

TOWN OF CAMBRIA TOWN BOARD

July 12, 2018

The regular meeting of the Town of Cambria Town Board was held at 7:00 pm on the 12<sup>th</sup> day of July 2018 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  
Randy M. Roberts, Councilman  
Joseph Ohol, Councilman

**ALSO PRESENT:**

Tamara J. Cooper, Town Clerk  
Jon MacSwan, Highway Superintendent  
Robert Roberson, Attorney  
Jamie Johnson, Wendel  
Sally Marotta-Reed, Summer Rec./Park Director  
16 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 Foe, it was resolved to approve the Minutes of the Town Board meeting of June 14, 2018.**

**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:

|                      |        |         |               |
|----------------------|--------|---------|---------------|
| Cemetery             | Claim  | 7       | \$ 245.70     |
| Drainage             | Claim  | 7 & 8   | \$ 4,496.21   |
| General Fund         | Claims | 274-315 | \$ 65,158.21  |
| Highway Fund         | Claims | 113-126 | \$ 169,751.57 |
| Recreation           | Claims | 14-29   | \$ 4,143.44   |
| Refuse Fund          | Claims | 8-9     | \$ 29,522.58  |
| Sewer Operating Fund | Claims | 21-22   | \$ 65.88      |
| Trust & Agency       | Claims | 13-16   | \$ 1,958.88   |
| Water Operating Fund | Claims | 96-113  | \$ 62,427.38  |

**Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam, it was resolved that the abstract of audited vouchers dated July 12, 2018, be approved as read by the Town Clerk.**

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

**-Motion Carried-**

**SAUNDERS SETTLEMENT ROAD WATERLINE REPLACEMENT**

Jamie Johnson, Wendel reported on the following:

Wendel is underway on the preliminary design for upgrading 5,200 linear feet of currently 8ö concrete piping with 12ö PVC piping; this is to renew an asset within the Town and provide additional fire flow to NCCC. The Town will be applying for a grant through New York State, applications are due the first week of September and the Town will be eligible for up to 60% of the total cost of the project via the grant. The land has been flagged as archeologically sensitive; a phase1 A and B archeological investigation has been completed and they are waiting for the final report. It will be submitted to the state and will be expecting a no effect letter back. The report will be available in the office of the Town Clerk for the public to review. Wendel is requesting that the Town Board schedule a public hearing to be held at the August board meeting. Supervisor Ellis commented that this is one of the oldest lines in the Town; there have been problems with fire flow and water pressure at NCCC and BOCES. The buildings and grounds manager at the college has informed the Town of low pressure at building A; it's an issue that has been exacerbated by the building of the dormitory a few years ago, and Sanborn Fire Company has mentioned the issue as well.

**ORDER CALLING PUBLIC HEARING  
TOWN OF CAMBRIA WATER DISTRICT  
WATERLINE REPLACEMENT**

At a meeting of the Town of Cambria, Niagara County, New York, held at the Town Hall, 4160 Upper Mountain Rd, in said Town on the 12<sup>th</sup> day of July, 2018 at 7:00 p.m.

The meeting was called to order by Supervisor Ellis and upon roll call the following were:

**PRESENT:** WRIGHT H. ELLIS  
RANDY ROBERTS  
JEFFREY S. HURTGAM  
JOSEPH OHOL  
MATTHEW P. FOE

The following Resolution was offered by Councilman Foe who moved its adoption, and seconded by Councilman Ohol, to wit:

**WHEREAS**, the Town Board of the Town of Cambria, Niagara County, New York, has had under consideration the installation of additional facilities for the Town of Cambria Water District of said Town; and

**WHEREAS**, said Town Board has duly caused a map, plan and estimate of cost for additional facilities to be prepared and submitted by Wendel, Architects and Engineers, duly licensed by the State of New York; and

**WHEREAS**, pursuant to Article 8 of the Environmental Conservation Law and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State (collectively, the "SEQR Act"), the Town Board constitutes a "State Agency"; and

**WHEREAS**, the action under consideration by the Town Board (the "Action") consists of the replacement of approximately 5200 linear feet of the existing 8 inch PVC water line along the north side of Saunders Settlement Road with approximately 5200 linear feet of 12 inch PVC water line installed adjacent to the existing 8 inch water line, together with the installation of the ten (10) new fire hydrants and the transfer of existing water services for approximately 40 homes, two educational centers and two subdivision service lines as shown on the map, and plan proposed by Wendel in and for the Town of Cambria Water District of said Town at an estimated maximum cost of \$1,450,000 and environmental considerations in connection therewith under SEQRA (as shown on map and plan prepared by Wendel, (Architect and Engineers) in and for the Town of Cambria Water District of said Town at an estimated maximum cost of \$1,450,000.00 and the financing of same through the issuance of bonds; and

