

TOWN OF CAMBRIA TOWN BOARD

March 13, 2008

The regular meeting of the Town of Cambria Town Board was held on the 13th day of March 2008 at 8:00 PM 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
Debra L. Kroening, Councilwoman
Joseph Ohol, Councilman

ALSO PRESENT:

Jon T. MacSwan, Highway Superintendent
Lou Ann Murawski, Town Clerk
Edwin J. Shoemaker, Attorney
Robert Klavoon, Wendel Duchscherer
Five interested individuals

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

APPROVAL OF MINUTES:

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Blackman, it was resolved that the Minutes of the February 14, 2008 Town Board meeting be approved.

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:

Cemetery Fund	Claim 4	\$ 18.60
Drainage Fund	Claim 7	\$ 679.46
General Fund	Claims 92-148	\$ 38,449.00
Highway Fund	Claims 44-69	\$ 223,048.57
Recreation Fund	Claims 2-3	\$ 2,900.00
Refuse Fund	Claims 4-5	\$ 27,563.03
Sewer Operating	Claims 10-14	\$ 1,855.18
Trust Agency Fund	Claims 6-13	\$ 5,678.44
Water Construction Fund	Claims 3	\$ 3,325.00
Water Operating Fund	Claims 36-52	\$ 68,409.49

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-

Upon a motion duly made by Councilman Bush and seconded by Councilwoman Kroening, it was resolved to approve the late voucher submitted in the amount of \$200.00 from the General Fund for Janet Schultz, the photographer for the March 9, 2008 Bicentennial Event.

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

AWARD OF BID – SALE OF 1993 VOLVO AUTOCAR

George Wolf, 5220 Junction Road, Lockport, NY 14094, submitted the high bid in the amount of \$2,901 for the purchase of the damaged 1993 Volvo Autocar.

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to accept the bid submitted by George Wolf for the purchase of the 1993 Volvo Autocar in the amount of \$2,901.00.

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

DISPOSAL OF SURPLUS EQUIPMENT

❖ **Disposal of obsolete computers and accouterments**

The Town Board was provided with a listing of obsolete computer equipment to be declared as surplus.

Upon a motion duly made by Councilman Ohol and seconded by Councilwoman Kroening, it was resolved to declare obsolete computers and accouterments as surplus and authorize the Town Clerk to donate said items to St. Peter's Lutheran School, N.R., located on Church Road.

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

❖ **Disposal of Highway Equipment**

Jon MacSwan requested the following equipment be declared as surplus: 1991 – 10' Harder Salt Spreader Serial #3241 and 1989 – 10' Harder Salt Spreader Serial #3242

He indicated one of the spreaders was damaged in the truck fire and the other does not fit any of the current trucks.

Upon a motion duly made by Councilman Bush and seconded by Councilwoman Kroening, it was resolved to declare the two salt spreaders, as described by the Highway Superintendent and verified on the inventory list maintained by the Town Clerk, as surplus and to authorize the Highway Superintendent to dispose of the equipment.

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

UPPER MOUNTAIN ROAD WATERLINE REPLACEMENT – BIDDING

This matter was tabled from February's Town Board meeting to determine whether or not the Town wanted to proceed with the proposal to install a natural gas line at the same time as construction of the waterline replacement.

Robert Klavoon, Wendel Duchscherer, indicated National Fuel representatives stated they will contribute to the inspection cost of the gas line and materials; however, there the Town would have to guarantee a minimum consumption of gas over the next five years.

A brief discussion on the matter ensued.

Upon a motion duly made by Councilman Bush and seconded by Councilman Ohol, it was resolved to proceed with the construction of the Upper Mountain Road waterline project and to authorize Wendel Duchscherer to provide bid documents by March 17, 2008, with the bid opening be set for Monday, April 7, 2008 at 10:00 am at the Town Hall at the office of the Town Clerk. The matter of installation of the natural gas line will be pursued separately.

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

Councilman Blackman indicated he was in favor of the gas line being installed at the same time as construction of the waterline.

