

TOWN OF CAMBRIA TOWN BOARD

July 8, 2010

The regular meeting of the Town of Cambria Town Board was held at 8:00 PM on the 8th day of July 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
Thomas Brandt, Attorney
Seven interested individuals

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

APPROVAL OF MINUTES

Upon a motion duly made by Councilman Ohol and seconded by Councilman Blackman, it was resolved to approve the Minutes of June 10, 2010.

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

APPROVAL OF VOUCHERS

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

Cemetery	Claims	4-7	\$	567.47
Drainage	Claims	11-12	\$	2,258.43
General Fund	Claims	256-307	\$	45,848.44
Highway Fund	Claims	149-163	\$	74,685.74
Recreation Fund	Claims	15-21	\$	7,278.63
Refuse Fund	Claim	6	\$	31,005.18
Sewer Operating Fund	Claims	29-32	\$	1,727.05
Trust Agency Fund	Claims	31-41	\$	2,983.34
Water Operating Fund	Claims	129-143	\$	9,558.77

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

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

Supervisor Ellis reported a voucher for Niagara Frontier Equipment Sales was submitted for \$26,722.00 for a New Holland backhoe for the Water Department that was delivered July 2, 2010. The purchase was approved on December 10, 2009.

Upon a motion duly made by Councilman Ohol and seconded by Councilman Roberts, it was resolved to approve the payment of \$26,722.00 to Niagara Frontier Equipment & Sales for the purchase of a New Holland Backhoe.

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

WILLOW CREEK SUBDIVISION AMENDMENT TO RESTRICTIONS

Supervisor Ellis reported the Planning Board has accepted the proposal from the developer, Castleton Development, making changes to some of the restrictions. A letter from the Planning Board Chairman dated July 7, 2010 was received recommending the approval of the Covenants and Restrictions, as amended.

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to approve the proposed amendment and restated Declaration of Covenants and Restrictions for Willow Creek Estates, as recommended by the Planning Board and outlined in their letter dated July 7,

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2010 and further, that the Town Board's previous approval of Willow Creek Estates restrictions be amended accordingly.

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

Supervisor Ellis would like to direct Castleton Development to provide each homeowner a copy of the Amended and Restated Declaration of Covenants and Restrictions. Attorney Brandt suggested the Town Board stipulate in the resolution "homeowners, their successors and assigns".

Upon a motion duly made by Councilman Ohol and seconded by Councilman Bush, it was resolved to direct Castleton Development to provide each homeowner, their successors and assigns a copy of the Amended and Restated Declaration of Covenants and Restrictions.

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

NATIONAL FLOOD INSURANCE PROGRAM (FEMA)

Supervisor Ellis requested the Board to schedule a public hearing for August 12, 2010 at 8 PM to discuss Local Law #1 for the year 2010, a Local Law to Amend Local Law #1 2008 entitled, A Local Law For Flood Damage Prevention in the Town of Cambria".

Upon a motion duly made by Councilman Bush and seconded by Councilman Roberts, it was resolved to schedule a public hearing for August 12, 2010 at 8 PM on proposed Local Law #1 for the year 2010, A local law to amend Local Law #1, 2008 entitled "A Local Law for Flood Damage Prevention in the Town of Cambria".

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

Supervisor Ellis requested a motion to designate the Town Board as Lead Agent under SEQR.

Upon a motion duly made by Councilman Blackman and seconded by Councilman Bush, it was resolved to designate the Town Board as Lead Agent under SEQR.

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

Supervisor Ellis requested to authorize the Town Engineer to conduct a coordinated review.

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to authorize the Town Engineer to conduct a coordinated review.

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

TOWN CLERK REPORTS

The Town Clerk reported receipt of the following:

- Building Inspector's Report – June 2010 – Total Receipts: \$1,470.00
Total estimated value of construction cost: \$271,067.00
- Town Clerk Report – June 2010 – Total Receipts: \$8,626.08
- An application for a liquor license for The Hearth & Vine Restaurant to be located at 5949 Campbell Blvd.
- Letter from Cambria Volunteer Fire Company requesting the addition of Matthew Dysard, 3056 Upper Mt Rd, Sanborn, NY 14132 to their active roster.

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 to include the name of Matthew Dysard, 3056 Upper Mountain Road, Sanborn, NY, to the roster of active members.

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

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- Congressman Chris Lee responded to the letter of support the Town Board sent regarding the securing of Michael Huskey's Medal of Honor.

HIGHWAY SUPERINTENDENT REPORTS

The Highway Superintendent reported as follows:

- The remainder of Brush is being picked up.
- Roadwork will start next week.
- The crossover on Budd Rd is in the process of being replaced.
- Progress on the Town Park is moving along; seeding will be done around the pond, after August 15. He will be meeting the compliance requirements of DEC.

Councilman Bush expressed appreciation to Cambria Contracting for their donation of equipment and manpower provided to help with the progression of the Town Park. Mr. MacSwan indicated their assistance has been a great help and suggested they be involved in the program when the park is officially opened.

RECREATION

Councilman Roberts reported the Recreation Day Program Cambria site inspection had (3) minor violations that were addressed and corrected. With regards to the baseball diamonds, the Committee would like to commend Jim Kam for the great job he is doing. Now that the season has started, the Committee feels the baseball diamonds look great. The Recreation Committee also discussed the purchase of a "Diamond Doctor" machine, which would cut manhours and speed up the care of the diamonds.