**WHEREAS**, to aid the Town Board in determining whether the Action may have a significant effect upon the environment, the Town has prepared and submitted a Short Environmental Assessment Form (the "Questionnaire") with respect to the Facility, a copy of which is attached hereto as Exhibit A; and

**WHEREAS**, the Questionnaire has been reviewed by the Town Board; and

**WHEREAS**, it is now desired to call a Public Hearing on said map and plan and estimate of cost pursuant to Section 202-b of the Town Law;

**NOW, THEREFORE, BE IT RESOLVED** by the Town Board of the Town of Cambria, Niagara County, New York, as follows:

**Section 1.** A meeting of the Town Board of the Town of Cambria, Niagara County, New York, shall be held at the Town Hall, 4160 Upper Mountain Rd, Cambria, New York, on the 9<sup>th</sup> day of August, 2018 at 7:00 p.m. for the purpose of conducting a Public Hearing on the map, plan and estimate of cost referred to in the preambles hereof, at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same.

**Section 2.** The Town Clerk is hereby authorized and directed to cause a Notice of Public Hearing to be published in the Union Sun & Journal and posted in the manner provided by law, which notice shall be in substantially the following form, to wit:

**TOWN OF CAMBRIA WATER DISTRICT**  
**Notice of Public Hearing**  
Saunders Settlement Road Waterline-  
Replacement of 5200 linear feet of existing  
8 inch line with 12 inch line and necessary accoutrements.

PLEASE TAKE NOTICE that the Town Board of Cambria, Niagara County, New York will meet at the Town Hall, 4160 Upper Mountain Road, Sanborn, New York on the 9<sup>th</sup> day of August, 2018 at 7:00 PM for the purpose of conducting a public hearing on a certain Map, Plan and Report and estimate of costs relating to the proposed replacement of approximately 5200 linear feet of the existing 8 inch PVC water line along the north side of Saunders Settlement Road with approximately 5200 linear feet of 12 inch PVC water line installed adjacent to the existing 8 inch water line, together with the installation of the ten (10) new fire hydrants and the transfer of existing water services for approximately 40 homes, two educational centers and two subdivision service lines as shown on the map, and plan proposed by Wendel (Engineers and Architects) in and for the Town of Cambria Water District of said Town at an estimated maximum cost of \$1,450,000 and environmental considerations in connection therewith under SEQRA, at which time and place the town board will hear all persons interested. A copy of said Map, Plan and Report and estimate of cost is on file in the office of the Town Clerk where the same may be examined by interested persons during regular business hours.

Dated: Cambria, New York  
July 12, 2018

By Order of the Town Board  
Tamara J. Cooper, Town Clerk

**Section 3.** This Resolution shall take effect immediately.  
The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:



out to each one of the Town Board members. At the August meeting the Town will have a report on the Town's financial statements from Lumsden & McCormick for 2017; at that time John Schiavone will be here to answer any questions. The Attorney is providing a summary of relative statutes on borrowing and issuance of debt; this will be the final item to complete our response to the Comptroller's office.

#### CONCERNS OF CITIZENS

**Scott Olick**  
**5867 Meahl Rd.**

Mr. Olick expressed to the Town Board his concerns over the proposed solar array field. He stated that this is a right to farm community, and it will take up a lot of valuable farm land. Mr. Olick is concerned about re-sale value of homes, and questioned whether or not the Town will receive any tax breaks or benefits; he has read that most of the power will not stay locally, and it will affect the aesthetic value of the borders of the Town. Mr. Olick is very concerned about traffic issues; glare and reflection will be a problem. There is potential to disrupt nature and wildlife and what happens if the company goes out of business.

Supervisor Ellis responded Mr. Olick has voiced some very valid concerns. The Town knows very little more than what was in the newspapers, still unsure of the exact location of the project, because of the size of the project it falls under Article 10 criteria put out by NYS, the company is in the initial stage of this process which can take 2-3 years. The biggest concern the Town Board has regarding the project is 750 acres would have to be re-zoned Industrial which goes against the Town's Comprehensive Plan. The Town has retained legal counsel that specializes in Article 10 proceedings.

**Erik Gustafson**  
**4515 Baer Rd.**

Mr. Gustafson expressed his support for the solar project and encouraged the Town to relax its solar and zoning laws.

