

TOWN OF CAMBRIA TOWN BOARD

March 9, 2017

The regular meeting of the Town of Cambria Town Board was held at 7:00 pm on the 9<sup>th</sup> day of March 2017 at the Town Hall, 4160 Upper Mountain Road, Town of Cambria, New York.

**BOARD MEMBERS PRESENT:**

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

**ALSO PRESENT:**

Tamara J. Cooper, Town Clerk  
Jon MacSwan, Highway Superintendent  
Robert Roberson, Attorney  
Jamie Johnson, Wendel  
4 interested persons

Absent:  
Joseph Ohol, Councilman

Following salute to the flag, Supervisor Ellis called the meeting to order. The Town Board took action on 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 meeting of February 9, 2017.**

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

**-Motion Carried-**

**APPROVAL OF VOUCHERS**

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

Drainage Fund	Claim	3	\$ 101.77
General Fund	Claims	84-131	\$ 77,212.90
Highway Fund	Claims	24-46	\$ 84,586.81
Recreation	Claims	1-2	\$ 4,043.00
Refuse Fund	Claims	2-3	\$ 29,119.07
Sewer Operating Fund	Claims	10-12	\$ 6,996.52
Town Park Capital Projects Fund	Claims	3-5	\$ 52,273.27
Water Operating Fund	Claims	30-42	\$ 11,573.99

**Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam, it was resolved that the abstract of audited vouchers dated February 9, 2017, be approved as read by the Town Clerk.**

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

**-Motion Carried-**

Jamie Johnson, Wendel Engineers, reported on the following:

**TOWN PARK COMFORT STATION**

As per the letter submitted to the Town Board by Kirst Construction, they will be back to complete work on the Town Park Comfort Station on or around April 1<sup>st</sup>. This scope of work will take approximately two weeks.

**O/N BOCES PUMP STATION RFP**

Wendel received two written quotations on March 7, 2017, for work on the O/N BOCES Pump Station.

- 1-H.W. Bryk & Sons -\$22,250.00
- 2-J.R. Swanson-\$17,442.98

The low quote was from J. R. Swanson, 413 10<sup>th</sup> St. Niagara Falls, NY. Wendel has conducted an interview with Chad Heath from J.R. Swanson to confirm their understanding of the project. They went line by line and everything seems to be in order. Wendel is recommending that the Town Board award the contract to J. R. Swanson in the amount of \$17,442.98.

Supervisor Ellis indicated that this is for repair work on the waste water pump station at BOCES on Saunders Settlement Road. BOCES will be reimbursing the Town for the expenditure since it is their pump station.

**Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Foe, it was resolved to accept the recommendation of Wendel to award the contract to J. R. Swanson, 413 10<sup>th</sup> St. Niagara Falls, NY in the amount of \$17,442.98 for the repair of the BOCES Pump Station rehabilitation.**  
*(Pending Town of Cambria Attorney review)*

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

**-Motion Carried-**

#### **NOVEMBER 2014 SNOWSTORM ASSISTANCE PAYMENT**

Supervisor Ellis reported that the Town finally received payment from NYS for the assistance the Town provided to Erie County in cleaning up after the November 2014 snowstorm. It has taken the better part of two years to receive payment. The Town received: \$12,032.21. It will be placed in the Employee Benefit Accrued Liability Reserve in the Town Highway Fund.

**Upon a motion duly made by Councilman Roberts and seconded by Councilman Foe, it was resolved to authorize the Supervisor to transfer the November 2014 Snowstorm Assistance payment of \$12,032.21 into the Employee Benefit Accrued Liability Reserve in the Highway Fund.**

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

**-Motion Carried-**

Councilman Foe thanked Supervisor Ellis and Senator Ortt for their due diligence in working together to assure the Town was paid for their services.

#### **NYS COMPTROLLER AUDIT**

Supervisor Ellis reported that the NYS State Audit of the Town's financials is still ongoing. The Town's accountant, Lumsden & McCormick completed their work on the Town's finances from 2016 a week ago Friday. They will now be comparing financial statements and helping the Town to prepare the annual report for the NYS Comptroller.

