

TOWN OF CAMBRIA TOWN BOARD

January 8, 2009

The regular and re-organization meeting of the Town of Cambria Town Board was held at 8:00 pm on the 8th day of January 2009 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:

Jon T. MacSwan, Highway Superintendent
Lou Ann Murawski, Town Clerk
Robert Roberson, Attorney
4 Interested Individuals

Following salute to the flag, Supervisor Ellis called the meeting to order.

APPROVAL OF MINUTES

Upon a motion duly made by Councilman Ohol and seconded by Councilwoman Kroening, it was resolved to approve the minutes of the December 11, 2008 as presented.

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:

General Fund	Claims 1 - 32	\$ 86,949.47
Highway Fund	Claims 1 - 8	\$ 28,136.30
Recreation Fund	Claims 1 - 5	\$ 1,620.00
Sewer Operating	Claims 1 - 2	\$ 136.34
Trust Agency Fund	Claims 1 - 3	\$ 364,181.37
Water Operating Fund	Claims 1 - 6	\$ 6,851.85

Upon a motion duly made by Councilman Bush and seconded by Councilwoman Kroening, it was resolved to approve the abstract of audited vouchers as presented.

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

RE-ORGANIZATIONAL APPOINTMENTS

The following re-organizational appointments, salary schedules, designations, contract authorizations, numbered 1-30 were presented for the Board's consideration:

- 1. Town Board Meeting** 2nd Thursday of each month at 8 PM at the Town Hall
- 2. Planning Board Meeting** 3rd Monday of each month at 8 PM at the Town Hall; Exceptions due to conflicts relating to certain national holidays: January meeting 1/26/09 7 PM; February meeting 2/23/09 7 PM; May meeting 5/18/09 7 PM
- 3. Zoning Board Meeting** 4th Monday of each month at 8 PM at the Town Hall: Exception: May meeting 5/18/09 at 8 PM due to Memorial Day holiday on 5/25/09
- 4. Official Newspaper** Union Sun & Journal
Niagara Gazette - notices placed for convenience of residents
- 5. Official Banks** HSBC, Bank USA (Sanborn/Cambria) for Supervisor, Town Clerk, Building Inspector, Town Justices
M & T Bank (Lockport) for Supervisor
First Niagara Commercial Bank (Ransomville) for Supervisor, Tax Collector

6. Authorize Supervisor to invest money in accordance with the Investment Policy as reviewed and approved

7. APPOINTMENTS:

- Buildings/Grounds Maintenance Manager** Jon T. MacSwan, one-year term
- Building Inspector** Clifford E. Burch, one-year term
Building Inspector, Deputy Donald P. Lane, one-year term
- Cambria Housing Authority** Richard Eliseo, five-year term to expire 4/18/2014
- Cemetery Superintendent** Jon T. MacSwan, one-year term
Cemetery Supt. Assistant Steven Kroening, one-year term
- Computer Tech. Committee** Matthew P. Foe, one-year term
 Lynn J. Schlemmer, one-year term
- Constable** Richard M. Dalton, Sr., one-year term
- Drainage Committee** Robert E. Blackman, one-year term
 Joseph Ohol, one-year term
 Steven M. Kroening, one-year term
 Jon T. MacSwan, one-year term
- Ethics Board** Lou Ann Murawski, three year term to expire 12/31/2011
- Highway Foreman** Steven Kroening, one-year term
- Justice Clerks** Joy W. Caldwell, one-year term
 M. Sandra Jowdy, one-year term
- Planning Board** William J. Amacher, Chairman – one-year term
 Jeffrey Hurtgam, five-year term to expire 12/31/2013
 Douglas H. Mawhiney, Alternate – one-year term to expire 12/31/2009
- Planning Board Secretary** Marjorie E. Meahl – one year term
- Records Mgt. Officer** Lou Ann Murawski, one-year term
- Recreation Committee** Tamara J. Cooper, five year term to expire 12/31/2013
- Recreation Director** Sally J. Marotta-Reed, one-year term
Baseball Director David Austin, one-year term
- Registrar Vital Stats Deputy** Tamara J. Cooper, one-year term to expire 12/31/2009
- Water/Sewer Dept. Manager** Jon T. MacSwan, one-year term
Water/Sewer Dept. Foreman Randall Shoop, one-year term
Water Department Typists Suzanne G. Pude, one-year term to expire 12/31/2009
 Donna L. Antoncich, one year term to expire 12/31/2009
- Zoning Board of Appeals** John Reardon, Chairman – one-year term to expire 12/31/2009
 Norman Allen, five-year term to expire 12/31/2013
 Michael P. Bechtel, Alternate, one-year term to expire 12/31/20009
- Zoning Board Secretary** Marjorie E. Meahl, one-year term

