

REGULAR MEETING OF THE COMMON COUNCIL
AUGUST 31, 2022
7:00 PM

PRESENT: Mayor Sandra Magiera
Council Members: John Hill, Kylee Johnson, Barry Smith,
Paul Myers, Janet Koch
City Clerk: Tracy Chamberlain
Grant Writer/Youth Bureau Director: Sandra Brundage
BPU General Manager: Dennis Hensel
BPU Water Department Supervisor: Justin Chudy
BPU Electric Department Supervisor: Jeffrey Pond Jr.
Police Commission Members: Lane Hoag, Heather Jackson
Firefighter: Joseph Gray
Hunt Engineers: Bryan White

Mayor Magiera called the meeting to order at 7:00 PM. After the Pledge of Allegiance, Mayor Magiera asked for a moment of silence for Glenda Taylor and two others families that recently lost loved ones.

At 7:02 PM the Public Hearing was opened with regard to the City's community development needs, in relation to the results, recommendations, accomplishments, and outcomes of the Community Development Block Grant (CDBG) funded Salamanca Board of Public Utilities Water Study.

At this time Bryan White of Hunt Engineers reviewed the results of the City's Water System comprehensive study of the source, treatment, distribution and age of system. The study gives potential alternative solutions and recommended improvements. The old system is well beyond its useful life, with broken pipes, meters and pumps that do not work and a large amount of maintenance. There is a production loss of 70% between what is produced and what is billed to consumers. The usual loss is between 5% and 15%. Mr. White discussed some deficiencies throughout the current facilities, such as plants are under flood elevations, wells cannot meet the demand, no generator backup and contaminants moving toward the facilities.

The suggested alternative is abandonment of the Water Street main plant, developing Great Valley Plant 2 & 3 and bringing Great Valley Plant 1 up to code. It is estimated that this project will cost \$24,950,560.00. The breakdown of funds would be up to \$5,000,000 from the WIIA Grant, up to \$1,250,000 from CDBG funds and debt service for the remainder.

Grant Writer Sandra Brundage thanked Hunt for the work they put in for the study and noted the study was funded through CDBG funds.

Mr. White noted that the cost breakdown includes engineering and legal, the estimated cost for the 2024 construction year, plus 30% contingency and SNI TERO cost for projects on SNI territory.

Council Member Janet Koch noted that they are the experts that she relies on what they advise. She stated if it is the water system, it effects every person in the City. She asked if there is a breakdown of what should be done first.

REGULAR MEETING OF THE COMMON COUNCIL
AUGUST 31, 2022
PAGE TWO

Mr. White noted that if some funds is not received the City would not be liable for the full project. However, if the full project is not applied for, it is difficult to add to the project. There are also ways to prove a hardship for better funding. He explained some of the possible finance options.

Council Member Koch also asked if the property meter upgrades could assist in splitting the multi-dwelling meters. General Manager Hensel stated that there are “virtual multi-dwelling” charges that cost the property owner more per month than if they were to split the meters.

BPU Water Department Supervisor Justin Chudy explained some of the issues they have that are not noticeable to the customers. He noted these upgrades are long overdue. Mr. White commended the BPU staff for providing and maintaining records needed for the study.

Council Member Barry Smith asked what the time frame is for the project. Mr. White stated after the CDBG award there is a two year deadline, which would bring the project completion to approximately summer or fall of 2025.

Resident Lane Hoag asked if the project would be done in phases. He noted that some things need to be addressed as soon as possible.

There was some discussion regarding the SNI being aware of the issues and if they would help with the project. It was noted that there have been past discussion with the SNI and they are not interested in working with the BPU at this time.

Mr. White explained that tonight’s proposed resolutions are to authorize applying for WIIA grant funds and to authorize bonding should the City do the project.

Council Member Koch stated she feels this project needs to be done and does not want to be liable if nothing is done and something happens.

Water Department Supervisor Chudy explained that the production loss is most likely due to pumps calculating incorrectly. He also noted that the upgrade would not affect residents meter readings but improve production and lower operating cost.

Council Member John Hill asked if City water lines will be replaced. It was noted they are not included in this project. Mr. White explained that the original project estimates had to be revised due to the high increase in construction costs in the last year. Council Member Hill stated he agreed the City needs to start this project.

