

TOWN OF CAMBRA TOWN BOARD

DECEMBER 11, 2008

The regular meeting of the Town of Cambria Town Board was held at 8:00 pm at the Town Hall, 4160 Upper Mountain Road, Town of Cambria, New York

BOARD MEMBERS PRESENT:

Wright H. Ellis, Supervisor
Robert E. Blackman, Councilman
George J. Bush, Councilman
Debra L. Kroening, Councilwoman
Joseph Ohol, Councilman

ALSO PRESENT:

Lou Ann Murawski, Town Clerk
Edwin J. Shoemaker, Attorney
Timothy G. Walck, Wendel Duchscherer
Ten interested individuals

Following salute to the flag, Supervisor Ellis opened the meeting. Board members took action upon the following matters:

APPROVAL OF MINUTES:

Upon a motion duly made by Councilman Bush and seconded by Councilwoman Kroening, it was resolved that the Minutes of the Town Board meetings held on October 3, 8, 15, 22 and November 6, 2008 be approved as presented.

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

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Bush, it was resolved to approve the Minutes of the Town Board meeting held on September 17, 2008.

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

APPROVAL OF VOUCHERS:

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

Drainage Fund	Claim 27	\$ 122.68
General Fund	Claims 572-641	\$70,707.77
Highway Fund	Claims 235-254	\$40,479.87
Refuse Fund	Claims 21 – 23	\$40,307.42
Sewer Operating	Claims 54-63	\$ 5,282.75
Trust Agency Fund	Claims 47-55	\$ 5,949.53
Water Operating	Claims 220-244	\$15,635.74

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Ohol, it was resolved that the abstract of audited vouchers be approved as presented.

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

AWARD OF BID – ELECTRONIC MESSAGE CENTER

Supervisor Ellis indicated that one bid was received from Ulrich Signs, Lockport, New York in the amount of \$32,285.00.

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Bush, it was resolved to accept the bid submitted by Ulrich Signs, 250 State Road, Lockport, NY in the amount of \$32,285.00.

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

TOWN PARK NATURE TRAIL

Supervisor Ellis reported that the final design for the large sign has been approved. It was also reported that the smaller trail signs, being installed as part of an Eagle Scout project, are being fabricated and will be installed in spring.

Supervisor Ellis also reported that he received a letter from DEC acknowledging receipt of Notice of Intent for SPDES General Permit for Storm Water Discharges from construction activity at the Town Park.

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CONCERNS OF CITIZENS

Supervisor Ellis acknowledged the presence of four students from Starpoint High School, attending tonight's meeting for credit for their Government class.

There was no one present desiring to be heard on any particular matter.

TOWN CLERK REPORTS

The Town Clerk reported receipt of the following:

- ♦ Niagara County SPCA Report November 2008 – Total Animal Contacts: 15
- ♦ Building Inspector's Report, October 2008 – Total Receipts: \$4,142.50; Total estimated value of construction: \$279,600.00
- ♦ Building Inspector's Report, November 2008 – Total Receipts: \$ 640.00; Total estimated value of construction: \$106,260.00

Supervisor Ellis indicated that the Building Inspector's Report includes construction of a second home in the Willow Creek Subdivision. Correspondence was sent in March, followed up in June with regards to billing for additional engineering services as a condition of approval in the amount of \$5,780.73. They never replied so the Attorney followed up with a letter on December 3rd to Castleton Development.

- ♦ Letter from Ridge Family Restaurant indicating they are applying to renew their liquor license
- ♦ Letter from Rosemary Warren, Sanborn, NY thanking the Town Board for the nice Veterans' Day program held on Veterans' Day
- ♦ Letter from NYS Department of Transportation dated November 12, 2008, responding to our request for a reduced speed limit on Campbell Boulevard between Lockport Road and Route 31. They have concluded that a speed limit reduction would not be appropriate at this time.
- ♦ Letter from Cambria Volunteer Fire Company requesting the removal of Johanna Gray, 4160 Cambria Wilson Road from the roster of active members.

