

TOWN OF CAMBRIA TOWN BOARD

July 10, 2008

The regular meeting of the Town of Cambria Town Board was held at 8:00 pm on the 10th day of July 2008 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
Edwin J. Shoemaker, Attorney
Ten interested individuals

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

PUBLIC HEARING – AMENDMENT TO THE ORDINANCE, RULES AND REGULATIONS FOR THE CAMBRIA WATER DISTRICT, AMENDMENT TO THE STANDARD SPECIFICATIONS OF THE TOWN OF CAMBRIA

The Clerk read the following public hearing notice:

**TOWN OF CAMBRIA
NOTICE OF PUBLIC HEARING**

Notice is hereby given that a public hearing will be held by the Town of Cambria Town Board on the 10th day of July 2008 at 8:00 PM at the Town Hall, 4160 Upper Mountain Road, Sanborn, NY 14132 to hear and consider an amendment to the Ordinance, Rules and Regulations for the Cambria Water District and to further consider an amendment to the Standard Specifications of the Town of Cambria. A summary of the proposed amendments are as follows:

- 1. Amendment to Ordinance, Rules and Regulations for Cambria Water District-Section III-B, Service Connections (Permanent) to allow the use of polyethylene tubing**
- 2. Amendment to Town of Cambria Standard Specifications, Section 2-02660 Water Distribution System, Section 2.17 Service Materials, Paragraph D Service Pipe, subparagraph 1 to allow the use of polyethylene tubing**

A copy of the proposed amendment is on file in the office of the Town Clerk, Upper Mountain Road, Sanborn, NY where it is available for public inspection during regular office hours.

All parties in interest and citizens will be heard at the public hearing to be held as aforesaid.

Supervisor Ellis opened the public hearing.

Michael Kroening, Blackman Road, questioned if the Town was responsible for the pipe from the main to the curb shut off. Supervisor Ellis indicated that is correct—it is the intention of the Town to use copper up to curb shut off.

After hearing all those who desired to be heard, the hearing was closed and the regular meeting was called to order.

APPROVAL OF MINUTES

Upon a motion duly made by Councilman Bush and seconded by Councilwoman Kroening, it was resolved to approve the Minutes of the June 12, 2008 Town Board meeting.

Ayes: Blackman, Bush, Ellis, Kroening, Ohol

-Motion Carried-

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APPROVAL OF VOUCHERS

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

Cemetery Fund	Claims 15-16	\$ 111.04
Drainage Fund	Claims 15-18	\$ 9,402.43
General Fund	Claims 300-356	\$ 77,716.54
Highway Fund	Claims 139-157	\$ 29,300.22
Recreation Fund	Claims 12-18	\$ 2,750.58
Refuse Fund	Claim 12	\$ 17,117.86
Sewer Operating	Claims 30-33	\$ 151.26
Trust Agency Fund	Claims 25-30	\$ 919.44
Water Construction Fund	Claims 9-10	\$128,543.88
Water Operating Fund	Claims 120-136	\$ 7,034.45

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

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

Upon a motion duly made by Councilman Bush and seconded by Councilwoman Kroening, it was resolved to authorize the Supervisor to make payments as necessary to the various participants and vendors participating in the Town of Cambria Bicentennial weekend celebration on July 26 and 27, 2008.

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

FORMER BUSINESS

• WATER ORDINANCE REVISION

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Blackman, it was resolved to amend the Ordinance, Rules and Regulations for the Cambria Water District Section III-B, Service Connections (Permanent) to allow the use of polyethylene tubing.

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

Section III B Service Connections (Permanent), second paragraph is amended to read as follows:

Service pipe one inch (1") and smaller shall be Type K copper tubing or copper tubing size (CTS) polyethylene tubing and have an outside diameter based dimension ratio (DR) of 9 with PE 3408 material and a pressure of 200 pounds per square inch in accordance with AWWA specifications C901 (latest revision). No underground joints will be permitted except where distances are greater than the lengths available from the manufacturer. In this case, a minimum number of joints will be permitted and these shall be of the flare or compression type only. If copper tubing is used, one joint will be allowed. If polyethylene tubing is used, NO joints will be allowed. Distances over 300 ft from the curb box to meter require a meter pit. Meter pit must be purchased from the town and installed within 20 ft. of the curb box. The meter pit includes meter valve and dual check valve. After the meter pit, 200 psi polyethylene is recommended. Service pipe larger than one inch (1") shall be of material acceptable to the Town of Cambria Water foreman and in accordance with standards established by the Town of Cambria as set forth in guidelines promulgated by the American Water Works Association. All pipe shall meet all requirements for a minimum working pressure of 150 psi. All service pipe shall be laid in a trench not less than four feet (4') below the surface of the earth.