Firefighter Joseph Gray asked what is the longevity of the system. Mr. White estimated that the pumps could last between 30 to 50 years and piping upgrades can last 50 to 100 years.

Council Member Koch noted that after the City knows what grants are awarded, they can decide how much of the project to do and for the BPU to be aware the City may not be able to do the whole project in one year. Mr. White explained that the WIIA grant funds could be used for the engineering design phase to keep the project going.

REGULAR MEETING OF THE COMMON COUNCIL
AUGUST 31, 2022
PAGE THREE

The Council members thanked Mr. White for attending the meeting.

With no persons wishing to be heard, the public hearing was closed at 7:45 PM.

Moved by Smith and seconded by Johnson:

RESOLVED: That we hereby approve and dispense with the reading of the minutes of the last regular meeting of August 10, 2022 and special meeting on August 24, 2022.

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

Nays: None

Moved by Myers and seconded by Koch:

**2022 WATER INFRASTRUCTURE IMPROVEMENT ACT
RESOLUTION REGARDING
CITY OF SALAMANCA, CATTARAUGUS, NY
CITY OF SALAMANCA WATER SYSTEM IMPROVEMENT PROJECT**

WHEREAS, the City of Salamanca Board of Public Utilities (hereinafter the "City") maintains the water supply system and

WHEREAS, the City of Salamanca is proposing development of new primary and reserve water sources, transmission main to existing system interconnection, fire protection and distribution system improvements (collectively, the "Project"); and

WHEREAS, the City of Salamanca has caused HUNT Engineers to develop a Preliminary Engineering Report for the project with a total project cost estimate of \$24,950,560.00; and

WHEREAS, the City of Salamanca is seeking financial assistance through the 2022 NYS Environmental Facilities Corporation's Water Infrastructure Improvement Act Program; and

WHEREAS, the grant application requires that the applicant adopt a resolution that authorizes: the undertaking of the project and the maximum total cost of the project; expenditures for the project, including identification of any non-municipal source of funds; obligation of funds necessary to meet any required local match, including any cash and/or in-kind services; and when applicable, the submission of an application for financial assistance. The resolution must also designate a representative of the applicant who is authorized to sign the funding agreement with EFC and any associated documents.

NOW, THEREFORE, BE IT:

RESOLVED that the City authorizes the undertaking of the City of Salamanca Water System Improvement Project, and the maximum total cost of the project is \$24,950,560.00; The City anticipates submission to WIIA for up to \$5,000,000.00; anticipating receipt of the WIIA Grant the City's local match is estimated to be approximate \$19,950,560.00; other future funding sources (e.g., NYS DEC Water Quality Improvement Program, Economic

REGULAR MEETING OF THE COMMON COUNCIL
AUGUST 31, 2022
PAGE FOUR

Development, USDA Rural Development, NYS Environmental Facilities Corp., etc.) will be pursued; and when applicable, the submission of an application for financial assistance; and

RESOLVED that the City of Salamanca authorizes preparation and submission of an application for grant funding under the NYS Environmental Facilities Corporation's Water Infrastructure Improvement Act Program on behalf of the City of Salamanca; and

RESOLVED that the Mayor, Sandra Magiera is authorized to execute a Grant Agreement with the NYS Environmental Facilities Corporation and any and all other contracts, documents, and instruments necessary to bring about the Project and to fulfill the City of Salamanca's obligations under the Water Infrastructure Improvement Act Grant Agreement; and

RESOLVED that the Mayor, Sandra Magiera is authorized to execute expenditures for the City of Salamanca Water System Project under the NYS Environmental Facilities Corporation's Water Infrastructure Improvement Act Program on behalf of the City of Salamanca.

This resolution shall take effect immediately.

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

Nays: None

Moved by Myers and seconded by Johnson:

**STATE ENVIRONMENTAL QUALITY REVIEW ACT
RESOLUTION REGARDING
CITY OF SALAMANCA, CATTARAUGUS, NY
CITY OF SALAMANCA WATER SYSTEM IMPROVEMENT PROJECT**

WHEREAS, the City of Salamanca Board of Public Utilities (hereinafter the "City") maintains the water supply and distribution system; and

WHEREAS, the City is proposing improvements to its Water Treatment Plant and water distribution system (collectively, the "Project") to comply with Ten States Standards to meet source, treatment, protection, and distribution requirements, and to improve the system shortcomings identified in the engineering report prepared by Hunt Engineers. The proposed project consists generally of 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; and