8. Approve the 2009 Town of Cambria Volunteer Firemen’s Service Award point system for Cambria and Pekin Fire Companies

9. Approve the Town of Cambria Personnel Policy for 2009

10. Authorize Supervisor to sign and pay contracts/agreements as follows:

Cambria Housing Authority	10,000.00
Dale Association	4,500.00
Friendship Club	900.00
Niagara Community Action Program	2,500.00
Ransomville Library	3,300.00
Sanborn-Pekin Library	28,000.00

TOWN OF CAMBRIA TOWN BOARD
 JANUARY 8, 2009

Sanborn Post 969 - American Legion	650.00
Sanbornites	3,700.00

11. Authorize Supervisor to pay all utilities, refuse, medical insurance, authorized payroll deductions, charge account invoices and postage as billed

12. Designation of C. W. Baker Insurance Agency, Inc. as Agent for Town Insurance

13. Authorize Supervisor to hire Engineer and Attorney as needed

14. Authorize rate of pay (annual) for Town officials as follows:

Administrative Assistant	46,500.00	Historian	3,605.00
Assessor	35,000.00	Records Management Officer	1,650.00
Baseball Director	2,600.00	Recreation Director	3,100.00
Budget Officer	2,520.00	Registrar Vital Stats	640.00
Building Inspector	13,265.00	Registrar Vital Stats - Deputy	425.00
Building Inspector - Deputy	8,810.00	Sewer Foreman	530.00
Building/Grounds Manager	2,400.00	Sewer-Water Manager	1,595.00
Cemetery Superintendent - Assistant	1,592.00	Tax Collector - Deputy	1,240.00
Highway Foreman	1,168.00	Water Foreman	2,652.00

15. Authorize pay rates for Town Employees as follows:

Department	Position	Full Time per hour	Part Time per hour
Highway	Laborer	7.50 to 10.20	7.50 to 9.00
	Mechanic	20.18	-----
	Truck Driver	N/A	9.00 to 11.00
	Motor Equipment Operator	20.18	-----
Water – Sewer	Laborer	7.50 to 10.20	7.50 to 9.00
	Maintenance - Sewer	20.18	-----
	Maintenance -Water	20.18	-----

	Chairman	Member per meeting	Secretary per hour
16. Planning Board	80.00 per meeting	55.00	14.25
17. Zoning Board of Appeals	80.00 per meeting	55.00	14.25
18. Recreation Committee	35.00 per meeting	30.00	-----

19. Elections Voting Machine Inspectors \$10 per machine per occasion

20. Assessment Review Board Members \$95.00 first day; \$55.00 ea. additional day

21. Justice Court Officers 16.50 per hour

22. Assessor Information Clerk 12.35 per hour

23. Highway Clerk 12.60 per hour

24. Justice Clerk 15.00 per hour

25. Town Clerk - Deputy I 14.65 per hour

26. Town Clerk - Deputy II 11.85 per hour

27. Building - Groundsperson (part time) 8.00 per hour

28. Water Typist I 14.00 per hour

29. Water Typist II 11.50 per hour

30. Payroll Schedule: Highway, Water, Sewer, Drainage and Summer Recreation are paid bi-weekly.

*Monthly positions are processed with the last bi-weekly pay of the month.
 Note: Registrar of Vital Stats (General) position is paid annually.*

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Blackman, it was resolved to approve the reorganization resolutions appointments, designations, salary schedules and contract authorizations numbered 1 – 30.

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

SUPERVISOR/TOWN CLERK/TAX COLLECTOR APPOINTMENTS

Supervisor's Appointments:

- George J. Bush – Deputy Supervisor**
- Deborah Jagow-Wynes – Town Historian**
- Town Board Liaison – George J. Bush, Planning Board; Robert E. Blackman, Zoning Board of Appeals; Debra L. Kroening, Recreation Committee; Joseph Ohol, Highway, Water/Sewer Departments**

Town Clerk's Appointments:

- Tamara J. Cooper – Deputy Town Clerk I**
- Paula N. Jones – Deputy Town Clerk II**
- Tamara J. Cooper – Deputy Registrar of Vital Statistics**

Tax Collector Appointment:

- Debra Littere, Deputy Tax Collector**

FEMA FLOOD INSURANCE RATE MAP UPDATE

Supervisor Ellis reported the engineers are still reviewing the revised Flood Insurance Maps. The 90-day period for public comment will not start until late January, at which time letters will be sent to the residents.