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Ohol, it was resolved to amend the Town of Cambria Standard Specifications, Section 2-02660 Water Distribution System, Section 2.17 Service Materials, Paragraph D Service Pipe, subparagraph 1 to allow the use of polyethylene tubing.

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

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Town of Cambria Standard Specifications, Division 2, 02660 Water Distribution System, Section 2.17 Service Materials, Paragraph D Service Pipe, Subparagraph 1 is amended to read as follows:

- 1. Copper service pipe or polyethylene pipe shall be provided as required in sizes $\frac{3}{4}$ " through 1" diameter as designated by the engineer. Copper service pipe shall be Type K copper water tube in accordance with ASTM Specifications B88. Copper service pipe shall be manufactured and tested in the United States. Polyethylene pipe shall be copper tubing size (CTS) and have an outside diameter based dimension ratio (DR) of 9 with PE 3408 material and a pressure of 200 pounds per square inch in accordance with AWWA specifications C901 (latest revision).**

- **TOWN PARK GRANT NATURE TRAIL**

Supervisor Ellis reported the interpretative signage project is proceeding. The grant application for Phase II and III was submitted on June 30, 2008. The Town Park Storm Drainage design is in progress as well.

- **UPPER MOUNTAIN ROAD WATERLINE REPLACEMENT PROJECT**

Robert Klavoon, Wendel Duchscherer, indicated the project is proceeding as scheduled. All of the new waterline on Upper Mountain Road has been installed. The contractor is working on the inter-connection at Shawnee Road; the waterline will be switched over at night to reduce any inconvenience to the residents

CONCERNS OF CITIZENS

- Gary DiLaura, owner of Cambria Self-Storage located on Saunders Settlement Road, requested the Town Board to consider adopting a resolution to enact NYS Tax Law 485B which would authorize a partial exemption from real property taxation for commercial, business or industrial property.
- Paul Ozimek, Wilson Fire Police, asked if the water flow pressure from the waterline change over would have an effect in the case of an emergency. Mr. Klavoon said the pressure would be lower, but should not be a problem.

TOWN CLERK REPORTS

The Town Clerk reported receipt of the following:

- Niagara County SPCA Report, June 2008 – Total Animal Contacts: 29
- Building Inspector's Report – June 2008 – Total Receipts: \$1,965.00; Total estimated construction cost: \$537,654.00.
- A letter was submitted by Niagara Metals, Niagara Falls, NY praising Councilman Joseph Ohol for his positive actions in regards to a personal business matter.
- Supervisor Ellis indicated the Building Inspector received a notice from Niagara County Sewer District in regards to sanitary sewer easements. Property owners intending to build will be required to fill out, sign and notarize an affidavit prior to being issued a building permit so they clearly understand to remain off of the sewer easement.

HIGHWAY SUPERINTENDENT REPORTS

The Highway Superintendent reported as follows:

- The new truck is in to replace the one that was burned last winter.
- The Town will be plowing additional roads for the County this winter and will receive a 13% increase to cover the increased fuel costs.
- Mr. Mac Swan reported his part-time truck driver is unable to work the rest of this summer due to an illness. He requested the Town Board to create a position to replace the truck driver so they are able to complete all of the work they have scheduled.

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Upon a motion duly made by Councilman Bush and seconded by Councilman Ohol, it was resolved to authorize the Supervisor to submit the necessary paperwork to Civil Service to create one part-time laborer position.

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

WATER/SEWER REPORTS

- Mr. MacSwan reported the Girl Scout Camp has connected to Cambria's waterline. Final inspection and testing will be completed by the Niagara County Health Department.

ATTORNEY REPORTS – None

BICENTENNIAL COMMITTEE

- Councilman Bush reported this is the last Town Board meeting before the Bicentennial event. Paul Ozimek, CERTS Volunteer, presented to the Town Board a schedule of the events to take place, along with a map of the layout of the grounds. He also explained about the safety checks they have in place. Chairman Bush indicated they have additional parking off site with shuttle buses available for the public to use.