REGULAR MEETING OF THE COMMON COUNCIL
AUGUST 31, 2022
PAGE FIVE

WHEREAS, the City is obligated under SEQRA and corresponding regulations to review the Project, and if necessary, undertake a review of the potential environmental impacts associated with the Project before undertaking the same; and

WHEREAS, the City is the appropriate agency to be the lead agency to undertake the project review under SEQRA; and

WHEREAS, based upon an examination of 6 NYCRR § 617.4 and § 617.5, the City classified the Project as a Type I Action given § 617.4(b)(8-10). A Full Environmental Assessment Form was prepared for the Project, and pursuant to 6 NYCRR § 617.6(b)(3), coordinated review was undertaken by the City and no objections were received regarding the City serving as lead agency.

NOW, THEREFORE, BE IT:

RESOLVED, that the City Common Council hereby makes the following findings:

The Project consists of 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.

IT IS FURTHER RESOLVED, that:

The City Common Council hereby designates itself lead agency pursuant to 6 NYCRR § 617.6(b)(2) and § 617.6(b)(3) with respect to the Project.

IT IS FURTHER RESOLVED, that:

Based upon an examination of the components of the Project, the Full Environmental Assessment Form, and the criteria contained in 6 NYCRR § 617.7(c), and based upon its knowledge of the areas including and surrounding the Project site, and discussions with professionals retained by the City, the City Common Council, as lead agency, hereby makes the following determinations with respect to the Project pursuant to SEQRA:

- A. The Project constitutes a "Type I Action."
- B. Based upon review by the City Common Council of the Full Environmental Assessment Form, any input provided by other involved agencies, and other necessary criteria set forth in SEQRA, the City Common Council hereby finds and determines that the Project will result in no significant impacts and, therefore, (a) the action is not one which "may include the potential for at least one significant adverse environmental impact," (b) "there will be no significant adverse environmental impacts," and (c) no "environmental impact statement"

REGULAR MEETING OF THE COMMON COUNCIL
AUGUST 31, 2022
PAGE SIX

need be prepared, as such quoted terms are defined in SEQRA. This determination constitutes a negative declaration for purposes of SEQRA and it has been prepared in accordance with Article 8 of the Environmental Conservation Law.

- C. A copy of this resolution, together with notice of negative declaration, shall be placed on file in the office of the City Clerk where the same shall be available for public inspection during business hours and such notice of negative declaration shall be filed in such offices, posted in such places and published in such manner as shall be necessary to conform to the requirements of SEQRA.

This resolution shall take effect immediately.

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

Moved by Myers and seconded by Johnson:

WHEREAS, the purpose hereinafter described consists of water system capital improvements authorized to be undertaken by the City of Salamanca pursuant to the City Law;

WHEREAS, the City, acting as lead agency under the State Environmental Quality Review Act and the applicable regulations promulgated thereunder ("SEQRA"), has completed its environmental review and, on August 31, 2022, has duly adopted a negative declaration with respect to the Type 1 action and has determined that the implementation of the action as proposed will not result in any significant adverse environmental impacts; now therefore, be it

RESOLVED BY THE CITY OF SALAMANCA, NEW YORK (hereinafter referred to as the "City"), by the favorable vote of not less than two-thirds of all of the members of such Board, 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

REGULAR MEETING OF THE COMMON COUNCIL
AUGUST 31, 2022
PAGE SEVEN

prepared by Hunt Engineers (collectively, the "Project"), and general obligation serial bonds in an aggregate principal amount not to exceed \$24,950,560 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 estimated aggregate maximum cost of said purpose, including preliminary costs and costs incidental thereto and costs of the financing thereof, is estimated to be \$24,950,560. The plan for financing of said purpose is to provide all of such maximum cost by issuance of obligations as herein authorized, to be offset and reduced dollar for dollar by the amount of any grants and/or any federal, state, county and/or local funds received, 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 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 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. 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 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.

REGULAR MEETING OF THE COMMON COUNCIL
AUGUST 31, 2022
PAGE EIGHT

Section 6. 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 7. 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 8. 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 9. 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 10. 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 11. 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 12. The faith and credit of the City of Salamanca, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds and notes as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year.

