.88	2430
1352	JOSEPH EMERSON	10/11/2023	400.00	2431
0404	MOTOROLA SOLUTIONS, INC.	10/11/2023	3,000.00	2432
1023	RANDOLPH AUTO SUPPLY	10/11/2023	87.86	2433
0931	RICOH USA (PO BOX 41564)	10/11/2023	57.89	2434
1189	SAFE LIFE DEFENSE	10/11/2023	642.60	2435
0765	SEWING TECHNOLOGY UNIFORM INC	10/11/2023	269.98	2436
0300	SIRCHIE	10/11/2023	152.12	2437
1216	STONEY HOLLOW TIRE	10/11/2023	3,278.32	2438
0499	TWIN TIERS OUTERWEAR	10/11/2023	68.00	2439
0429	VALPRO SANITARY SUPPLIES, INC.	10/11/2023	775.50	2440
0098	WORTH W SMITH	10/11/2023	18.67	2441
0017	ACME BUSINESS MACHINES	10/11/2023	13.72	2442
0278	AIRGAS USA, LLC	10/11/2023	37.99	2443
0382	AUTOZONE, INC.	10/11/2023	105.73	2444

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0581	BOUND TREE MEDICAL, INC.	10/11/2023	779.39	2445
0065	HULL ELECTRIC, INC	10/11/2023	53.45	2446
0407	JOHN SIXT & SON INC.	10/11/2023	501.47	2447
1189	SAFE LIFE DEFENSE	10/11/2023	1,126.80	2448
0499	TWIN TIERS OUTERWEAR	10/11/2023	285.80	2449
1048	WITMER PUBLIC SAFETY GROUP, INC	10/11/2023	141.56	2450
0098	WORTH W SMITH	10/11/2023	288.08	2451

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

Comments regarding the ribbon cutting for the Police Department new addition:

- Mayor Magiera stated it is great that its completed and she's surprised by the amount of rooms.
- Council Member Hill noted that this was a long time coming and includes lots of needed space.
- Council Member Koch thanked everyone involved in getting the grant and everyone in assisting while the project was going on. She noted it is a beautiful facility and the City of Salamanca should be proud of the new Police Department.
- Mayor Magiera also thanked Grant Writer Brundage for assisting with the Municipal building new windows project.

Moved by Reed 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 and contract negotiation 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 Hill:

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 Johnson:

RESOLVED: That the Common Council of the City of Salamanca hereby determines that in no case shall the terms and conditions of employment for the City's non-union employees be based on the extension of the provisions of any collective bargaining agreement entered into between the City and any of the City's bargaining units; and

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BE IT FURTHER RESOLVED, that any resolution previously adopted by the Council (with the exception of the Police Chief and Fire Chief) shall be deemed superseded to the extent inconsistent with this resolution, including, but not limited to, the resolution adopted by the City Council on or about December 22, 1971 referencing the terms and conditions of employment of the City's non-union full-time employees.

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

Moved by Smith and seconded by Hill:

RESOLVED: That we hereby authorize the City Clerk to advertise for a Part-time Grant Writer/ Grant Administrator, for 25 hours per week at a wage of \$40,000.00 annually.

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

Moved by Johnson and seconded by Hill:

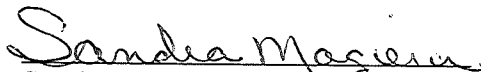
RESOLVED: That we hereby adjourn – 8:40 PM.
Carried.



Tracy Chamberlain, City Clerk

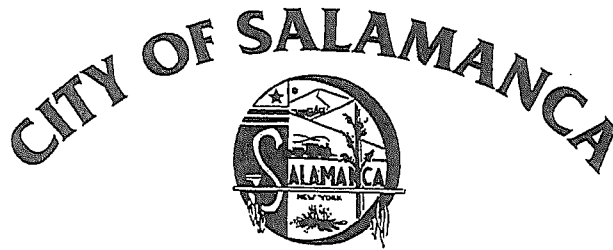
Dated: October 16, 2023

THE ABOVE RESOLUTIONS, AS ADOPTED BY THE COMMON COUNCIL,
AND LOCAL LAW #3 FOR 2023, ARE HEREBY APPROVED.



