

**TOWN OF CAMBRIA TOWN BOARD**

**July 11, 2019**

The regular meeting of the Town of Cambria Town Board was held at 7:00 pm on the 11<sup>th</sup> day of July 2019 at the Town Hall, 4160 Upper Mountain Road, Town of Cambria, New York.

**BOARD MEMBERS PRESENT:**

Wright H. Ellis, Supervisor  
Matthew P. Foe, Councilman  
Jeffrey S. Hurtgam, Councilman  
Joseph Ohol, Councilman  
Randy M. Roberts, Councilman

**ALSO PRESENT:**

Paula N. Jones, Deputy Town Clerk  
Robert Roberson, Attorney  
Jon MacSwan, Highway Superintendent  
Approximately 23 interested individuals

Following salute to the flag, Supervisor Ellis called the regular 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 Ohol, it was resolved to approve the minutes of the regular Town Board meeting of June 13, 2019.**

**Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts**

**-Motion Carried-**

**APPROVAL OF VOUCHERS**

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

**July 11, 2019**

Cemetery	5-6	\$289.70
Drainage	4	\$350.00
General	273-342	\$95,980.45
Highway	112-137	\$63,967.00
Refuse	9	\$30,149.21
Sewer Operating	25-27	\$1,747.62
Trust & Agency	14-18	\$2,001.02
Water Construction	6	\$15,511.95
Water Operating	95-109	\$56,561.11

**Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam it was resolved that the abstract of audited vouchers dated July 11, 2019, be approved as read by the Town Clerk.**

**Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts**

**-Motion Carried-**

**SAUNDERS SETTLEMENT ROAD WATERLINE REPLACEMENT**

Tim Walck, Wendel requested the Board approve the resolution for negative declaration for SEQR. The next step will be to align with the Highway Superintendent and Water/Sewer Foreman and then proceed with the design.

RESOLUTION  
NEGATIVE DECLARATION  
SAUNDERS SETTLEMENT ROAD WATERLINE REPLACEMENT  
TOWN OF CAMBRIA

**Whereas**, the Town of Cambria seeks to install a new 12-inch waterline, including 10 new fire hydrants, along Saunders Settlement Road; and

**Whereas**, the existing 8-inch waterline is in deteriorated condition and there is the risk that it will not provide adequate fire flow; and

**Whereas**, the proposed project has been determined to be an Unlisted Action under the New York State Environmental Quality Review ACT (SEQR), and a Full Environmental Assessment Form (FEAF) Part I has been completed for the project and a Coordinated Review has been completed for the project; and

**Whereas**, the FEAF Part 1, along with any comments received from Involved and/or Interested Agencies, was utilized by the Cambria Town Board to complete FEAF Part 2 and to evaluate potential impacts in the FEAF Part 3; and

**Whereas**, the Cambria Town Board determined that the proposed project will not result in any potentially moderate or large adverse environmental impacts; and

**Now, Therefore, Be It Resolved**, that the Cambria Town Board, in accordance with the State Environmental Quality Review Act (SEQR), hereby determines that the proposed project, installation of a new 12-inch waterline on Saunders Settlement Road, will not have significant adverse impact on the environment and therefore issues a Negative Declaration, and

**Be it Further Resolved** the Cambria Town Board authorizes the Supervisor to sign the FEAF which, along with the application materials, will act as the SEQR Negative Declaration.

**Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts it was resolved to approve the Resolution for a Negative Declaration for the Saunders Settlement Road Waterline Replacement.**

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

**MATTHEW P. FOE voting AYE**  
**RANDY ROBERTS voting AYE**  
**JEFFREY S. HURTGAM voting AYE**  
**WRIGHT H. ELLIS voting AYE**  
**JOSEPH OHOL voting AYE**

The Resolution was thereupon declared duly adopted.

**WATERLINE EXTENSION SHAWNEE ROAD**

Wendel has a proposal for design and bid for the Shawnee Road waterline extension on a time and expense basis not to exceed \$20,800.00; which represents the worst case scenario for this extension. Supervisor Ellis reported this is for one house.

**Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam it was resolved to approve the proposal from Wendel for the Shawnee Road waterline extension not to exceed \$20,800.00 time and expense.**

**Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts**

**-Motion Carried-**

## **TOWN CLERK REPORTS**

The Town Clerk reported receipt of the following:

- Town Clerk Report June: Total Receipts: \$12,911.21
- Building Inspector Report June: Total fees collected: \$ 2,460.00  
Total estimated value of construction: \$282,925.00

## **HIGHWAY SUPERINTENDENT REPORTS**

The Highway Superintendent, Jon MacSwan, reported as follows:

- Finishing up some paving and apron work.
- Brush pick-up has wrapped up for now, will begin again in the fall.
- The old highway garage at the end of Cambria Road has been destroyed, it was struck by an ice truck; they have been working on getting the chipper out.
- Inspecting all of the roadside signs, they need to be inspected every 5 years.
- Paving will begin again on July 15<sup>th</sup> if the weather holds out.

## **WATER/SEWER**

The Highway Superintendent, Jon MacSwan, reported as follows:

- Preparing to do the test bores on Shawnee Rd.
- No leaks have been detected in the town.

## **RECREATION DIRECTOR**

No reports.

## **ATTORNEY REPORTS**

Mr. Roberson is awaiting a copy of the draft proposal from the Town of Lockport attorney; this will be an amendment to the original water contract.

Supervisor Ellis reported as follows:

- Cambria Volunteer Fire Company is hosting the 120<sup>th</sup> WNY Firemanø Convention July 25th, July 26th and July 27th with a parade Saturday night. Chief Jon Pressley invited the public to come and enjoy the bands and watch the parade.

## **BEAR RIDGE SOLAR PROJECT**

- Supervisor Ellis reported the Town will be mailing a letter out to the residents with a map of the proposed project. There are people in Town still not aware of the proposed project.
- Supervisor Ellis has an upcoming meeting with Kevin Kohlstedt from Cypress Creek.
- A resident asked why surveying is being allowed on Saunders Settlement Road. Supervisor Ellis responded it is part of the preliminary scoping and part of the procedure. The Town will listen to proposals and continue to have a dialogue.

## **CONCERNS OF CITIZENS**

- Jon Pressley, Chief of Cambria Volunteer Fire Company reported there was a bad accident last night and asked the public be patient with the first responders, they are trying to keep everyone safe.

- A resident expressed concern about the Town Park, a lot of weeds, it looks bad. Thanked the Town for installing an extra dog station.
- A resident requested the Town Board stop negotiations with Cypress Creek.
- Several residents asked when Cypress Creek would be opening their local office. Supervisor Ellis asked Mr. Kohlsteadt to respond as he did not have the answer. Mr. Kohlsteadt responded they are finalizing a site. No lease has been signed.
- A resident asked if the Town can vote on the proposed solar project, Supervisor Ellis said there is no mechanism for that under the Article 10 process.
- A resident asked Mr. Kohlsteadt if the majority of the Town does not want this project, why are they still pursuing it, when they have said they wouldn't if the community was opposed to it. Mr. Kohlsteadt said they believe people are interested. The resident replied there is an opposition to industrial solar group that was started by the community.
- A resident asked the Attorney if the Article 10 process can be above the state constitution, and also read a section to the Town Board.
- A resident said the group has had several meetings and that he makes the anti-solar signs.

### **NEW BUSINESS**

The Highway Superintendent explained some concrete needs to be replaced at the Town Hall and Town Park. Henwood Construction was the only company to provide a quote; the other two companies said the job was too small. The quote is for \$2,100.00 to remove and replace the concrete.

**Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts it was resolved to accept the proposal of Henwood Construction Inc. to remove and replace concrete at the Town Hall and Town Park, total cost is \$2,100.00.**

**Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts**

**-Motion Carried-**

### **ADDITIONAL MATTERS**

Supervisor Ellis reported the work meeting for the Town Board will go back the evenings, where it used to be at 6:00 PM before the board meeting at 7:00PM. It was changed at the request of one of the councilman who had chores to do and couldn't make it to an evening session so the Town Board moved it to the 10:30 am which worked fine for a number of years. It was an issue in the campaign by some people, some people did ask about it when candidates were going around so the Board is going to accommodate that starting with the August 8, 2019, meeting at 6:00PM in the conference room. Anyone is welcome to come; this is an open public meeting, there is no requirement to have minutes taken, the Board does not have any motions and does not decide anything in a formal vote, but they do often discuss to make sure everybody understands what the particular issue is.

Councilman Ohol asked if the results of the survey have been received from Wendel yet; Supervisor Ellis will provide them at a later date.

### **ADJOURNMENT**

The meeting was adjourned by motion made by Councilman Hurtgam and seconded by Councilman Foe.  
Time: 7:45 pm

Respectfully submitted,

Paula N. Jones, Deputy Town Clerk