

**TOWN OF CAMBRIA TOWN BOARD
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- ~ Niagara County SPCA Report – February 2010 – Total animal contacts: 5
- ~ Town Clerk Report – February 2010 – Total Receipts: \$29,017.46
- ~ Application for liquor license from Tiffany Violet Goguen d/b/a “Breakfast at Tiffany’s”, 4074 Ridge Road. A copy has also been provided to the Building Inspector.
- ~ Letter from NYS DOT indicating they will establish a 35 mph school zone speed limit on Church Road, in the vicinity of St. Peter Lutheran School. All signs necessary to post the speed zone will be erected by Niagara County. The Clerk indicated that St. Peter’s School has been sent a copy of the letter.
- ~ Letter from Pekin Fire Company indicating they have accepted the resignation of Andrew Dysard as of March 2, 2010 and request that his name be deleted from the active roster.

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to remove Andrew Dysard from the Pekin Fire Company roster of active members.

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

- ~ Letter from Pekin Fire Company indicating they have accepted the membership of Darrin Keller of 802 Sunnyside Drive, Niagara Falls, NY. He was a member of the fire company before he moved and his current employer is within the Town of Cambria.

Upon a motion duly made by Councilman Bush and seconded by Councilman Roberts, it was resolved to approve the addition of Darrin Keller of 802 Sunnyside Drive, Niagara Falls, NY to the Pekin Fire Company roster of active members, pending receipt of the required physical examination form.

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

- ~ Letter from Cambria Volunteer Fire Company requesting the following changes to the roster of active members:

David Austin, 5458 Comstock Road, Lockport, NY – **Status Change** from Exempt to Active
Chad Mayer, 4990 Upper Mt. Rd., Lockport, NY – **Remove** from roster of active members
Elizabeth Pressley, 3051 Lower Mt. Rd., Sanborn, NY – **Remove** from roster of active members
Dominique Wollaber, 3621 Lower Mt. Rd., Sanborn, NY – **Add** to roster of active members
Elizabeth Copeland, 3061 Moore Rd., Ransomville, NY – **Add** to roster of active members
Penni Sue Dysard, 4259 N. Ridge Rd., Lockport, NY – **Add** to roster of active members
Andrew Dysard, 5224 Townline Rd., Sanborn, NY – **Add** to roster of active members
Courtney Dysard, 3056 Upper Mt. Rd., Sanborn, NY – **Add** to roster of active members

Upon a motion duly made by Councilman Bush and seconded by Councilman Ohol, it was resolved to approve the activation of David Austin from exempt to active status; to approve the addition of Courtney Dysard, Andrew Dysard, Penni Sue Dysard, Elizabeth Copeland, Dominique Wollaber to the active roster, all of them pending receipt of the required physical examination forms and to remove Chad Mayer and Elizabeth Pressley from the active roster of the Cambria Volunteer Fire Company.

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

- ~ The Town Clerk indicated the final draft of the spring newsletter has been prepared and is scheduled to be printed next week.
- ~ Letter was received regarding the award of Eagle Scout recognition to John McIntosh. The court of honor will be held April 17, 2010 at the Cambria Fire Hall. Councilman Bush indicated that John did an excellent job on installing signs in the Town Park’s Nature trail as part of his Eagle Scout project.

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~ Letter received from Margaret S. Jowdy resigning her position as Justice Court Clerk for retirement purposes, effective March 16, 2010. Supervisor Ellis explained she will be retiring effective March 16, 2010, and is requesting to be re-appointed to the same position on March 17, 2010.

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to accept the resignation of Margaret S. Jowdy as Justice Court Clerk effective March 16, 2010.

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

Upon a motion duly made by Councilman Ohol and seconded by Councilman Roberts, it was resolved to appoint Margaret S. Jowdy as Justice Court Clerk effective March 17, 2010 to complete the term expiring 12/31/2010.

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

HIGHWAY SUPERINTENDENT REPORTS

The Highway Superintendent reported as follows:

- ~ Reported on his attendance at the "grassroots" campaign for CHIPS funding which he recently attended in Albany. The CHIPS funding will be available this year to the Towns; however, it doesn't look very promising for funding for road repairs. The future of the program is unclear right now due to New York State's financial crisis.
- ~ Mr. MacSwan reported Starpoint School is requesting mulch for the Askey Memorial Courtyard. Additionally, Niagara Wheatfield is requesting assistance with a 60' trench for drainage and Niagara County Community College for completion of the paving of the parking lot. He requested Town Board approval of these requests.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Ohol, it was resolved to authorize the Highway Superintendent to utilize Town Equipment in support of the various projects outside of the Town of Cambria, as presented by the Highway Superintendent.

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

- ~ Mr. MacSwan reported that the backstops have been installed in the tournament diamond at the Town Park. He is hoping to get the underdrainage installed, as well as working on the soccer fields and finishing the lake.