Section 13. The validity of said serial bonds or of any bond anticipation notes issued in anticipation of the sale of said serial bonds may be contested only if:

REGULAR MEETING OF THE COMMON COUNCIL
AUGUST 31, 2022
PAGE NINE

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 14. 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 said Local Finance Law, in a newspaper having a general circulation in said City and hereby designated as the official newspaper of said City for such publication.

Section 15. This resolution is effective immediately.

Section 16. Public Notice of the time and place of said Meeting was duly posted and duly given to the public and the news media in accordance with the Open Meetings Law, constituting Chapter 511 of the Laws of 1976 of the State of New York, modified by the Governor's COVID-19 Executive Orders, if applicable, and that members of said Common Council had due notice of said Meeting and that the Meeting was in all respects duly held and a quorum was present and acted throughout

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

Nays: None

Moved by Smith and seconded by Johnson:

WHEREAS, local Non-for-Profit organizations have requested to hold fundraisers in the intersection of Broad Street, Clinton Street and Main Street and intersection of Broad Street and Center Street, and

WHEREAS, the Police Commission has reviewed and advised that these locations are acceptable to hold the fundraisers, with caution, and

WHEREAS, the organizations holding the fundraisers are required to use safety vests, have no children in the roadways, not unduly disrupt traffic and provide an insurance certificate naming the City as Additional Insured in the amount of \$1,000,000.00, and

WHEREAS, the Salamanca Warriors Youth Football has requested to hold such fundraiser.

REGULAR MEETING OF THE COMMON COUNCIL
AUGUST 31, 2022
PAGE TEN

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The City of Salamanca Common Council authorizes the following fundraiser to be held, subject to the conditions set forth above:
 - a. Salamanca Warriors Youth Football Club to hold a helmet drive on September 10, 2022, between the hours of 7:30 AM to 2:00 PM, at the intersection of Main Street, Broad Street and Clinton Street and the intersection of Broad Street and Center Street.

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

Moved by Smith and seconded by Myers:

RESOLVED: That we hereby approve the secondary contract between the City and the Chautauqua County Humane Society for care of canines effective September 12, 2022 and further authorize the Mayor to sign such contract.

It is noted that the City can contract with more than one shelter for services.

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

Moved by Johnson and seconded by Smith:

RESOLVED: That we hereby approve the Memorandum of Agreement between the City of Salamanca and the Salamanca Professional Firefighters Local #2501 concerning unions members health insurance program.

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

Moved by Smith and seconded by Johnson:

RESOLVED: That we hereby authorize the application for Ralph C. Wilson, Jr. Arts & Culture Initiative grant funds up to \$10,000 for the Ray Evans Seneca Theater operating expenses.

Grant Writer Brundage noted that this can be used for signage or utility bills. The City is the property owner and therefore is involved in the grant.

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

REGULAR MEETING OF THE COMMON COUNCIL
AUGUST 31, 2022
PAGE ELEVEN

Moved by Myers and seconded by Hill:

RESOLVED: That we hereby authorize the application for Good Sports, Sports Equipment grant funds for select sports equipment for Youth Center programs.

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

Nays: None

There was discussion regarding the bids received for the Police Department Addition and Alterations as recommended by the architect. Such bid tabulation is attached to and made part of these minutes. Grant Writer Brundage noted there is approximately \$412,000.00 left in the CDBG funds. There has been an extension requested and there is an aggressive schedule for the completion of the project. Mayor Magiera noted this works out to be a matching fund grant. She also noted that the City has a fund that could be used toward the balance needed. Council Member Hill stated he would like to see this project completed, which has been worked on for a few years.

Moved by Hill and seconded by Johnson:

RESOLVED: That we hereby accept the low bids, for the Police Department Addition and Alterations, of Dynasty Construction, Corry PA, for:
General Construction Base bid of \$512,786 and 72,538 for Alternate #1,
Mechanical Base bid of \$46,800 and \$92,350 for Alternate #1
Plumbing Base bid of \$37,768 and \$31,012 for Alternate #1, and

BE IT FURTHER RESOLVED: That we hereby accept the bid of Ahlstrom Schaeffer Electric, Jamestown, NY, for the Electric Base bid of \$48,975 and \$36,575 for Alternate #1, and

BE IT FURTHER RESOLVED: That we hereby authorize a 10% contingency for a total Base bid of \$711,029 and a total of \$255,775 for Alternate #1, with a grand total of \$966,804, as recommended by Inscale Architects.