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to approve the request of Cambria Volunteer Fire Company for the removal of Johanna Gray from the roster of active members.

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

BICENTENNIAL MERCHANDISE

The Town Clerk presented the Board with an inventory of remaining Bicentennial merchandise, actual cost and current price. Councilman Bush recommended that the merchandise be reduced to the actual cost with the plates remaining at \$10.00 each.

Upon a motion duly made by Councilman Bush and seconded by Councilman Ohol, it was resolved that the prices of the Bicentennial merchandise be adjusted to reflect the actual cost with the plates remaining at \$10.00 each.

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

HIGHWAY SUPERINTENDENT REPORTS

Jon MacSwan reported that during November and December they have cut back on using salt on subdivisions unless it is freezing rain; thus far, there have been no complaints. Salt has increased from \$30/ton to \$42/ton.

Councilman Bush questioned when the drainage for the Town Park will be started. Mr. MacSwan indicated they are currently finishing a small job on Lower Mountain Road. He indicated there is 16-18 inches of topsoil and if it is piled while it is wet, it will be destroyed. He intends to take a test sample of the topsoil and if they are able to pile it, he will be starting the road.

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WATER/SEWER REPORTS

Mr. MacSwan reported the Water/Sewer Department is working on rebuilding fire hydrants and some water meters.

Mr. MacSwan thanked the members of the Board, the Attorney and Town Clerk for their support during the past year.

FEMA FLOOD MAP UPDATE

Tim Walck, Wendel Duchscherer, presented an overview of the FEMA preliminary Floodplains mapping, indicating that new flood plain maps have been issued for the entire area, including the Town of Cambria. There are approximately 484 parcels in Cambria which are affected in some way. He indicated that the formal appeal/protest period will be for a 90-day period beginning in mid-January 2009 through mid-April. If authorized, the information could be prepared by the 3rd week in January, 2009

Wendel has prepared a map that compares existing floodplains with the proposed floodplains and would recommend the following approach for further review of the information provided by FEMA and their engineers:

1. Compare Base Flood Elevations with LIDAR data to check validity of floodplain mapping.
2. For watercourses where a detailed study was not performed, review methodology used to determine floodplain limits and compare with known information to validate or dispute proposed limits.
3. Review areas where major Letters of Map Change were filed and determine if they are accounted for or require revalidation under the new mapping limits.
4. Meet with the Town to discuss results and determine future action. If it is determined that further effort would not be beneficial, the process would stop here and no formal protest would be submitted.

The cost for services as outlined would be in the range of \$4,500 - \$5,000.

Upon a motion duly made by Councilman Bush and seconded by Councilwoman Kroening, it was resolved to authorize Wendel Duchscherer to perform an analysis of the FEMA Floodplain Maps as outlined in their proposal dated 12/10/08, items 1-4 on a time and expense basis, not to exceed \$5,000.00.

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

RESOLUTION - 2008-2009 LOCAL GOVERNMENT EFFICIENCY GRANT PROPOSAL

***Project Title:* Western New York Stormwater Coalition: Outfall Inspection and Illicit Discharge Track Down Project Proposal**

Project Description: The proposed project will consolidate 44 municipal illicit discharge detection and elimination programs into a single initiative that will fulfill NYS's Phase II Stormwater requirements pertaining to outfall inspections, sampling, trackdown and source identification.

WHEREAS, the Erie County Department of Environment and Planning (ECDEP) coordinates the activities of the Western New York Stormwater Coalition (WNYSC); and

WHEREAS, the ECDEP has assumed the role of lead agency and has pursued grant funding to support the work of the WNYSC since its inception; and

WHEREAS, the Town of Cambria is a member of the WNYSC; and

WHEREAS, the New York State Department of State solicited applications for projects that target shared services through its 2008-2009 Local Government Efficiency Grant Program; and

WHEREAS, the ECDEP, in cooperation with the WNYSC, has prepared a grant application for an Outfall Inspection and Illicit Discharge Track Down Project Proposal; and

WHEREAS, the required local match of 10% will be provided by the WNYSC members' annual membership fees; and