Councilman Bush expressed his gratitude to the Highway Department for all of their hard work at the Town Park, indicating he placed an article in the newsletter and has it posted on the Town's website commending the Highway Department for their efforts. Mr. MacSwan indicated he has enjoyed working on the park and recognized Councilman Bush for the time and effort he has also contributed to this worthwhile project.

- ~ Willow Creek Street Light – Mr. MacSwan met with the engineer and the designer for the lighting. It is understood, they will call him when they are ready to complete the installation.
- ~ Utility pole is down in the back; they will probably have to do something with covering up what's left of the junction box.
- ~ The salt barn is half full – we have reached our quota with the salt and if they have a decent March, they should be okay.

WATER/SEWER - No reports

ATTORNEY REPORTS

- ~ Mr. Roberson indicated that he has provided copies to the Town Board, for their review and use, of material provided at the Association of Towns meeting relative to the bidding process.

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RECREATION COMMITTEE

- ~ Councilman Roberts reported the Recreation Committee Chairperson would like a written letter confirming use of the baseball diamonds at Niagara County Community College.

The Highway Superintendent replied he would get the contract before the Highway Department helps finish the parking lot there. A letter will be drafted for Supervisor Ellis to sign requesting use of baseball diamonds for the 13-15 year olds at Starpoint Schools.

- ~ Sally Marotta-Reed, Recreation Director, reported she attended a meeting with the Niagara County Health Department regarding all day programs/camps that are operating within Niagara County. There are many new requirements in place for these programs; inspections and a permit are required in order to operate, background checks for all employees in contact with the children will be required as well as other certifications. Supervisor Ellis informed the Town Board it is now required to have an infirmary set up that is sectioned off for privacy. Supervisor Ellis is suggesting the Community Room be reserved for the Recreation Program only – no outside rentals for the duration of the program.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Bush, it was resolved to reserve the Community Room for the Recreation Program from June 28, 2010 through August 6, 2010, making it unavailable for rental by individuals or other organizations during that time.

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

CONCERNS OF THE CITIZENS

- ~ Roger Schreuder, Upper Mountain Road, questioned the use of the Community Room during the Summer Concert. Supervisor Ellis indicated that during the concerts only the restroom facilities are used.
- ~ Supervisor Ellis acknowledged the presence of seven students in attendance from Starpoint Central School for their government class.
- ~ Lester Hall, 4123 Lockport Road, indicated he was approached by the Building Inspector regarding an accessory building on his property and was told he needed a permit for it. When he came in to pay for the permit, he was assessed an additional fee for his failure to get a building permit prior to the delivery of his accessory building. Mr. Hall indicated he was not aware of the required building permit or the additional fees and expressed his feeling that the Town should do something to make the public aware that they exist. Councilman Ohol suggested that the fee schedule be published in the Town newsletter to inform the public.

SOLE-SOURCE PROCUREMENT OF FORD TRACTOR PARTS AND REPAIR

- ~ The Highway Superintendent submitted a procurement policy form in the amount of \$9,012.35 for the purchase of parts for the Ford tractor. Supervisor Ellis indicated that \$7,500.00 was budgeted for this. When asked by Councilman Roberts where the balance of the money would come from, Supervisor Ellis replied it would be transferred from another line in the equipment fund.

Upon a motion duly made by Councilman Bush and seconded by Councilman Ohol, it was resolved to authorize the purchase of parts for the Ford tractor from Niagara Frontier Equipment Sales in the amount of \$9,012.35 as a sole-source acquisition.

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

LETTER REGARDING ASIAN CARP AND GREAT LAKES ECOSYSTEM

- ~ Supervisor Ellis received a letter from the Town of Wilson seeking support of the resolution that was passed regarding the potential damage of Asian Carp infiltrating the Great Lakes ecosystem. Letters of support are requested to be sent to the Town of Wilson and the other State and Federal legislators.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Blackman, it was resolved to write a letter to the Town of Wilson supporting their

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resolution regarding preventing Asian Carp from entering the Great Lakes ecosystem, with similar letters being sent to our State and Federal legislators.

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

LETTER REGARDING CLOSURE OF STATE PARKS

- ~ Supervisor Ellis indicated the Town of Wilson is also seeking support in preventing the Wilson-Tuscarora State Park from being closed.

Upon a motion duly made by Councilman Bush and seconded by Councilman Roberts, it was resolved to write a letter of support opposing the proposed closure of New York State Parks, particularly Wilson-Tuscarora Park.

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

AGREEMENT TO SPEND TOWN HIGHWAY FUNDS

- ~ Improvements to Cambria Road, Comstock Road and Raymond Road are on the schedule for 2010. A total of 31.39 miles of town highways will be repaired, at a cost of \$364,100.00.

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to authorize the spending of Town Highway funds in the amount of \$364,100.0 to repair Cambria Road, Comstock Road and Raymond Road.