#### TOWN AUTOMOBILE LEASE

Supervisor Ellis reported the lease on the Town vehicle expires this month. The Town went out looking for proposals and the only one that came in was from Mullane Motors for a 3-year lease for \$289.42 per month, \$10.00 less than what is being paid right now. The use of a Town vehicle versus paying Town employees for mileage is necessary for the safety of the employees, the safety of the public; also, there will be no wear and tear on employees' personal vehicles and the Town will not have the burden of the extra insurance.

**Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts, it was resolved to approve the lease proposal from Mullane Motors a 3-year lease approximately \$289.42 per month for 36 months, a 2019 Jeep Cherokee.**

**Councilman Foe explained the importance of public safety and safety for the Town employees for the lease of the Town vehicle.**

**Ayes: Ellis, Foe, Hurtgam, Roberts      No: Ohol      -Motion Carried-**

#### TOWN PARK PAVILLION WIRING

Supervisor Ellis is in receipt of a proposal from M.H. Thilk Electric, 4171 Chestnut Ridge Road to run wiring from the Comfort Station south back to the Gazebo; to provide outlets, and host a band back there if we move the summer concerts to the park. It will also provide source of electricity to eventually put in cameras to deal with some vandalism issues at the park. The recommendation is for option #2 to provide (4) 120 volt circuits, the wire, transformers at each end, trenching will be handled by Town forces; in the amount of \$9,280.00.

**Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Foe, it was resolved to approve the proposal from M.H. Thilk Electric to run electrical power from the comfort station south to the gazebo in the amount of \$9,280.00.**

**Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts      -Motion Carried-**

#### EAGLE SCOUT PROCLAMATION

The Town Board recognized Matthew Pyskaty for achievement of the rank of Eagle Scout; the ceremony will be the beginning of August.

#### PROCLAMATION

*Whereas, the Boy Scouts of America was founded on February 8, 1910, in the United States of America; and*

*Whereas, in September 2006, Matthew William Pyskaty joined Cambria Cub Scout Pack 8; and*

*Whereas, Matthew earned his Arrow of Light March 6, 2011, and crossed over to Cambria Boy Scout Troop 8 in March 2011; and*

*Whereas, Matthew has earned 33 merit badges, was elected to the Order of the Arrow April 12, 2016, and served his Troop as Chaplain's Aide, Bugler, Scribe, Assistant Patrol Leader, Patrol Leader and Senior Patrol Leader; and*

*Whereas, Matthew has exemplified leadership qualities, organizational skills and strength of character while completing his Eagle Scout Project by organizing a jazz band concert, fundraising and collecting personal care items as admission. Items, with a total estimated value of \$2,000.00 were donated to the Community Missions of the Niagara Frontier; and*

*Whereas, as a member of Troop 8, Matthew, through his hard work and personal commitment, attained the rank of Eagle Scout on May 29, 2018, the highest and most prestigious rank offered by the Boy Scout Program; and*

*Whereas, Scouts believe it is their duty to love their country, to support its Constitution, to obey its laws, to respect its flag, and to defend it against all enemies; and*

*Whereas, character, participation and leadership are the basis of good citizenship; therefore, be it*

*Resolved, the Town of Cambria is proud of your achievement, advancement to the rank of Eagle Scout, and shares with you in one of the greatest occasions, not merely of your career as a Scout, but of your whole life, and honors you this day by resolution of the Town Board on July 12, 2018.*

**Upon a motion duly made by Councilman Ohol and seconded by Councilman Hurtgam, it was resolved to approve the Eagle Scout proclamation for Matthew Pyskaty.**

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

**-Motion Carried-**

#### **GASBOY TOP KAT PLUS PROPOSAL**

Supervisor Ellis reported that a new system is needed for the gas pumps behind the municipal building, this involves a lot of software, it ties into the computer system and brings it up to the Town Hall for the processing of bills; allows us to keep track of how much fuel we are using, how much is put into each vehicle both diesel and gas. The system is about 15 years old and the computer system is outdated and replacement parts are no longer available. This will remove the old Gasboy reader and replace with new Gasboy Top Kat Plus system for a total of \$13,483.62.

**Upon a motion duly made by Councilman Foe and seconded by Councilman Ohol, it was resolved to accept the proposal of The Pump Doctor Inc., 2706 Hemlock Road, Eden, NY to install a new Gasboy Reader System with web based software for our fueling systems.**

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

**-Motion Carried-**

#### **ADJOURNMENT**

The meeting was adjourned by motion made by Councilman Hurtgam and seconded by Councilman Roberts.  
Time: 7:36 pm

Respectfully submitted,

Tamara J. Cooper, Town Clerk