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

Nays: None

Moved by Smith and seconded by Koch:

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

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

Nays: None

REGULAR MEETING OF THE COMMON COUNCIL
AUGUST 31, 2022
PAGE TWELVE

Moved by Myers and seconded by Johnson:

RESOLVED: That we hereby approve the Agreement for Services between the City of Salamanca and Hunt Engineers, Architects, Land Surveyors & Landscape Architect D.P.C., Horseheads, NY, for engineering services on the Water System Improvement Project, and authorize the Mayor to sign such agreement, upon approve by the City Attorney.

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

Nays: None

Communications from the Mayor and Council:

- Mayor Magiera stated that she received a call this week asking why the City does not make a statement regarding the marijuana being laced with fentanyl. She noted the City cannot make such statement because we do not know if that is what is happening. If there are overdoses the City does not get information as to what they are. She stated if they are going to use the drugs to be sure where it comes from. She suggests they all stop using the drugs.
- Mayor Magiera stated she was also asked what can homeless or drinking on the streets. The individuals that are drinking are ticketed, arrested and due to court system, are released. She noted if the homeless are not doing anything illegal there is nothing that can be done. She noted that the Police and Drug Task Force are doing what they can do. She noted that they should contract the Governor and Senators to change the bail reform. The issue is with the current court system.
- Mayor Magiera was asked to announce that there will be a Narcan training at the SNI Learning Center on October 5, 2022. She noted she doesn't mind supporting the training, however it is sad that these have to be held.
- Council Member Koch asked if the drug overdoses are investigated as murders. Police Chief Deck stated that all overdoses are investigated, however most evidence is removed before the Police get to the scene. Where the drugs are purchase from are always investigated. He also noted that lately fentanyl is not being mixed. And the marijuana business owners will not mix product because they want to ensure a good product. Police Commission Member Hoag noted that when regulations are established for marijuana by the SNI it will be from seed to sale.
- Council Member Koch stated that the Board of Public Utilities passed a resolution to pay the Board members \$200 per meeting. She noted that this is to be split 50% from Electric Dept, 25% from Water Dept and 25% from Sewer Dept. She asked that the Attorney be asked the following:
 - Is it legal to pay a City Board? (Different then Housing Authority)
 - Is it legal to pay with the Sewer fund, that excess revenue is to be returned to the City annually?
 - Is it legal for the Board have the authority to grant this, or does it need to come before the Council?

REGULAR MEETING OF THE COMMON COUNCIL
AUGUST 31, 2022
PAGE THIRTEEN

- BPU Manager Hensel noted that he has spoken with the Attorney. The Attorney did not see the compensation as a problem since the revenue streams are separate. He also noted that the archaic language in the Charter will be addressed when the Charter Commission revisions are done. Manager Hensel feels it is needed to get Board members to take the duties seriously and to give the Board compensation to tell them they are worth the time.
- Council Member Koch noted there are many City commissions. She noted that if a member that is not fulfilling their duties the Department Head should be asking the Mayor and Council to replace those individuals.
- Council Member Hill stated he feels the amount is too much.
- Council Member Smith noted he also questioned the compensation and he agrees the Charter does have archaic wording.
- Manager Hensel stated he has done research and has found more pros than cons to compensating the Board for investing time. He noted that the Board members need to be upstanding citizens, making good reputable hard thought decisions with the department revenue.
- Council Member Koch noted that goes for every board member.
- Police Commission Member Hoag stated that a paid member is not any better than an unpaid member.
- Council Member Koch stated she feels the sewer funds should be coming back to the City. Mayor Magiera noted that the Attorney plans to attend the Charter Commission meeting when the BPU is to be reviewed. He has stated that section of the Charter is tricky.
- Council Member Koch noted that the Chairman has to be a Council Member and feels it is really unfair that they will be getting paid. She does not feel this was done for the good of the City
- Council Member/BPU Chairman Myers noted everyone has a right to their own opinion.
 - Council Member Koch asked that the Attorney be asked if the BPU resolution can be overridden by the Council.

Moved by Hill and seconded by Johnson:

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 and Dog Control Officer for the month of July 2022 are hereby accepted and filed.