Councilman Roberts also indicated the Committee would like to request permission from Cambria Volunteer Fire Company to till in front of the baseball diamond by the pavilion to keep the conditioner mixture placed on the diamonds from washing away. Mark Printup, Cambria Fire Company President, was present and indicated he didn't see any problem as far as tilling; however, he would be concerned about application of chemicals, especially prior to the upcoming dog show scheduled at the Fire Hall in September.

CONCERNS OF THE CITIZENS

Rodney Hogg, Baseball Director, also praised Jim Kam for the phenomenal job he is doing with the baseball diamonds, indicating the comments he has received are that this is the best the diamonds have been in 15 years. He indicated everything else with the program is going smoothly; he is presently trying to put together a girls' tournament. For next year he would like to coordinate three age divisions for both boys and girls.

Sally Marotta Reed, Recreation Director, indicated there are over 200 children registered for the program at the Town Hall and about 39 at the Pekin site. The Pekin site is averaging about 25-30 children. They are still meeting the criteria for 12:1 ratio and on swim days the ratio is 10:1. She indicated parents have been very positive in assisting with providing the required information for children with medical issues.

Mrs. Reed also reported they have several sponsors for the upcoming concert series.

David Godfrey, Niagara County Legislator reported on the following:

- Updated the Board relative to saving the taxpayers money with the Volunteer Fire Company's insurance program. He did meet with the Volunteer Fire Insurance Services and he will continue to get information to see what they can do on the County level to try to make the programs available to fire companies that don't have the program.
- Reported on the County-wide communication system that is coming into play in 2012 mandated by the FCC. He indicated the program is moving along very well - Motorola is the prime bidder on that system and has identified 14 sites to cover the entire County. All first responders within the County would be on common radios, the "narrow band" as mandated by FCC in 2012.

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- He will be attending an upcoming meeting at the Youngstown Yacht Club regarding the GLOW project relative to offshore wind power.
- The search for a County Manager is underway.
- Sheriff Voutour announced that he has an immediate opening for a Victim's advocate. They will work with victims of various crimes. If anyone is interested they could contact him or the Sheriff's Department.

PLANNED MAINTENANCE AGREEMENT FOR GENERATORS

Supervisor Ellis indicated there is a proposal before the Board from Cummins Northeast for \$759.20 for the generator/transfer switches for the Town Hall/Municipal Garage and \$766.39 for the generator/transfer switches for the Water pump station, a total of \$1,525.59, for a one year maintenance agreement plan for both generators. It is the recommendation of the Highway Superintendent that we enter into these maintenance agreements.

Councilman Ohol indicated he would support the resolution; however, we just purchased an extended warranty a few months ago and he feels this may be a duplication of expenditures. Following a brief discussion, Jon MacSwan indicated that for the first year he would like to be there when the servicing is done and have his mechanic watch the whole process and learn from them when they service it. A brief discussion followed.

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to enter into the one year plan maintenance agreement with Cummins Northeast for the generators at a total cost of \$1,525.59.

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

NIAGARA COUNTY WATER DISTRICT – PENDLETON/CAMBRIA METER PIT

Supervisor Ellis indicated that he, along with Jon MacSwan and Randy Shoop met with the Town of Pendleton and representatives from the Niagara County Water District on this project and it looks like this would be an opportune time to install the meter pit while they are installing the County waterline. It would be a joint meter pit with the Town of Pendleton, located on the south side of Lockport Road between Meahl Road and Aiken Road to service the two towns.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Blackman, it was resolved to authorize the Town of Cambria to participate in the proposed Town of Cambria/Town of Pendleton/Niagara County Water District water meter pit to be installed on the south side of Lockport Road between Meahl Road and Aiken Road to service both Towns.

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

APPOINTMENT – WASTEWATER MAINTENANCE POSITION

Supervisor Ellis indicated there were 13 applications and four candidates were interviewed.

Upon a motion duly made by Councilman Bush and seconded by Councilman Roberts, it was resolved to appoint Thomas Reed, 5292 Cambria Road, to the position of Wastewater Maintenance at the salary and benefits as set forth in the Union contract.

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

ASSESSMENT REVALUATION

Supervisor Ellis indicated the Board met with the Assessor and a representative from NYS Real Property Tax Services to discuss the pros and cons on updating our assessments. He

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indicated the last update was done in 2006 and if the Town moves forward, the update would be done in 2010 for the 2011 Assessment roll.

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to authorize the Assessor to update the 2011 Assessments.

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

Councilman Ohol commented that he would like the townspeople to understand that this is not an effort to raise everyone's taxes, but rather it is an effort to equally distribute the tax burden. Based on information provided by the Assessor, home sales have consistently been selling for more than what the assessment is.

ANNUAL YARD SALE

Councilman Bush commented that the Town-wide yard sale is July 17th and 18th. The brochures are available and information is also on the Town's website.

ADJOURNMENT

As there was no further business, the meeting was adjourned by motion made by Councilman Bush and seconded by Councilman Roberts. Time: 8:50 pm.

Respectfully submitted,

Lou Ann Murawski
Town Clerk