Councilman Bush recommended the appointment of Paul Ozimek and Marianne Evans to the Bicentennial Committee,

Upon a motion duly made by Councilman Bush and seconded by Councilwoman Kroening, it was resolved to add Paul Ozimek and Marianne Evans as members of the Bicentennial Committee.

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

- Councilman Bush also reported the Town of Cambria yard sale will be taking place July 19-20, 2008.
- Councilman Bush indicated volunteers are still needed for the Bicentennial weekend and any help would be appreciated.

RECREATION COMMITTEE

- Councilwoman Kroening indicated the baseball season is almost over.
- Sally Marotta-Reed, Recreation Day Program Director reported the average daily attendance is 20-40 at the Pekin site and 90-120 at the Cambria site. She reported there was an incident yesterday at the Cambria site; however, the injured child is fine now.

SPEED LIMIT REDUCTION REQUEST

- A petition was received from Kimberlyann Meal requesting the speed limit be reduced on Campbell Blvd. between Lockport Road and Route 31 from 55 MPH to 45 MPH. Supervisor Ellis indicated a similar request was submitted in December 2003 and was denied by the State DOT.

Upon a motion duly made by Councilman Ohol and seconded by Councilwoman Kroening, it was resolved to submit a petition to the NYS DOT by way of Niagara County Department of Public Works and include form TE9A requesting a speed limit reduction for this section to 45 MPH and the Town Clerk will include the information received.

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

JUDICIAL TRAINING

- Justice Henry Peters submitted a request to attend Judicial Training to be held in Potsdam, NY on July 28-29, 2008.

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to approve the request from Justice Henry Peters to attend judicial training in Potsdam, NY on July 28-29, 2008.

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

IRS MILEAGE RATE INCREASE

- Supervisor Ellis reported the IRS has increased the mileage rate from 50.5¢ per mile to 58.5¢ per mile effective July 1, 2008 through December 31, 2008. Currently, the Town of Cambria reimburses at the rate of 50.5¢.

Upon a motion duly made by Councilman Bush and seconded by Councilwoman Kroening, it was resolved to approve an increase in the mileage rate to 58.5 cents effective July 1, 2008.

ASSET MANAGEMENT PLAN AND GIS DATA COLLECTION ENGINEERING PROPOSAL

- Supervisor Ellis indicated a proposal was received from Wendel Duchscherer for the Development of an Asset Management Plan and GIS Data Collection. Robert Klavoon presented the proposal to the Town Board.

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Bush, it was resolved to accept the proposal dated July 3, 2008 for Task 2 and Task 3 specifically GIS support services, site hosting and maintenance totaling \$10,000.00.

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

WINDMILL REGULATIONS

- Supervisor Ellis indicated he put together packets regarding windmill regulations for the Town Board to review and would like to schedule a public hearing for August 14, 2008 at 8:00 PM to consider stop-gap legislation; specifically, a moratorium on issuing building permits on wind energy conservation systems either individual or cluster farms pending a review of the Town Board of a comprehensive approach. The moratorium would remain in full force and effect until August 2009 or until the Town Board adopts necessary regulations.

Upon a motion duly made by Councilman Bush and seconded by Councilwoman Kroening, it was resolved to schedule a public hearing for August 14, 2008 at 8:00 PM to consider stop-gap legislation; specifically, a moratorium on issuing building permits on wind energy conservation systems either individual or cluster farms, pending a review of the Town Board of a comprehensive approach. The moratorium will remain in full force and effect until August 2009 or until the Town Board adopts necessary regulations.

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

ADDITIONAL MATTERS

- Councilman Ohol indicated he heard the HSBC project might still happen in Cambria and questioned if there was any update on the proposed project. Town of Cambria resident Thomas Reed mentioned he spoke with an individual from HSBC who indicated the matter is tabled for now; plans may proceed once the economy improves.

ADJOURNMENT

As there was no further business, the meeting was adjourned by motion made by Councilman Ohol and seconded by Councilman Blackman. Time: 9:15 PM.

Respectfully submitted,

Paula N. Jones
Deputy Town Clerk II

Lou Ann Murawski
Town Clerk