--DATE--	--TYPE--	NUMBER	-----DESCRIPTION-----	-----AMOUNT-----
8/12/2022	CHECK	063370	CITY OF SALAMANCA PAYROLL ACCO	94,477.68CR
8/11/2022	CHECK	063371	CEDE & CO.	91,575.00CR
8/19/2022	CHECK	063372	CITY OF SALAMANCA PAYROLL ACCO	93,253.32CR
8/18/2022	CHECK	063373	OAKGROVE CONSTRUCTION INC	127,621.15CR

REGULAR MEETING OF THE COMMON COUNCIL
AUGUST 31, 2022
PAGE FOURTEEN

8/26 /2022 CHECK	063374-063412	VOIDED	
8/26/2022 CHECK	063413 CITY OF SALAMANCA PAYROLL ACCO		97,001.32CR
8/26/2022 CHECK	063414 AIRGAS USA, LLC		163.58CR
8/26/2022 CHECK	063415 BARMORE & SELLSTROM		242.64CR
8/26/2022 CHECK	063416 BLUE COLLAR WORKWEAR		878.00CR
8/26/2022 CHECK	063417 BOYLE'S MOTOR SALES INC.		1,171.51CR
8/26/2022 CHECK	063418 BREEZELINE		154.94CR
8/26/2022 CHECK	063419 BUFFALO HYDRAULIC JACK		289.87CR
8/26/2022 CHECK	063420 CASELLA WASTE SYSTEMS, INC.		85.60CR
8/26/2022 CHECK	063421 CATTARAUGUS COUNTY DPW		30.75CR
8/26/2022 CHECK	063422 CJ LOGGING EQUIPMENT & MOTOR S		75.99CR
8/26/2022 CHECK	063423 CYNTHIA A. FRANKLIN		36.38CR
8/26/2022 CHECK	063424 EMERLING CHRYSLER DODGE JEEP R		334.80CR
8/26/2022 CHECK	063425 EMERLING FORD, INC		15.52CR
8/26/2022 CHECK	063426 FASTENAL COMPANY		180.71CR
8/26/2022 CHECK	063427 GERNATT ASPHALT		279.68CR
8/26/2022 CHECK	063428 GRAINGER		95.74CR
8/26/2022 CHECK	063429 HODGSON RUSS, LLP		5,980.20CR
8/26/2022 CHECK	063430 J & J TRUCK SALES & SERVICE		966.40CR
8/26/2022 CHECK	063431 JARED FISH		76.88CR
8/26/2022 CHECK	063432 METROPOLITAN TELECOMMUNICATION		1,818.73CR
8/26/2022 CHECK	063433 NATIONAL FUEL		18.04CR
8/26/2022 CHECK	063434 NEW ENTERPRISE STONE & LIME CO		3,473.06CR
8/26/2022 CHECK	063435 NOCO ENERGY CORP.		20,089.60CR
8/26/2022 CHECK	063436 PIONEER MANUFACTURING COMPANY		897.00CR
8/26/2022 CHECK	063437 PROFESSIONAL AMBULANCE BILLING		2,822.96CR
8/26/2022 CHECK	063438 SCOTT J COLLINS		1,459.00CR
8/26/2022 CHECK	063439 SUSAN WHITCOMB		45.75CR
8/26/2022 CHECK	063440 U.S. BANK EQUIPMENT FINANCE		119.13CR
8/26/2022 CHECK	063441 UNIFIRST CORPORATION		69.79CR
8/26/2022 CHECK	063442 URBAN AUTO CENTER		21.00CR
8/26/2022 CHECK	063443 WORTH W SMITH		22.93CR
8/26/2022 CHECK	063444 AIRGAS USA, LLC		69.13CR