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

Councilman Bush questioned the improvement of Raymond Road, which is the boundary between Wheatfield and Cambria. As Wheatfield's Highway Department doesn't have a lot of money to make improvements to the road, he questioned why Raymond Road was on the schedule for improvements. Mr. MacSwan indicated that Cambria did some repair work on Cambria's end last year and Wheatfield split the cost with us; however, this year, Wheatfield doesn't have any money to do anything. Raymond Road has drainage problems—the only thing Cambria can do is to put some "weeps" in, go through and patch it, put binder on it and then chip seal it, which would be half the cost of a recycling job. Mr. MacSwan indicated he felt it is necessary to do something with the road now as it is getting to the point where there will be no road there at all.

SNOW AND ICE CONTRACT

- ~ Supervisor Ellis indicated the Snow and Ice removal contract with Niagara County Department of Highways is up for renewal. The following resolution was presented for the Board's consideration:

WHEREAS, under Section 135-a of the Highway Law, the Town Board is empowered to enter into written contracts with the Commissioner of Public Works acting as County Superintendent of Highways for the removal of snow and the sanding and treatment of pavement for ice control purposes, for three (3) years; and

WHEREAS, such contracts have been negotiated by the Town Superintendents of Highways at the actual cost incurred by the Town per mile for removal of snow from County roads, and the control of ice at the actual cost incurred by the Town; therefore, be it, and it hereby is

RESOLVED, that the Town Highway Superintendent of the Town of Cambria be empowered as an agent of the Town Board to enter into the attached Ice Control and Snow Removal Contracts with the Commissioner of Public Works acting as County Superintendent of Highways for a period of three (3) years.

Upon a motion duly made by Councilman Ohol and seconded by Councilman Blackman, it was resolved to approve the resolution as stated above.

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

DOG ENUMERATION

- ~ A dog census will be performed this year. The Town Clerk is currently seeking one – two dependable individuals to assist with the enumeration.

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to authorize the Town Clerk to hire the necessary personnel to conduct a complete census of all dogs in the Town of Cambria, to be paid at a rate of \$2.75 per dog counted.

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

FIREMAN'S SERVICE AWARD PROGRAM

- ~ Supervisor Ellis reported Cambria Volunteer Fire Company has 29 firemen plus 6 additional firemen under the post-entitlement provision; Pekin Fire Company has 24 firemen plus 2 firemen under the post-entitlement provision.

Upon a motion duly made by Councilman Ohol and seconded by Councilman Bush, it was resolved to approve the Firemen's Service Award Program member census information provided by the Cambria Volunteer Fire Company and Pekin Fire Company, together with the post-entitlement provision.

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

CERTIFICATION – RECREATION PROGRAM STATE AID

- ~ Supervisor Ellis requested authorization to apply to the New York State Office of Children and Family Services for State Aid in the amount of \$1,141.00 for the Recreation Program and \$1,032.00 for the Service Program

Upon a motion duly made by Councilman Bush and seconded by Councilman Roberts, it was resolved to authorize the Supervisor to apply to the New York State Office of Children and Family Services for State Aid in the following amounts for the 2010 program year: Recreation \$1,141.00; Youth Service \$1,032.00.

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

PHASE 2 STORMWATER REGULATIONS ENGINEERING PROPOSAL

- ~ A proposal has been received from Wendel Duchscherer for the Phase 2 Stormwater Regulations Program engineering services. The engineering services will be on a time and expense basis, fees not to exceed \$4,000.00.

Upon a motion duly made by Councilman Bush and seconded by Councilman Ohol, it was resolved to approve the proposal from Wendel Duchscherer for engineering services on a time and expense basis, fees not to exceed \$4,000.00 (proposal from Wendel dated 2/23/2010).

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

- ~ In regards to a matter from last month, Supervisor Ellis requested a decision from the Town Board as to whether the Town of Cambria would join efforts in the creation of a regional Stormwater Utility District. A decision is required from the Town of Cambria to be submitted to the Western New York Stormwater Coalition.

Upon a motion duly made by Councilman Ohol and seconded by Councilman Roberts, it was resolved to oppose the creation of a Stormwater Utility District as the Town Board of the Town of Cambria finds this to be unnecessary and excessively expensive.

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

LOCAL LAW NO. 1, 2010 – GRASS, BRUSH AND WEEDS

- ~ Supervisor Ellis indicated a public hearing will be scheduled for April 8, 2010 on proposed Local Law No. 1, 2010 – Grass, Brush and Weeds.

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ADDITIONAL MATTERS

A short discussion followed concerning a letter from the Planning Board regarding the proposed Local Law Regulating Outdoor Devices and the DEC' s new regulations regarding open burning.

ADJOURNMENT

The meeting was adjourned by motion made by Councilman Blackman and seconded by Councilman Bush. Time: 9:15 PM.

Respectfully submitted,

Lou Ann Murawski, Town Clerk