

**TOWN OF CAMBRIA TOWN BOARD**

**February 8, 2024**

The regular meeting of the Town of Cambria Town Board was held at 7:00 pm on the 8<sup>th</sup> day of February 2024 at the Town Hall, 4160 Upper Mountain Road, Town of Cambria, New York.

**BOARD MEMBERS PRESENT:**

Jon T. MacSwan, Supervisor  
Louise C. Brachmann, Councilwoman  
Jeffrey S. Hurtgam, Councilman  
Benjamin D. Musall, Councilman  
Randy M. Roberts, Councilman

**ALSO PRESENT:**

Tamara J. Cooper, Town Clerk  
David Haylett, Attorney  
Steven Kroening, Highway Superintendent  
5 Interested Individuals

Following salute to the flag, Supervisor MacSwan called the meeting to order. Board members took action upon the following matters:

**APPROVAL OF MINUTES**

**Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam it was resolved to approve the minutes of the Town Board meetings of 1/11/24 work and regular.**

**Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts**

**-Motion Carried-**

**APPROVAL OF VOUCHERS**

Having been reviewed by the Town Board, the following claims were presented for payment:

<b>2023</b>	<b>ACCOUNT</b>
<b>Fire District</b>	<b>\$ 1,700.00</b>
<b>General</b>	<b>\$ 38,080.53</b>
<b>Highway</b>	<b>\$ 306.76</b>
<b>Refuse</b>	<b>\$ 37,098.54</b>
<b>Water Operating</b>	<b>\$ 77,576.60</b>

<b>February 8, 2024</b>	<b>ACCOUNT</b>
<b>Cemetery</b>	<b>\$ 1,033.91</b>
<b>Drainage</b>	<b>\$ 220.86</b>
<b>Fire (special district)</b>	<b>\$ 593,408.00</b>
<b>General</b>	<b>\$ 188,568.38</b>
<b>Highway</b>	<b>\$ 56,321.24</b>
<b>Sewer Operating</b>	<b>\$ 437.37</b>

<b>Water Operating</b>	<b>\$ 841,847.91</b>
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**Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Musall, it was resolved to approve the abstract of audited vouchers dated February 8, 2024, be approved as read by the Town Clerk.**

**Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts** **-Motion Carried-**

**OLD BUSINESS**

Project Updates Wendel Engineers:

- Cambria Road Culvert Project – the survey is complete.
- Lockport Road Sewer Replacement – the survey is complete.
- Fair Village Sewer Replacement- project complete; restoration in the spring.

**REPORTS**

**Supervisor reports as follows:**

Supervisor MacSwan appointed Gail Reinbird, Upper Mt. Rd. to Town Historian.

Planning Board and Zoning Board of Appeals Appointments that were left out of the Re-Organizational Meeting in January:

Appoint Gerald Kroening, Diller Rd. to a five-year term to the Planning Board to expire 12/31/2028.

**Upon a motion duly made by Councilman Roberts and seconded by Councilman Musall, it was resolved to appoint Gerald Kroening, Diller Rd. to a five-year term to the Planning Board to expire 12/31/2028.**

**Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts** **-Motion Carried-**

Appoint Harmony Retzlaff-Hurtgam, Ridge Rd. to a five-year term to the Zoning Board of appeals to expire 12/31/2028.

**Upon a motion duly made by Councilman Musall and seconded by Councilwoman Brachmann, it was resolved to appoint Harmony Retzlaff-Hurtgam, Ridge Rd. to a five-year term to the Zoning Board of appeals to expire 12/31/2028.**

**Ayes: MacSwan, Brachmann, Musall, Roberts** **-Motion Carried-**  
**Abstain: Hurtgam**

**NIAGARA COUNTY-RIFLE USE**

Supervisor MacSwan reported that Niagara County is in the process of permitting rifle use. The town will be putting together a committee to define zones, etc.

**SOLAR**

No update.