Sandra Magiera, Mayor

Dated: October 19, 2023



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Sandra L. Magiera
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**PROCLAMATION WHITE CANE AWARENESS DAY IN THE
CITY OF SALAMANCA, WESTERN NEW YORK AREA**

WHEREAS, the white cane, which every blind citizen of the City of Salamanca and the Western New York area has the right to carry, demonstrates and symbolizes the ability to achieve a full and independent life and the capacity to work productively in competitive employment; and

WHEREAS, the white cane, by allowing every blind person to move freely and safely from place to place, makes it possible for the blind to fully participate in and contribute to our society and to live the lives they want; and

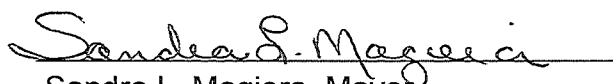
WHEREAS, every citizen should be aware that the law requires that motorists and cyclists exercise appropriate caution when approaching a blind person carrying a white cane; and

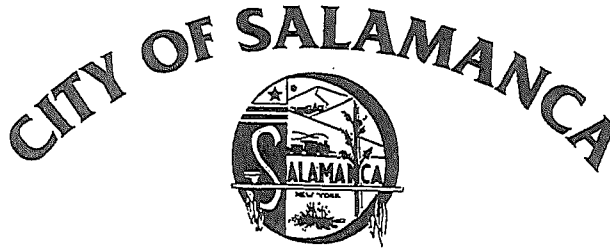
WHEREAS, the City of Salamanca and the Western New York area law also calls upon employers, both public and private, to be aware of and utilize the employment skills of our blind citizens by recognizing their worth as individuals and their productive capacities; and

WHEREAS, the City of Salamanca and the Western New York area, through its public agencies and with the cooperative assistance of the Blind Power Company Inc., and Empower Vision Services, can and should facilitate the expansion of employment opportunities for and greater acceptance of blind persons in the competitive labor market:

NOW, THEREFORE, I, Sandra L. Magiera, Mayor of the City of Salamanca, do hereby proclaim October 15, 2023, as WHITE CANE AWARENESS DAY in the City of Salamanca, NY.

Signed and sealed this day of October 11, 2023.


Sandra L. Magiera, Mayor
City of Salamanca



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PROCLAMATION
SALAMANCA PAID FIRE DEPARTMENT
100 YEARS OF SERVICE

WHEREAS, In April of 1923 in City of Salamanca, the paid Fire Department was founded; and

WHEREAS, Salamanca Paid Fire Department is observing 100 years of service to our community, and

WHEREAS, To honor and remember past firefighters who have given their time and dedication to our community, to express gratitude to those that have served in this line of work, and to show support and appreciation for those who presently serve; and

WHEREAS, Firefighters follow a long line of tradition and honor that inspires them to help colleagues, neighbors and strangers alike; and

WHEREAS, AT a moment's notice, firefighters are quick to respond to uncertain situations to mitigate danger and combat the threat of destructive fire in order to protect individuals, families and the economic being of our community; and

WHEREAS, The demands of firefighting are accompanied by both personal and physical tolls that all firefighters knowingly accept while risking their lives to protect the lives of others.

NOW, therefore, I, Sandra Magiera, Mayor of Salamanca, do hereby proclaim October 2023, as Salamanca Fire Department Month, and I encourage all citizens to show support and appreciation to our City firefighters and EMS who protect our lives and property so diligently throughout the year, and by remembering past firefighters who dedicated their lives to preserve our safety.

Signed and sealed on this day October 11, 2023

Sandra L. Magiera

City of Salamanca

Schedule A

501 Broad Street, Tax Map No. 73.078-1-1.1, Account # 00361

ALL THAT TRACT, PIECE OR PARCEL OF LAND, situate in the City of Salamanca, County of Cattaraugus and State of New York, described as follows:

BEGINNING at an iron in the south bounds of Broad Street at a distance of 84.34 feet easterly from the intersection of the south bounds of Broad Street with the centerline of Eagle Street as measured along the south bounds of Broad Street; thence S 76° 29' 43" E along the south bounds of Broad Street 161.23 feet to an iron; thence S 06° 48' 19" W, 167.52 feet to a iron; thence N 76° 29' 43" W, 67.00 feet to an iron; thence N 03° 46' 28", 32.86 feet to an iron; thence S 89° 13' 35" W, 65.00 feet to an iron; thence N 03° 41' 22" W, 156.50 feet to the point of beginning.

The grantees join in the execution of this deed for the expressed purpose of assuming all obligations of the lease under Lease No. **CS-01746** with the Seneca Nation of Indians and in compliance with paragraph 19 thereof.

Schedule B