PROCLAMATION – TOWN OF CAMBRIA BICENTENNIAL

The following Proclamation was read by Supervisor Ellis:

WHEREAS, the Town of Cambria was established by an Act of the New York State Legislature at their thirty first session on the 11th day of March 1808; and

WHEREAS, at the time of its' establishment, the Town of Cambria encompassed all of what now comprises Niagara County; and

WHEREAS, on March 11, 2008, the Town of Cambria will officially mark its 200th year; and

WHEREAS, the 200th anniversary of the Town of Cambria affords our residents an opportunity to pause and recognize the place of our town in the panorama of history, to remember its roots and to reflect with thanksgiving on God's mercies and blessings throughout the chronology of our existence; and

WHEREAS, the Town of Cambria Bicentennial Committee was established for the purpose of planning a diverse series of events enabling our friendly, hardworking citizens and families to join in the celebration of our 200 year history, heritage and tradition; and

WHEREAS, the celebration of this momentous occasion affords our residents and Town of Cambria officials an occasion to salute and express profound gratitude to those who have gone before us and who have provided the foundation for the privileges and comforts we enjoy as present day citizens of the Town of Cambria;

NOW, therefore, I, Wright H. Ellis, as Supervisor of the Town of Cambria , Niagara County, State of New York

DO HEREBY PROCLAIM, that the year 2008 is a time to commemorate the Bicentennial of the Town of Cambria and I hereby encourage all citizens to celebrate and participate in the year long events, programs, ceremonies and activities which memorialize the many contributions by our Cambria ancestors, whose strong family ties, religious beliefs and ingenuity built our community, strengthened our democracy and established a shining future for our nation, our town, and ourselves.

In witness whereof, I have hereunto set my hand this 9th day of March in the year of our Lord, two thousand and eight.

Wright H. Ellis
Town Supervisor

Upon a motion duly made by Councilman Bush and seconded by Councilwoman Kroening, it was resolved to approve the Proclamation issued by Supervisor Ellis for the Town of Cambria's Bicentennial dated March 9, 2008.

Ayes: Blackman, Bush, Ellis, Kroening, Ohol

-Motion Carried-

PROCLAMATION ISSUED – NIAGARA COUNTY BICENTENNIAL

The following Proclamation was presented to the Board:

WHEREAS, on 11 March 1808, the New York State Legislature divided the County of Genesee and declared that, "a portion bounded on the north by Lake Ontario, east by the Meridian line, west by the Niagara River and Lake Erie and on the south by the Cattaraugus Creek, be erected into a county by the name of Niagara.", and

WHEREAS, that same Act further stated that, "...that part of the county lying north of the main stream of the Tonawanda Creek, and of a line extending west from the mouth of said creek to the boundary line between the United States and the dominion of the King of Great Britain, be erected into a town by the name of Cambria.", thus causing these two entities to be twinned at birth, and

WHEREAS, during the following two centuries, the fortunes of these two entities have grown and prospered due to the hard work and ingenuity of their citizens utilizing the abundance of natural resources found in this northwestern corner of the State, and

WHEREAS, Niagara County occupies a very special place in the geography of New York State, and developed an industrial economy supported by the power of Niagara Falls and the commercial advantages of the Erie Canal, complimented by an agricultural economy which flourished with the rich soils and temperate weather patterns of this region, and

WHEREAS, in the 200th year of its creation, Niagara County is poised to experience a renaissance in its' destiny with a renewed focus on tourism, the wine industry and other innovative approaches to economic development in the 21st century, and

NOW THEREFORE BE IT RESOLVED THAT, the Town Board of the Town of Cambria and on behalf of its citizens, salutes Niagara County and its citizens as they celebrate their Bicentennial on this date which we share and further wish them continued prosperity in the years ahead.

In witness whereof, I have hereunto set my hand this 11th day of March in the year of our Lord, two thousand and eight.

Wright H. Ellis, Town Supervisor

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Bush, it was resolved to approve the Proclamation issued for Niagara County's Bicentennial dated March 11, 2008.

