

TOWN OF CAMBRIA TOWN BOARD

April 8, 2010

The regular meeting of the
Town of Cambria Town Board was held
at 8:00 PM on the 8th day of April 2010
at the Town Hall, 4160 Upper Mountain
Road, Town of Cambria, NY

BOARD MEMBERS PRESENT:

Wright H. Ellis, Supervisor
Robert E. Blackman, Councilman
George J. Bush, Councilman
Joseph Ohol, Councilman
Randy M. Roberts Councilman

ALSO PRESENT:

Jon T. MacSwan, Highway Superintendent
Lou Ann Murawski, Town Clerk
Robert Roberson, Attorney
Thirty two interested individuals

Following salute to the flag, Supervisor Ellis welcomed those present and called the meeting to order.

Supervisor Ellis stated the Town Board is proud to recognize an achievement by a young town resident, Michael Pyskaty. Michael is a student at Starpoint, and has distinguished himself in the CSPAN Student Cam National Video competition. The Town Board desires to acknowledge Michael's achievement by presenting him with a Certificate of Scholastic Achievement, recognizing his attainment of an honorable mention award in 2010 following his 3rd place award in 2009.

Upon a motion duly made by Councilman Ohol and seconded by Councilman Blackman, it was resolved to recognize Michael Pyskaty for his attainment of an honorable mention award in the CSPAN Student Cam National Video competition.

Ayes: Blackman, Bush, Ellis, Ohol, Roberts

-Motion Carried-

Michael was present to receive the Certificate. He indicated his documentary in 2009 was about the auto industry in Western New York and the 2010 documentary focused on poverty in Niagara Falls.

Supervisor Ellis also recognized the Boy Scouts from Troop 8 in attendance for tonight's meeting, working towards earning their "Citizenship in the Community" merit badge.

Supervisor Ellis requested to recess the regular meeting for purposes of conducting the public hearing.

Upon a motion duly made by Councilman Bush and seconded by Councilman Roberts, it was resolved to recess the regular meeting to conduct the public hearing.

Ayes: Blackman, Bush, Ellis, Ohol, Roberts

-Motion Carried-

PUBLIC HEARING – LOCAL LAW NO. 1 OF 2010, A LOCAL LAW TO CONTROL THE GROWTH OF GRASS, BRUSH & WEEDS WITHIN THE TOWN OF CAMBRIA, NEW YORK

The Town Clerk read the following public hearing notice:

Please take notice that the Town Board of the Town of Cambria will conduct a public hearing at the Town Hall, 4160 Upper Mountain Road, Town of Cambria, New York on the 8th day of April, 2010 at 8:00 PM to hear and consider the adoption of a proposed Local Law entitled Town of Cambria, Local Law No. 1-2010 "To Control the Growth of Grass, Brush, and Weeds within the Town of Cambria, New York".

A description of the Local Law contents:

Section 1 – Excessive growth prohibited

Section 2 – Removal by owner or occupant of land

Section 3 – Inspection: Removal by Town, fees and costs for Town removal

Section 4 – Penalties for offenses

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LOCAL LAW NO.1 OF 2010 – A LOCAL LAW TO CONTROL THE GROWTH OF GRASS, BRUSH AND WEEDS WITHIN THE TOWN OF CAMBRIA, NEW YORK

Councilman Roberts indicated he spoke with several residents that were not in favor of the proposed law. He initiated a motion to reject the proposed local law. Councilman Ohol stated he is in agreement with all of the comments made by the four residents tonight; the incidents which are creating the problem are very isolated. Councilman Blackman indicated he understood both sides, but believes the law is too general and could be more refined.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Ohol, it was resolved to reject proposed Local Law No. 1 of 2010 – A Local Law to Control the Growth of Grass, Brush and Weeds Within the Town of Cambria, New York.

Ayes: Blackman, Ohol, Roberts Noes: Bush, Ellis -Motion Carried-

GENERATOR INSTALLATION - EXTENDED WARRANTY

Supervisor Ellis indicated a letter has been drafted to Cummins Northeast providing total warranty coverage of five years for the recently installed generators/transfer switches.

Upon a motion duly made by Councilman Ohol and seconded by Councilman Blackman, it was resolved to approve the proposed letters to Cummins Northeast regarding the extended warranty on the Town Hall generator transfer switch and the Water Pump Station generator transfer switch and to authorize the Supervisor to sign same.