#### **TOWN CLERK REPORTS**

The Town Clerk, reported receipt of the following:

- Town Clerk Report February: Total Receipts: \$42,534.64
- Building Inspector Report February Total fees collected: \$ 351.00  
Total estimated value of construction: \$57,300.00
- In receipt of a request from Cambria Volunteer Fire Co. to add new member Kenneth Cousins, 4874 Cambria Road, Lockport to the active roster. Physical paperwork was received on March 9, 2017.

**Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam, it was resolved to add new member Kenneth Cousins, 4874 Cambria Road, Lockport to the active roster. Physical paperwork was received on March 9, 2017.**

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

**-Motion Carried-**

- In receipt of a letter from the DOT regarding the Town's request for a traffic review at Ridge Road and Plank Road. I also received a call from Mr. Messina from the DOT asking for permission to involve Senator Ortt. A traffic investigation has been initiated.

#### **HIGHWAY SUPERINTENDENT REPORTS**

The Highway Superintendent, Jon MacSwan, reported as follows:

- Received check in the amount of \$72,500.00 for the truck sale to North Tonawanda. The money will be going into the Highway Equipment Fund.
- Pavilion Drainage came out to look at the potential guard rail project on Ridge Road and Plank Road and will provide him with an estimate.
- Wind storm damage: 2 poles down, several trees, some signs were ripped right off the posts. Some signs on state property have been temporarily repaired until the State can get to them.
- Work is being done in the Community Room-taping, drywall repair and painting.
- Requesting that all millings from 2017 be declared surplus.

**Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam, it was resolved to declare all millings from any widening and profiling work on Town roads as surplus and authorize the Highway Superintendent to dispose of same as he sees fit.**

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

**-Motion Carried-**

## WATER/SEWER DEPARTMENTS

- One water leak at 4275 Cambria Wilson Road from a deteriorated coupling. It has been fixed.
- Randy Shoop is looking at adjustable trench boxes.

## ATTORNEY REPORTS

Mr. Roberson, Town Attorney, reported that the estopple notice for the Town Park BAN has been published and as soon as that starts to run out the Town will move forward with bids on the BAN.

## CONCERNS OF CITIZENS

**John Pressley, Cambria Fire Company**, thanked the Highway Superintendent for being out during the wind storm the night before. This helped keep fire company calls to a minimum. As of 3/9/2017, they are up to 83 calls and in the process of setting up an American Red Cross Shelter in case the power outages last through the weekend.

**Douglas Etue, Pekin Fire Company**, discussed an ongoing issue with his physical and Occupational Health. A brief discussion followed. Supervisor Ellis agreed to look into the matter with the Town's insurance company.

## SERVICE AWARD PROGRAM

Supervisor Ellis reported the census for Pekin Fire Company has 16 eligible members in addition to 1 member eligible under the post entitlement provision and Cambria Volunteer Fire Company has 22 eligible members in addition to 9 eligible under the post entitlement provision for a total of 48 members eligible for the fireman's service award program for 2016.

**Upon a motion duly made by Councilman Roberts and seconded by Councilman Foe, it was resolved to approve the 2016 census for the Pekin Fire Company with 16 eligible members in addition to 1 member eligible under the post entitlement provision and Cambria Volunteer Fire Company has 22 eligible members in addition to 9 eligible under the post entitlement provision for a total of 48 members eligible for the Fireman's Service Award Program for 2016.**

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

**-Motion Carried-**

Supervisor Ellis indicated that Floyd Harvey, Pekin Fire Company is now eligible as a post entitlement member. The insurance company informed the Supervisor there has been a change in the interpretation of the regulations from 2009 making Mr. Harvey eligible for these benefits. Floyd Harvey has actively served the Pekin Fire Company and earned sufficient points to qualify for the Post-Entitlement payment in 2009, 2010, 2011, 2012 and 2013 @ \$550.00 per year and in 2014 and 2015 @ \$650.00 per year for a total payment of \$4,050.00 plus interest at 4%.

**Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam, it was resolved to authorize payment through the Town of Cambria Service Award Program for Floyd Harvey, who has actively served the Pekin Fire Company and earned sufficient points to qualify for the Post-Entitlement payment in 2009, 2010, 2011, 2012 and 2013 @ \$550.00 per year and in 2014 and 2015 @ \$650.00 per year for a total payment of \$4,050.00 plus interest at 4%.**

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

**-Motion Carried-**

## PROCUREMENT POLICY PROPOSALS

### HIGHWAY

Paving Equipment and Labor for Town Roads when necessary

Jon MacSwan, Highway Superintendent, indicated that this will be when the County paver is unavailable for Town work through shared services. This approval applies to the calendar year 2017 only. Five quotes were received and Highway Superintendent will approach the lowest rate first.

**Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts, it was resolved to approve the procurement policy for paving equipment and labor for Town roads when necessary when the County paver is unavailable for Town work through shared services. This approval applies to the calendar year 2017 only. The Highway Superintendent will approach the lowest rate company first.**

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

**-Motion Carried-**

## TOWN PARK / CEMETERY

Ferris Mowers

Highway Superintendent indicated that he has purchased two mowers- one for Cemetery and one for the Town Park. They were budgeted for and purchased from Outdoor Equipment and the Town received a municipal discount. The price difference in the mowers is because of a trade in.

**Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Roberts, it was resolved to approve the procurement policy for the purchase of two Ferris mowers from Outdoor Equipment- one in the amount of \$10,345.00 (\$450.00 trade in) for the Town Park one in the amount of \$10,295.00 (\$500.00 trade in) for Cemetery.**

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

**-Motion Carried-**

**Upon a motion duly made by Councilman Roberts and seconded by Councilman Foe, it was resolved to authorize the Supervisor to pay the bill from Outdoor Equipment for two Ferris mowers in the amount of \$10,345.00 for the Town Park in the amount of \$10,295.00 for Cemetery.**

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

**-Motion Carried-**

## **NIAGARA COUNTY NY HAZARD MITIGATION PLAN**

*Tabled until April meeting*

## **RECREATION CONTRACT**

### **RECREATION CONTRACTS WITH FIRE COMPANIES**

**Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam, it was resolved to approve the 2017 Recreation Contract with the Pekin Fire Company, Inc. in the amount of \$1,600.00 covering the period April 1, 2017 through September 30, 2017.**

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

**-Motion Carried-**

## **TOWN OF ROYALTON BICENTENNIAL PROCLAMATION**

Supervisor Ellis is in receipt of a request from the Town of Royalton to prepare a proclamation to recognize their Bicentennial.

**Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam, it was resolved to authorize the Supervisor and the Town Clerk to prepare and submit a proclamation for the Town of Royalton to celebrate their bicentennial.**

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

**-Motion Carried-**

Supervisor Ellis announced that because of the illness of Councilman Joseph Ohol, he is suspending Mr. Ohol's appointment of Deputy Town Supervisor and appointing Councilman Matthew Foe to serve as Deputy Town Supervisor in the interim. We wish Joe the best on the road to recovery.

## **PUBLIC HEARING**

Supervisor Ellis called for a Public Hearing on April 13, 2017, at 7:00 pm regarding the procedure for opting out of all tax incentives offered on all solar and wind systems.

**Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Roberts, it was resolved to authorize a Public Hearing on April 13, 2017, at 7:00 pm regarding the procedure for opting out of all tax incentives offered on all solar and wind systems.**

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

**-Motion Carried-**

## **ADJOURNMENT**

The meeting was adjourned by motion made by Councilman Foe and seconded by Councilman Roberts.  
Time: 7:30 pm

Respectfully submitted,

Tamara J. Cooper  
Town Clerk