REGULAR MEETING OF THE COMMON COUNCIL
AUGUST 31, 2022
PAGE FIFTEEN

8/26/2022 CHECK	063445	AUSTIN LOCKSMITH & SECURITY, I	158.65CR
8/26/2022 CHECK	063446	CHAUTAUQUA BRICK CO., INC	742.37CR
8/26/2022 CHECK	063447	INCIDENT RESPONSE & MITIGATION	253.22CR
8/26/2022 CHECK	063448	IRR SUPPLY CENTERS INC	524.32CR
8/26/2022 CHECK	063449	PLUMMASTER	1,300.32CR
8/26/2022 CHECK	063450	SALAMANCA FIREFIGHTERS LOCAL 2	70.00CR
8/26/2022 CHECK	063451	WORTH W SMITH	409.92CR
8/26/2022 CHECK	063452	VOID CHECK	0.00
8/26/2022 CHECK	063453	CALE BENJAMIN	30.00CR
8/26/2022 CHECK	063454	EMERLING FORD, INC	101.43CR
8/26/2022 CHECK	063455	MONROE COMMUNITY COLLEGE	1,714.00CR
8/26/2022 CHECK	063456	RANDOLPH AUTO SUPPLY	520.88CR
8/26/2022 CHECK	063457	RICOH USA, INC.	93.12CR
8/26/2022 CHECK	063458	RYAN GREY	196.57CR
8/26/2022 CHECK	063459	SEWING TECHNOLOGY UNIFORM INC	470.08CR
8/26/2022 CHECK	063460	WILLIAM HUNT	265.23CR
8/26/2022 CHECK	063461	WORTH W SMITH	76.19CR
8/25/2022 CHECK	063462	BLUE CROSS/BLUE SHIELD OF WNY	1,560.00CR
8/25/2022 CHECK	063463	DELTA DENTAL OF NEW YORK, INC.	1,964.83CR
8/25/2022 CHECK	063464	HIGHMARK BCBSWNY	51,352.82CR
8/25/2022 CHECK	063465	RENAISSANCE	167.05CR
8/25/2022 CHECK	063466	VISION SERVICE PLAN- (NR)	629.52CR

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

Moved by Johnson and seconded by Hill:

RESOLVED: That the Mayor and Council enter into executive session with Police Commission Members, for the purpose of discussing employment history of a particular employee under the provisions of the State's Open Meetings Law.

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

REGULAR MEETING OF THE COMMON COUNCIL
AUGUST 31, 2022
PAGE SIXTEEN

Moved by Myers and seconded by Hill:

RESOLVED: That the Mayor and Council reconvene after approximately two hours in executive session.

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

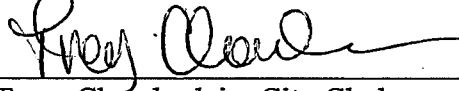
Nays: None

No formal action was taken.

Moved by Smith and seconded by Johnson:

RESOLVED: That we hereby adjourn – 10:26 PM.

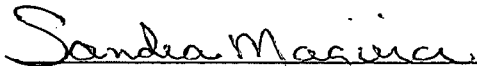
Carried.



Tracy Chamberlain, City Clerk

Dated: September 6, 2022

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



Sandra Magiera, Mayor

Dated: September 8, 2022



DONNA L. ZARICZNY
ARCHITECT
LICENSED IN NY & PA

JEFFREY S. ZARICZNY
ARCHITECT
LICENSED IN NY & PA

INSCALE, PC

A CERTIFIED
WOMEN BUSINESS ENTERPRISE

BID EVALUATION REPORT

Police Dept. Addition & Alterations
City of Salamanca
Salamanca, New York

PROJECT NO. 22.106

August 10, 2022

At 2:00 p.m. on Wednesday, August 10, 2022, bids were opened and read aloud for the *Police Dept. Addition & Alterations* project referenced above. A total of six (6) bids were received for general construction, one (1) bid for mechanical construction, two (2) bids for plumbing construction and two (2) bids for electrical construction. The Bid Tabulation is attached for your record.

For each contract the low bidders are as follows:

General Construction: Dynasty Construction Mechanical Construction: Dynasty Construction
Plumbing Construction: Dynasty Construction Electrical Construction: Ahlstrom Schaeffer Electric

We have worked with Dynasty Construction and Ahlstrom Schaeffer in the past and feel that they are both capable of completing the project. We have reviewed the bids and received confirmation from the contractors that they are comfortable and confident with the pricing that was provided for this project. Not finding any substantial irregularities, we recommend awarding the contract as follows:

GENERAL CONSTRUCTION

Dynasty Construction
206 South First St.
Corry, PA 16407

Phone: (814) 663-8888

Amount: \$512,786 BASE BID

MECHANICAL

Dynasty Construction
206 South First St.
Corry, PA 16407

Phone: (814) 663-8888

Amount: \$46,800 BASE BID

PLUMBING

Dynasty Construction
206 South First St.
Corry, PA 16407

Phone: (814) 663-8888

Amount: \$37,768 BASE BID



Police Dept. Addition & Alterations
City of Salamanca
Project No. 22.106

Page 2 of 2

ELECTRICAL

Ahlstrom Schaeffer Electric
46 Hopkins Ave.
Jamestown, NY 14701

Phone: (716) 665-6510

Amount: \$48,975 BASE BID

TOTAL BASE BID CONSTRUCTION COSTS OF FOUR COMBINED CONTRACTS = \$646,329.00
10% contingency recommended on top of base contract amounts = \$64,700.00