Ayes: Blackman, Bush, Ellis, Ohol, Roberts -Motion Carried-

TOWN CLERK REPORTS

The Town Clerk reported receipt of the following:

- ~ Building Inspector's Report – March 2010 – Total Receipts: \$1,047.50
Total estimated value of construction cost: \$212,700.00
- ~ Niagara County SPCA Report – March 2010 – Total animal contacts: 17
- ~ Town Clerk Report – March 2010 – Total Receipts: \$5,044.01
- ~ Application for liquor license renewal from Tuesday Cronk , dba Tuesday's Place LLC, 3997 Lower Mountain Road;
- ~ Annual Report of Town Supervisor for fiscal year ending 12/31/2009 has been filed and is available for public inspection;
- ~ Receipt of letter from the 2010 Census LUCA Appeals staff; the 41 addresses that were submitted for appeal have been accepted. The Town Clerk reported that the offices of the Assessor, Building Inspector and Town Clerk worked very diligently to get all of the addresses in order.
- ~ Receipt of letter from the Office of Real Property Services stating the interim certificate for Janelle Kroening, Town Assessor, is in effect through January 31, 2011;
- ~ Receipt of letters from the Town of Wilson and Senator Maziarz thanking the Town Board for their support of the efforts to keep the Wilson-Tuscarora State Park open and operating at the present level of service;
- ~ Report from Town Clerk that Patricia Lawrence, who performed the last dog enumeration, indicated she would be available to do the census again. In the event assistance is needed, Krista Howland expressed interest, as well. It was also reported that there have been 27 new dog licenses issued since the publication of the March newsletter, which contained an article advising residents of higher fees if their dogs weren't licensed prior to the dog census. The dog enumeration will commence within the next couple of weeks.
- ~ Request for a donation of a raffle basket from Wild Kritters of Niagara County, Inc., and Cambria Jr. Firefighter Explorer Post #0432 for their respective fundraisers. Councilman Bush suggested using Bicentennial merchandise to put in the baskets. It was the consensus of the Board to approve the requests.

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- ~ Appointment to the Cambria Housing Authority - David P. Richards, 3247 Southway Drive to a five year term

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to appoint David P. Richards, 3247 Southway Drive, to serve on the Cambria Housing Authority for a five-year term to expire April 18, 2015.

Ayes: Blackman, Bush, Ellis, Ohol, Roberts ~Motion Carried~

- ~ Letter from Pekin Fire Company requesting that Laura Horey, 3660 Human Road and Mike Block, 5197 Kennedy Crescent be added to their roster of active members and to remove the name of Matt Dysard from their active roster.

Upon a motion duly made by Councilman Bush and seconded by Councilman Ohol, it was resolved to approve the addition of Laura Horey, 3660 Human Road and Mike Block, 5197 Kennedy Crescent to the Pekin Fire Company roster of active members, pending receipt of the required physical examination form and to remove Matt Dysard from the roster of active members.

Ayes: Blackman, Bush, Ellis, Ohol, Roberts ~Motion Carried~

HIGHWAY SUPERINTENDENT REPORTS

The Highway Superintendent reported as follows:

- ~ The chipper is ready to go for brush pick up;
- ~ Work on the infield drainage at the Town Park has commenced;
- ~ Blacktop prices have risen again and more towns are looking at chip sealing instead of paving to maintain the roads.

WATER/SEWER - No reports

ATTORNEY REPORTS – No reports

RECREATION COMMITTEE

- ~ Councilman Roberts reported Sally Marotta-Reed, Recreation Day Program Director, is busy getting the program set up at both locations. Also, the Recreation Committee is waiting for a written letter confirming use of the baseball diamonds at Niagara County Community College.

CONCERNS OF THE CITIZENS

- ~ Marilyn Johnson, 3700 Lower Mountain Road addressed the Town Board concerning a letter she received from the Building Inspector relative to the parking of a motor home too close to the front lot line of her property. Mrs. Johnson indicated she felt the matter should have been brought to their attention sooner than it was; she has invested in a driveway to park the motor home, maintains her property and can't afford any additional investment. Supervisor Ellis indicated he would speak with the Building Inspector regarding this issue.
- ~ Joseph Critelli, Blackman Road, expressed his concern over the intersection of Blackman Road/Thrall Road, indicating there is a shrub on the corner that impairs the sight at that intersection. Following a brief discussion, Mr. MacSwan indicated he would contact the resident about removing the shrub.

LETTER OF SUPPORT - GOOGLE RFI

Supervisor Ellis indicated that "Google" is looking for some trial sites and several municipalities throughout Niagara County have joined in support of the proposal to test ultra-high speed broadband networks. He indicated that the Town of Wheatfield has requested a letter of support from the Town of Cambria.