2009 FEE SCHEDULE

Supervisor Ellis announced the following changes to the Town of Cambria Fee Schedule:

- Baseball fee for resident - \$25.00/Resident Family (3 or more children) \$50.00
- Baseball fee for non-resident - \$30.00/Non-Resident Family (3 or more children) \$60.00
- \$10.00 fee for shirt-to be retained by player
- Mileage - 58.5¢ per mile
- Community Room - \$75.00
- Dog license tag replacement - \$3.00
- BUSINESS, INDUSTRIAL, INSTITUTION BLDG. OR STRUCTURE
UP TO 5,000 SQ.FT. - \$.25/SQ.FT; OVER 5,000 SQ. FT. - \$.10/SQ. FT.
- BUSINESS, INDUSTRIAL, INSTITUTIONAL WAREHOUSE
UP TO 5,000 SQ.FT. - \$.10/SQ. FT; OVER 5,000 SQ. FT. - \$.05/SQ. FT.
- SD202-SEWER NO. 1-ALL PROPERTIES- \$0.400 PER \$1000.00 ASSESSED VALUE
- SD203-SEWER NO. 2-SEWERED FRONTAGE PROPERTY- \$0.600 PER \$1000.00 ASSESSED VALUE
- SD204-SEWER RENT-SERVICED UNITS- \$135.00 PER EDU

Upon a motion duly made by Councilman Ohol and seconded by Councilman Bush, it was resolved to approve the changes and fee schedule for 2009.

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

CONCERNS OF THE CITIZENS

Supervisor Ellis welcomed a Starpoint student who was in attendance for her government class.

TOWN CLERK REPORTS

The Town Clerk reported receipt of the following:

- Niagara County SPCA Report, December - Total Animal Contacts: 29
- Receipt of a letter from Randy Biehl, Eveningside Vineyards, 4794 Lower Mt. Rd. indicating the renewal of their liquor license.
- Building Inspector's Report – December, 2008 – Total Receipts: \$1,795; Total estimated construction cost: \$70,000.

- A request was received from Cambria Volunteer Fire Company to remove two members from their active roster, LeRoy Raynor, 5062 Upper Mountain Rd. and John Fleming, 4732 Lower Mt. Rd.

Upon a motion duly made by Councilman Bush and seconded by Councilwoman Kroening, it was resolved to remove LeRoy Raynor, 5062 Upper Mountain Rd. and John Fleming, 4732 Lower Mt. Rd. from the Cambria Volunteer Fire Company active roster.

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

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Blackman, it was resolved to approve the roster for Pekin Fire Company and Cambria Volunteer Fire Company for 2009 on file in the office of the Town Clerk.

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

HIGHWAY DEPARTMENT REPORTS

The Highway Superintendent reported as follows:

- A proposal has been submitted to the Greater Buffalo-Niagara Regional Transportation Council for funding for improvements to Budd Road in the amount of \$216,617 and Baer Road in the amount of \$176,326. The proposal is being submitted as part of the federally funded transportation improvements in anticipation of the 2009 Economic Recovery Stimulus Program.
- Councilwoman Kroening said she has received positive feedback about the Town of Cambria roads over the past two weeks. She has been questioned as to why the snow fences were not installed on Comstock Rd. and Blackman Rd. between Upper Mountain Road and Route 31. Mr. MacSwan indicated he doubts the fence will be installed on Comstock as the ground is now frozen.
- Mr. MacSwan also reported they are saving on salt by not using it in the subdivisions and have not had any complaints.

WATER / SEWER REPORTS

Mr. MacSwan requested approval for Jim Huntz, Randy Shoop and Dan Shoop to attend the Western New York Water Works Conference in Batavia, NY on February 4, 2009, pre-registration is \$25.00 and due by January 26, 2009.

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Bush, it was resolved to authorize Jim Huntz, Randy Shoop and Dan Shoop to attend the Western New York Waterworks Conference in Batavia, NY on February 4, 2009.

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

ATTORNEY - No reports presented.