Ayes: Blackman, Bush, Ellis, Kroening, Ohol

-Motion Carried-

CONCERNS OF CITIZENS

Thomas Reed, 5292 Cambria Road, indicated there are at least five residents who would be interested in having cable installed on Cambria Road. Supervisor Ellis indicated the franchise agreement is up for renewal and the Attorney will take note of the matter.

Thomas Seefeldt, 3907 Upper Mountain Road, commended the Highway Department for the excellent job on plowing the Cambria Roads during the recent snowfall, indicating he had to travel to the hospital during the recent storm and the roads were "horrible", except for Cambria's.

TOWN CLERK REPORTS

The Town Clerk reported receipt of the following:

- Building Inspector's Report – February, 2008 Total Receipts: \$455.00;
Total estimated value of construction: \$189,500.00
- Request from the Cambria Volunteer Fire Company to include: Andrew Rawls, 3546 Saunders Settlement Road, and Kevin Schreder, 5852 Shawnee Road, on the roster of active firemen. Supervisor Ellis indicated that Kevin was originally a member of Cambria Vol. Fire Co. and transferred over the Shawnee Fire Company for awhile. He is now transferring back as a member of Cambria Volunteer Fire Company and the Town is accepting his physical form which was done in October 2007 and should still be current.

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Blackman, it was resolved to add the names of Andrew Rawls and Kevin Schreder to the roster of active members of the Cambria Volunteer Fire Company.

Ayes: Blackman, Bush, Ellis, Kroening, Ohol

-Motion Carried-

- Receipt of letter notifying the Town that "Tuesday's Place" located at 3997 Lower Mountain Road intends to renew their liquor license in April 2008.
- Receipt of letter from the Department of State acknowledging receipt of Local Law #2, 2008, filed on 2/25/2008

- Receipt of letter from Senator George Maziarz thanking us for forwarding a copy of the resolution adopted by the Town Board in support of Governor Spitzer's plan for property tax relief.
- Request for the Town Board to authorize Deputy Clerks, Tamara J. Cooper and Paula N. Jones to attend seminars as follows: NYS Archives Records Management Training session to be held in Evans, NY on March 27th; and also the NYS Town Clerk's Association Conference to be held in Saratoga Springs, NY from April 27th – April 30th.

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to authorize the attendance of Deputy Town Clerks, Tamara J. Cooper and Paula N. Jones at training seminars as set forth in the memorandum from the Town Clerk.

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

- The Town Clerk read a letter from President and Mrs. Bush acknowledging the Town's Bicentennial.
- Proclamations congratulating the Town of Cambria on its Bicentennial were received from NYS Governor Eliot Spitzer, and the Niagara County Legislature. A letter was received from Congressman Reynolds and citations were issued from Assemblywoman Delmonte and Senator George Maziarz congratulating the Town of Cambria on its 200th Anniversary. These documents will be appropriately displayed at the Town Hall.

HIGHWAY SUPERINTENDENT REPORTS

Highway Superintendent, Jon MacSwan, reported as follows:

- The Town's supply of salt should be sufficient for the remaining of the season. The salt in the barn is for next November and December. All the main roads and hills are being salted; however, to conserve on salt, only the intersections of subdivisions are being salted. He indicated that taking this measure could save as much as 65-70 tons of salt during one storm.
- Request for authorization to send Marc Mosher to Cornell Cooperative Extension Niagara County Training Center for a signage information class at a cost of \$40.00, on May 7, 2008.

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Blackman, it was resolved to authorize Marc Mosher to attend sign school on May 7, 2008, at Cornell Cooperative Extension Niagara County Training Center.

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

WATER/ SEWER DEPARTMENT - The Water Department is clearing out fire hydrants.

ATTORNEY REPORTS - There were no reports presented by the Attorney.

BICENTENNIAL COMMITTEE

On behalf of the Town Board, Supervisor Ellis extended appreciation to the Bicentennial Committee and commended Councilman Bush, Chairman for the fine observance of our birthday "kick-off" celebration held on Sunday, March 9th, indicating it was a great celebration as a result of the hard work of the Committee.