**Town Clerk reported receipt of the following:**

- |                                      |                       |    |           |
|--------------------------------------|-----------------------|----|-----------|
| • Town Clerk Report January:         | Total Receipts:       | \$ | 6,547.07  |
| • Building Inspector Report January: | Total fees collected: | \$ | 720.40    |
| Estimated value of construction:     |                       | \$ | 21,000.00 |

- Request from Cambria Fire Co. to remove the following members from the active roster.  
Kayla and Paul Shephard, Human Rd.

**Upon a motion duly made by Councilman Hurtgam and seconded by Councilwoman Brachmann, it was resolved to remove Kayla and Paul Shephard-Human Rd. from the active roster of Cambria Fire Company.**

**Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts**

**-Motion Carried-**

## **HIGHWAY SUPERINTENDENT REPORTS**

Stephen Kroening, Highway Superintendent, reported as follows:

### **HIGHWAY:**

- Highway Dept. is still in winter mode.
- Repairing and servicing equipment.
- Ditching.
- Flooding issues on Baer Rd. between Upper and Lower Mt. roads.

### **CEMETERY:**

- Cleanup will begin in spring.

### **WATER/SEWER**

- New meter change out on hold until March.
- Repairing and servicing equipment.
- Updating fees for new builds.
- New Hire- Wade Andes

**Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam, it was resolved to appoint Wade Andes, Sheetram Rd., Lockport, as Water Foreman effective February 5, 2024, at a rate of \$28.38 per hour.**

**Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts**

**-Motion Carried-**

### **PARK**

- Updating Park fees.

Councilman Roberts reported on the proposed fees for the Town Park as follows:

- Game rentals: Lacross, Baseball and Softball: \$60.00 per game.
- Memorial Trees: remains \$400.00 but additional plaques are \$150.00 each.
- Shelter Rentals: increase \$10.00 per rental.

### **BUIDLING AND GROUNDS**

- Rewiring parking lot lights.

### **ATTORNEY REPORTS**

David Haylett, Town Attorney reported as follows:

- Working on the Eagle Drive sale of the old bomb shelter. Should have something ready next month to enter into negotiations with any potential buyer.
- Over the past couple years some employees have been overpaying into health insurance premiums. The Town's auditor, Lumsden and McCormick came in and looked over the records; they concurred. The Town is still waiting for the final report for the exact amount.

**Upon a motion duly made by Councilman Musall and seconded by Councilman Roberts, it was resolved to authorize the Supervisor to reimburse certain Town employees that overpaid for health insurance premiums in the amounts consistent with the Audit Report to be issued by Lumsden and McCormick, CPA and after review and approval from the Town Attorney. The Supervisor is authorized to execute any of those documents.**

The question of the adoption of the forgoing Resolution was put to a roll call vote, which resulted as follows:

**JON T. MACSWAN voting AYE**  
**LOUISE C. BRACHMANN voting AYE**  
**JEFFREY S. HURTGAM voting AYE**  
**BENJAMIN D. MUSALL voting AYE**  
**RANDY ROBERTS voting AYE**

The Resolution was thereupon declared duly adopted.

### **CONCERNS OF CITIZENS**

No one present desired to be heard.

### **NEW BUSINESS**

#### **PROCUREMENT POLICY PURCHASES**

General 2024-07-5132.04  
**Sole Source-Emergency**  
Pump Assy Large Heater in Highway Garage- NO HEAT

*MH Thilk Electric- Wilson, NY* **\$3,548.00**

**Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam, it was resolved to accept the proposal from MH Thilk Electric, Wilson, in the amount of \$3,548.00 for Emergency sole source Purchase for Highway Dept. Garage for pump assembly large heater.**

**Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts** **-Motion Carried-**

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General 2024-06-5132.04  
**Emergency**  
Small shop heater-Highway Garage

*Krull Heating & Cooling-Lockport, NY* **\$2,687.43**

**Upon a motion duly made by Councilwoman Brachmann and seconded by Councilman Hurtgam, it was resolved to accept the proposal for the emergency purchase of small shop heater for the Highway Garage from Krull Heating & Cooling, Lockport, NY in the amount of \$2,687.43.**

**Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts** **-Motion Carried-**

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General 2024-08-5130.02-10,383.36 / 7140.02-5,000.00  
**NYS OGS-Contract #PC69396-Group 40625**  
Sweeper Bucket & Brushcat-attachments for Bobcat skidster

**Upon a motion duly made by Councilman Musall and seconded by Councilman Hurtgam, it was resolved to accept the proposal for attachments from BobCat Company West Fargo, ND-for Bucket & Brushcat- attachments for Bobcat skidster in the amount of \$15,383.36 shared cost with Highway (\$10,383036) & Park (\$5,000.00). NYS OGS Contract.**

**Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts**

**-Motion Carried-**

### **CREDIT CARD POLICY-PROPOSED**

*(on file in the Town Clerk's office)*

Supervisor MacSwan reported that the Town Board has a proposed Credit Card Policy in front of them. This is in order for the Town Employees to pay for travel and training etc. The credit card limit through Evans Bank will be \$5,000.00 and will be paid off each month.

**Upon a motion duly made by Councilman Roberts and seconded by Councilwoman Brachmann, it was resolved to approve the Town of Cambria Credit Card Policy dated 2/8/2024.**

**Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts**

**-Motion Carried-**

**Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam, it was resolved authorize the Town Supervisor to enter into an agreement with Evans Bank for the credit card.**

**Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts**

**-Motion Carried-**

Councilman Roberts reported on the proposed fees for the Town Park.

**Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Roberts, it was resolved to approve the increase in Town Park fees for 2024 Fee Schedule: Game rentals: Lacross, Baseball and Softball: \$60.00 per game; Memorial Trees: remains \$400.00 but additional plaques are \$150.00 each; Shelter Rentals: increase \$10.00 per rental.**

**Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts**

**-Motion Carried-**

### **PROCUREMENT POLICY UPDATE**

Councilwoman Brachmann reported that the current Procurement Policy limits purchases to \$1,000.00 without Town Board approval. The Town Board would like to increase that amount based on current prices, inflation etc. This way employees can go get the parts they need without waiting.

**Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam, it was resolved to approve the changes to the Procurement Policy- increasing the purchase minimum from \$1,000.00 to \$4,000.00 without Town Board preapproval.**

**Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts**

**-Motion Carried-**

### **PERSONNEL POLICY**

Supervisor MacSwan reported that the personnel policy hadn't been updated in a while and the Town Board is making it more streamlined.

**Upon a motion duly made by Councilman Hurtgam and seconded by Councilwoman Brachmann, it was resolved to approve the changes to the Personnel Policy- rearranging and making it streamlined.**

**Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts**

**-Motion Carried-**

**RECREATION DIRECTOR**

**Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam, it was resolved to approve the appointment of Corrine DiNieri, Upper Mountain Road, Sanborn to the Part Time Recreation Director Position effective 2/12/24 at a rate of \$21.50 per hour.**

**Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts**

**-Motion Carried-**

**SALE OF BOMB SHELTER**

***TABLED***

**DRAINAGE COMMITTEE**

**Upon a motion duly made by Councilman Hurtgam and seconded by Councilwoman Brachmann, it was resolved to appoint Councilman Musall to the Drainage Committee.**

**Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts**

**-Motion Carried-**

**Upon a motion duly made by Councilman Hurtgam and seconded by Councilwoman Brachmann, it was resolved to appoint Councilman Roberts as the Alternate to the Drainage Committee.**

**Ayes: MacSwan, Brachmann, Hurtgam, Musall  
Abstain: Roberts**

**-Motion Carried-**

**ADJOURNMENT**

As there was no further business, the meeting was adjourned by motion made by Councilman Musall and seconded by Councilman Roberts. Time: 7:27 pm.

**Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts**

**-Motion Carried-**

Respectfully submitted,

Tamara J. Cooper, Town Clerk