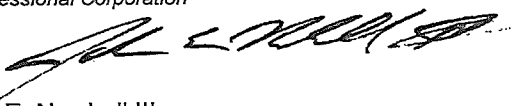
TOTAL CONSTRUCTION COSTS RECOMMENDED = \$711,029.00

Therefore, we recommend that the City of Salamanca accept the base bid as outlined above. We will prepare the contract for signatures based upon your authorization and notify the contractor to prepare their bonds and insurance.

This report represents a review of the bids received and a proposal of their award. The bids appear to be in order and we take no exception to the owner awarding the contract as outlined above. We recommend that a minimum of 10% (\$64,700.00) of the total awarded amount be reserved for contingency to cover the cost of any unforeseen conditions and inconsistencies in the Contract Documents.

Respectfully Submitted,

Inscale Architects
A Professional Corporation

By: 
John E. Newhall III
Project Manager

Enclosure: Bid Tabulation



**Police Dept. Addition & Alterations
City of Salamanca
Salamanca, New York**

August 10, 2022

BID TABULATION - GENERAL CONSTRUCTION

Contractor	Addendum No. 1	Addendum No. 2	Base Bid	Alternate #1	Acknowledgments	Non-Collusion Certificates	T.E.R.O. Requirements	BID BOND
H&K Services 12025 Leon Road Leon, NY 14751	X	X	\$626,000	\$140,200	X	X	X	X
Kinley Corp. of NY 3295 Maple Ave. Allegany, NY 14706	X	X	\$539,000	\$180,000	X	X	X	X
Dynasty Construction 206 South First St. Corry, PA 16407	X	X	\$512,786	\$72,538	X	X	X	X
Savarino Companies, LLC 500 Seneca Street, Suite 508 Buffalo, NY 14204	X	X	\$675,000	\$124,000	X	X	X	X
Willett Builders, Inc. 180 Genesee Street Corfu, NY 14036	X	X	\$567,000	\$45,000	X	X	X	X
Huber Construction 136 Taylor Dr. Depew, NY 14043	X	X	\$625,000	\$95,000	X	X	X	X



**Police Dept. Addition & Alterations
City of Salamanca
Salamanca, New York**

August 10, 2022

BID TABULATION - MECHANICAL

Contractor	Addendum No. 1	Addendum No. 2	Base Bid	Alternate #1	Acknowledgments	Non-Collusion Certificates	T.E.R.O. Requirements	BID BOND
Chautauqua Mechanical 2587 3rd Ave. Falconer, NY 14733			No Bid					
Dynasty Construction 206 South First St. Corry, PA 16407	X	X	\$46,800	\$92,350	X	X	X	X*

*= Certified Check provided



**Police Dept. Addition & Alterations
City of Salamanca
Salamanca, New York**

August 10, 2022

BID TABULATION - PLUMBING

Contractor	Addendum No. 1	Addendum No. 2	Base Bid	Alternate #1	Acknowledgments	Non-Collusion Certificates	T.E.R.O. Requirements	BID BOND
Chautauqua Mechanical 2587 3rd Ave. Falconer, NY 14733			No Bid					
Willett Builders, Inc. 180 Genesee Street Corfu, NY 14036	X	X	\$65,000	\$7,500	X	X	X	X
Dynasty Construction 206 South First St. Corry, PA 16407	X	X	\$37,768	\$31,012	X	X	X	X



**Police Dept. Addition & Alterations
City of Salamanca
Salamanca, New York**

August 10, 2022

BID TABULATION - ELECTRICAL

Contractor	Addendum No. 1	Addendum No. 2	Base Bid	Alternate #1	Acknowledgments	Non-Collusion Certificates	T.E.R.O. Requirements	BID BOND
BECC Electric 69 Orchard St. Fredonia, NY 14063	X	X	\$76,300	\$55,000	X	X	X	X
Ahlstrom Schaeffer Electric 46 Hopkins Ave. Jamestown, NY 14701	X	X	\$48,975	\$36,575	X	X	X	X