NEW BUSINESS

Emergency Requisition-Pump Control System

Supervisor Ellis requested an emergency requisition be authorized to purchase two new Goulds Pump Smart 60 HP 460 Volt 3 Phase Control Systems from Fluid Kinetics, Inc. at a cost of \$7,337.00 each. The pumps were destroyed in a power surge on 12/28/2008 which knocked out the control system for the variable speed pumps and the pumps are not operable without the controllers.

Upon a motion duly made by Councilman Bush and seconded by Councilwoman Kroening, it was resolved to declare an emergency requisition and to authorize the purchase of two pumps from Fluid Kinetics, Inc. at a total cost of \$14,674.00.

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

AGRICULTURAL LEASE-TOWN PARK

Supervisor Ellis stated that, due to the drainage work being completed at the Town Park, there are only 30 acres available for cultivation. He requested the Board to authorize an amendment to the lease agreement with Flevie Danielewicz to indicate the change from 75 to 30 acres for the 2009 year at the same rate of \$30.00 per acre.

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to approve an amendment to the lease agreement with

Danielewicz Dairy Farms, specifically, the agreed upon acreage for the year 2009 shall be 30 acres.

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

Supervisor Ellis indicated he would check into the matter of Danielewicz Dairy Farms providing the Town with a certificate of insurance.

NIAGARA COUNTY SPCA CONTRACT

The contract with Niagara County SPCA is up for renewal. The new contract is for three years with a 10% increase overall. Supervisor Ellis indicated that pursuant to New York State law, we are required to have some provision for these services.

	Increase per Year	Payment Per Month
YEAR 1	5%	\$811
YEAR 2	3%	\$835
YEAR 3	2%	\$852

Upon a motion duly made by Councilman Blackman and seconded by Councilwoman Kroening, it was resolved to approve the three-year extension of the contract with the SPCA of Niagara County, total contract price of \$29,976.00.

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

AGREEMENT WITH WNY OCCUPATIONAL MEDICINE

Supervisor Ellis indicated he has been working on an agreement with WNY Occupational Medicine to provide medical services to the Town of Cambria employees and the two fire companies to include physicals, immunizations and testing. He requested authorization to enter into an agreement with WNY Occupational Medicine once the details have been finalized.

Upon a motion duly made by Councilman Bush and seconded by Councilwoman Kroening, it was resolved to authorize the Supervisor to enter into an agreement with WNY Occupational Medicine to provide medical services to include physicals, immunizations and testing to Town of Cambria employees and members of the Cambria and Pekin Volunteer Fire Companies.

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

RECREATION LEADER P/T (2) POSITIONS

Supervisor Ellis requested authorization to create two additional part-time recreation leader positions in the program; funds for the positions were included in the 2009 budget.

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Blackman, it was resolved to create two additional recreation leader part-time positions in the Recreation Department.

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

ZONING ORDINANCE UPDATE

Upon a motion duly made by Councilman Bush and seconded by Councilman Ohol, it was resolved to set a public hearing for February 12, 2009 at 8:00 PM for updates and administrative changes to the Zoning Ordinance for the Town of Cambria.

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

DELEGATE APPOINTMENT – NYS ASSOCIATION OF TOWNS

Upon a motion duly made by Councilman Blackman and seconded by Councilman Ohol, it was resolved to appoint Debra Kroening as the delegate representing the Town of Cambria at the 2009 NYS Association of Towns Business meeting in New York City on February 18, 2009.

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

ADDITIONAL MATTERS

Supervisor Ellis requested the Attorney to review the Procurement Policy to ensure compliance with the latest amendments to the law. Attorney Roberson indicated the changes needed to comply are to identify the Highway Superintendent as the person responsible for procurement for the Highway, Water

TOWN OF CAMBRIA TOWN BOARD
JANUARY 8, 2009

and Sewer Departments and the Town Supervisor as the person responsible for procurement for all other departments. Mr. Roberson suggested a resolution stating the above for the year 2009 Procurement Policy.

Upon a motion duly made by Councilman Bush and seconded by Councilman Ohol, it was resolved to approve the Procurement Policy for 2009, with the provision to include and identify the Highway Superintendent as the procurement officer for all Highway, Water and Sewer purchases and the Supervisor as the procurement officer for the remaining Town departments.

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

ADJOURNMENT

As there was no further business, the meeting was adjourned by motion made by Councilwoman Kroening and seconded by Councilman Blackman. Time: 8:40 PM.

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

Respectfully submitted,

Lou Ann Murawski
Town Clerk

Paula N. Jones
Deputy Town Clerk II