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Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to approve the proposed letter to the Niagara County Data Processing Office endorsing the efforts of the "Niagara Google" proposal for an ultra high-speed broadband trial location in Niagara County.

Ayes: Blackman, Bush, Ellis, Ohol, Roberts ~Motion Carried~

EAGLE SCOUT PROCLAMATION

Supervisor Ellis stated that John McIntosh has earned his Eagle Scout award. The following Proclamation was presented for the Board's approval:

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

Whereas, in September of 1997, John McIntosh joined the Cub Scouts with Cambria Cub Scout Pack 8; and

Whereas, on February 24, 2002, John was awarded the Webelos Arrow of Light Award and crossed over to Cambria Boy Scout Troop 8; and

Whereas, John has earned 28 merit badges, and has served in various positions including Assistant Patrol Leader, Senior Patrol Leader, Instructor, Quartermaster and Librarian; and

Whereas, throughout the years as a member of Boy Scout Troop 8, John has advanced through the ranks and through his hard work and leadership qualities has attained the rank of Eagle Scout, the highest and most prestigious rank offered by the Boy Scout Program; and

Whereas, the Scout motto is "Be Prepared", and from the day that John became a scout, he set about preparing to help other people; and

Whereas, the Scout Law sets goals and standards to live by and John has demonstrated that he is trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean and reverent; and

Whereas, the Scout Code helps the Scout grow into a better man and a better citizen; 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 April 8, 2010.

Upon a motion duly made by Councilman Bush and seconded by Councilman Roberts, it was resolved to approve the Proclamation recognizing John McIntosh on earning the honor of Eagle Scout.

Ayes: Blackman, Bush, Ellis, Ohol, Roberts ~Motion Carried~

ZONING BOARD OF APPEALS – ALTERNATE

Upon a motion duly made by Councilman Bush and seconded by Councilman Ohol, it was resolved to appoint Michael Sieczkowski, 4555 Budd Road, to the alternate position on the Zoning Board of Appeals, term to expire 12/31/2010.

Ayes: Blackman, Bush, Ellis, Ohol, Roberts ~Motion Carried~

OPERATING ENGINEERS – HOLD HARMLESS AGREEMENT

Supervisor Ellis reported the International Union of Operating Engineers has offered their assistance at the Town Park as part of their training/apprenticeship program. The attorney has prepared a “Hold Harmless” Agreement; a copy of their insurance certificate has also been filed.

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to approve the Hold Harmless Agreement with the International Union of Operating Engineers for the work on the Town Park.

Ayes: Blackman, Bush, Ellis, Ohol, Roberts ~Motion Carried~

STANDARD WORK DAY AND REPORTING RESOLUTION

Supervisor Ellis indicated the NYS Retirement System is requiring a standard resolution for reporting days worked for elected and appointed officials. The following resolution was presented for the Board’s consideration:

BE IT RESOLVED, that the Town of Cambria hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees’ Retirement System based on the employer’s time keeping system maintained and submitted by these employees/officials to the office of the Supervisor:

TITLE	STANDARD WORK DAY (HRS/DAY)	TERM EXPIRATION	PARTICIPATES IN EMPLOYER'S TIME KEEPING SYSTEM (Y/N)
ELECTED OFFICIALS			
Supervisor	6	12/31/2011	Y
Councilman	6	12/31/2011	Y
Councilman	6	12/31/2011	Y
Councilman	6	12/31/2013	Y
Councilman	6	12/31/2013	Y
Tax Collector	6	12/31/2013	Y
APPOINTED OFFICIALS			
Assessor	6	09/30/2013	Y
Building Inspector	6	12/31/2010	Y
Deputy Town Clerk I	8	12/31/2013	Y
Deputy Town Clerk II	6	12/31/2013	Y
Justice Court Clerk	6	12/31/2010	Y

Upon a motion duly made by Councilman Blackman and seconded by Councilman Ohol, it was resolved to approve the standard workdays for elected and appointed officials.

Ayes: Blackman, Bush, Ellis, Ohol, Roberts ~Motion Carried~

ADDITIONAL MATTERS

Councilman Bush commented people are not stopping at the Route 425 and Upper Mountain Road intersection and questioned if better signage could be installed. Mr. MacSwan indicated he would contact Niagara County and the State regarding the matter.

ADJOURNMENT

The meeting was adjourned by motion made by Councilman Blackman and seconded by Councilman Bush. Time: 8:50 PM.

Respectfully submitted,

Lou Ann Murawski, Town Clerk