WHEREAS, the Co-Applicants to this application are the members of the WNYSC:
Village of Alden, Town of Alden, Town of Amherst, Village of Angola, Town of Aurora, Village of
Blasdell, Town of Boston, Buffalo Sewer Authority, Town of Cheektowaga, Town of Clarence,
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Village of Depew, Village of East Aurora, Town of Eden, Town of Elma, Town of Evans, Town of
Grand Island, Town of Hamburg, Village of Hamburg, Village of Kenmore, City of Lackawanna,
Village of Lancaster, Town of Lancaster, Village of Orchard Park, Town of Orchard Park, Village
of Sloan, City of Tonawanda, Town of Tonawanda, Town of West Seneca, Village of Williamsville,
Town of Cambria, Village of Lewiston, Town of Lewiston, Town of Niagara, Niagara Falls Water
Board, City of North Tonawanda, Town of Pendleton, Town of Porter, Town of Wheatfield, Village
of Youngstown, County of Erie, County of Erie - Sewer District #6, County of Niagara, Buffalo and
Fort Erie Peace Bridge Authority, State University of New York at Buffalo; and

NOW, THEREFORE BE IT

RESOLVED, the Town of Cambria authorizes the ECDEP to submit an application to the
Local Government Efficiency Grant Program for the 2008-2009 funding year; and be it further

RESOLVED, that Chris Collins, Erie County Executive is the Lead Applicant Contact
Person and is authorized to execute all financial and/or administrative processes relating to the
grant program; and be it further

RESOLVED, that the required local match of 10% to be provided by the Town of Cambria
will come from its membership in the WNYSC and the annual membership fee it pays; and

RESOLVED, that upon approval of said grant request, the Town of Cambria will enter into an
Intermunicipal Agreement, where the shared services of the proposed project are listed in detail, with the
co-applicants.

**Upon a motion duly made by Councilman Blackman and seconded by Councilman Bush, it
was resolved to approve the foregoing resolution relating to the 2008-2009 Local Government
Efficiency Grant Proposal.**

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

YEAR END CLOSE OUT OF 2008 ACCOUNTS

Supervisor Ellis requested a motion to authorize the Town Supervisor to encumber funds, pay
bills and make line item transfers as necessary to close out accounts for 2008.

**Upon a motion duly made by Councilwoman Kroening and seconded by Councilman
Blackman, it was resolved to authorize the Town Supervisor to encumber funds, pay bills and
make line item transfers as necessary to close out accounts for 2008.**

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

ASSESSOR INFORMATION CLERK POSITION

Supervisor Ellis indicated the matter of establishing the position of Assessor Information Clerk
was addressed during budget discussions.

**Upon a motion duly made by Councilman Ohol and seconded by Councilwoman Kroening,
it was resolved to establish the position of Assessor Information Clerk and to appoint Debra
Littere to the position effective January 1, 2009.**

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

EXECUTIVE SESSION

**Upon a motion duly made by Councilman Blackman and seconded by Councilwoman
Kroening, it was resolved to enter into executive session to discuss personnel matters.**

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

*Supervisor Ellis indicated there may be action taken by the Board following the executive
session.*

There was no action taken by the Board during the executive session.

EXECUTIVE SESSION CLOSED

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, and unanimously carried, it was resolved to close the executive session.

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REGULAR MEETING RE-CONVENED

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Bush, and unanimously carried, it was resolved to re-convene the regular meeting.

HIGHWAY CLERK APPOINTMENT

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Bush, it was resolved to authorize the Town Supervisor to fill the position of Highway Clerk.

Ayes: Blackman, Bush, Ellis, Kroening, Ohol

-Motion Carried-

ADDITIONAL MATTERS

Councilman Ohol presented the Board members with a proposal with suggested changes to the agenda for their consideration.

ADJOURNMENT

As there was no further business, the meeting was adjourned by motion made by Councilwoman Kroening and seconded by Councilman Ohol. Time: 9:00 pm.

Respectfully submitted,

Lou Ann Murawski, Town Clerk