Councilman Bush credited the Committee members for their hard work and specifically requested the Town Clerk to include the names of the following individuals who contributed to the success of the event:

Howard Morgan	Cambria Volunteer Fire Company
Pekin Fire Company	Pekin Fire Company Ladies' Auxiliary
Cambria Town Board Members	Lynn Schlemmer
Jon MacSwan	Tamara Cooper
Thomas Reed	Stephen Cooper
Sally Marotta-Reed	Tyler Cooper
Deborah Jagow-Wynes	George Bush
Richard Dalton	Lou Ann Murawski
Carl Meyers	Paula Jones
Sally Kolkmeier	Cambria Highway Department
Valerie Cook	Cambria Water/Sewer Departments
Gail Reinbird	Neil Patterson

Town Clerk, Lou Ann Murawski, recognized the efforts of the Highway and Water Departments in clearing of the roads and parking lot to the Fire Hall and the sidewalks at the Town Hall. Their assistance was also needed and appreciated for the transport of the original Cambria carriage, owned by Jon MacSwan, which was a featured display at the event.

RECREATION COMMITTEE

Councilwoman Kroening indicated the Recreation Committee is requesting the Town Board to sponsor a Midget A League for sixteen participants – the cost would be \$720.00 for 16 uniforms and caps. The games would possibly be played at Niagara County Community College.

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Bush, it was resolved to authorize up to \$720.00 for the purchase of necessary uniforms for the sponsoring of a Midget A Team.

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

PERSONNEL APPOINTMENTS

Lynn J. Schlemmer, Administrative Assistant

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to approve the appointment of Lynn J. Schlemmer as Administrative Assistant.

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

Debra A. Littere, Typist/part-time(Assessor's Office)

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Blackman, it was resolved to transfer Debra Littere as part-time Typist from the Water Department to the Assessor's Office.

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

Karen Singleton, Typist/part-time (Water Department)

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to approve the appointment of Karen Singleton as Typist/part-time for the Water Department.

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

Thomas Gregson, Assessment Review Board member (fill unexpired term of William Knapp until 9/30/2011)

Upon a motion duly made by Councilman Blackman and seconded by Councilman Ohol, it was resolved to approve the appointment of Thomas Gregson to the Board of Assessment Review to fill the unexpired term of William Knapp until 9/30/2011.

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

WENDEL DUCHSCHERER – ENGINEERING PROPOSALS

The following fee proposals from Wendel Duchscherer were presented for the Board's consideration:

Stormwater Annual Report and Coalition Meetings – Scope of work as outlined in proposal dated March 10, 2008 on file in office of Town Clerk. Work to be completed for a lump sum of \$2,500.00.

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Ohol, it was resolved to authorize Wendel Duchscherer to proceed with the services as described in their proposal dated March 10, 2008 for a lump sum of \$2,500.00.

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

WENDEL DUCHSCHERER - ENGINEERING PROPOSALS

Town Park Nature Trail Interpretative Signage Proposal – Scope of work as outlined in proposal dated March 10, 2008 on file in the office of the Town Clerk. Work to be completed on a time and expense basis with an estimated fee of \$4,500.00.

Upon a motion duly made by Councilman Bush and seconded by Councilman Ohol, it was resolved to approve the proposal dated March 10, 2008 for the completion of necessary work on a time and expense basis at an estimated fee of \$4,500.00.

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

Councilman Blackman questioned if the Engineers were able to locate any chorus frogs following last year's drought.

FIREMEN'S SERVICE AWARD PROGRAM

Board members were presented a listing of the members of Cambria Volunteer Fire Company and Pekin Fire Company and the service points for the Plan year 1/01/07 through 12/31/07 earned by each fireman.

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Bush, it was resolved to approve the Member Census Information for the Defined Contribution Service Award Plan for the year 1/01/07 through 12/31/07 for Cambria Volunteer Fire Company (32 firemen qualify) and Pekin Fire Company (19 members qualify).

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

ADJOURNMENT

As there was no further business, the meeting was adjourned by motion made by Councilman Ohol and seconded by Councilwoman Kroening. Time: 8:50 PM.

Respectfully submitted,

Tamara J. Cooper, Deputy Town Clerk I
Lou Ann Murawski, Town Clerk

Lou Ann Murawski, Town Clerk

