

TOWN OF CAMBRIA TOWN BOARD

MAY 10, 2007

The regular meeting of the Town of Cambria Town Board was held at 8:00 PM on the 10th day of May 2007 at the Town Hall, 4160 Upper Mountain Road, Town of Cambria, NY

BOARD MEMBERS PRESENT:

Wright H. Ellis, Town Supervisor
Robert E. Blackman, Councilman
George J. Bush, Councilman
Matthew P. Foe, Councilman
Debra L. Kroening, Councilwoman

ALSO PRESENT:

Jon T. MacSwan, Highway Superintendent
Lou Ann Murawski, Town Clerk
Tim Walck, Wendel Duchscherer
Robert Frazier, Wendel Duchscherer
Edwin J. Shoemaker, Attorney
Bill Wolcott, Union Sun & Journal
Five interested individuals

Following salute to the flag, Supervisor Ellis called the meeting to order. Board members took action upon the following matters.

PUBLIC HEARING – MS4 STORMWATER ANNUAL REPORT

The Town Clerk read the following Notice of Public Hearing, published in the Union Sun & Journal on May 2, 2007:

Notice is hereby given that the Town of Cambria Town Board will hold a public hearing on the MS4 Stormwater Annual Report on May 10, 2007 at 8:00 PM, at the Town Hall, 4160 Upper Mountain Road, Town of Cambria, NY.

The annual report outlines last year's progress on implementing the Town's Stormwater Management Program and planned activities for 2007 relative to the Phase II Stormwater Regulations and the NYSDEC SPDES permit for stormwater discharges.

All parties of interest and citizens will be given an opportunity to be heard at the public hearing to be held as aforesaid.

Town of Cambria Town Board

Supervisor Ellis opened the public hearing. Tim Walck, Wendel Duchscherer, explained that the Town's stormwater management plan must be fully implemented by January 2008. The Town will be required to enact a local law and establish ongoing program funding mechanisms. He indicated they will also be required to have educational display boards for the public to view at two community events.

Supervisor Ellis indicated that Erie County is spearheading the Western New York Stormwater Coalition as it is very difficult for a town of our size to do this on our own—we rely on our Town Engineers to represent us at the various Coalition meetings.

As there was no one desiring to be heard, the public hearing was closed.

APPROVAL OF MINUTES

Upon a motion duly made by Councilman Blackman and seconded by Councilwoman Kroening, it was resolved that the Minutes of the April 12, 2007 Town Board meeting be approved as presented.

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

APPROVAL OF VOUCHERS

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

Cemetery Fund	Claim 2	\$ 619.00
Drainage Fund	Claims 6 – 9	\$5,295.33

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General Fund	Claims 184 – 225	\$44,804.71
Highway Fund	Claims 89 – 111	\$24,060.82
Recreation Fund	Claim 2	\$ 609.05
Refuse Fund	Claims 8 – 9	\$29,235.42
Sewer Operating	Claims 21 – 27	\$ 9,873.42
Trust Agency Fund	Claims 25 – 26	\$ 3,673.50
Water Construction Fund	Claim 1	\$ 6,614.55
Water Operating Fund	Claims 66 – 92	\$89,264.05

Upon a motion duly made by Councilman Bush and seconded by Councilwoman Kroening, it was resolved that the claims be paid as presented.

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

PHASE II STORMWATER MANAGEMENT SERVICES AGREEMENT

The Phase II Stormwater Management Services Agreement authorizing the Erie County Department of Environment and Planning to reimburse the Town of Cambria for expenses up to \$14,000.00 incurred between May 1, 2006 and December 31, 2007 was received.

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Foe, it was resolved to authorize the Town Supervisor to execute the Phase II Stormwater Management Services Agreement with the Erie County Department of Environment and Planning.

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

NATURE TRAIL GRANT

Robert Frazier, Wendel Duchscherer, indicated bids were received and were approximately \$40,000 over the state grant of \$150,000. As there are several options to consider, it was determined that a joint meeting be held with the Park Planning Committee, Highway Superintendent, Engineers and Town Board.

Upon a motion duly made by Councilman Foe and seconded by Councilman Blackman, it was resolved to table action on the bids submitted for the Town of Cambria Phase I Nature Trail.

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

DRIVEWAY AND/OR LAWN CULVERT POLICY

The Highway Superintendent indicated the Drainage Committee recommended that Section 9 be included on the Driveway and Lawn Culvert Permit as follows:

- 9) When a driveway culvert needs to be replaced, the Town of Cambria will split the cost of the 20' culvert pipe with the homeowner and waive the \$250.00 permit fee due to the fact that it has already been paid upon original installation. If a lawn culvert is to be replaced, it will be the responsibility of the property owner to purchase the pipe and pay the Town according to the permit regulations.

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Blackman, it was resolved to amend the Driveway and Lawn Culvert Permit to include Section 9 as recommended.

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

MAINTENANCE DITCH PROGRAM

Mr. MacSwan indicated the attorney is reviewing the proposal for the continued maintenance ditch program.

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STANDARD SPECIFICATIONS, REVISIONS AND FEES

The following resolution was adopted with regards to the Standard Specifications adopted by the Town Board on April 12, 2007:

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Foe, it was resolved to authorize the Town Clerk to certify adoption of the Standard Specifications provided by Wendel Duchscherer which included revisions as recommended by various Boards and Department Heads and to further authorize a charge of \$35.00 for copies by interested individuals.

Ayes: Blackman, Bush, Ellis, Foe, Kroening

-Motion Carried-

INTER-MUNCIPAL AGREEMENT WITH TOWN OF WHEATFIELD- BAER ROAD PROPERTY

Supervisor Ellis indicated that in April 2006 the Town Board authorized to request authorization from the Town of Wheatfield to tap a 2" pressure sewerline into the Town of Wheatfield's last manhole on the east side of Baer Road, approximately 700' to service a proposed new home.

Supervisor Ellis reported that the Inter-municipal agreement has been signed by both parties and the Engineers are surveying the area.

CONCERNS OF CITIZENS

Tim Raczkiewicz, 5053 Carriage Lane, indicated he has had problems with raccoons in his yard during daytime hours. It was suggested that he contact a Nuisance Wildlife Control officer whose numbers are available from the Town Clerk.

TOWN CLERK REPORTS

The Town Clerk reported as follows:

- Building Inspector's Report – April 2007 Total receipts: \$1,365.00
Total estimated value of construction: \$732,058.00
- Niagara County SPCA Report – April 2007 – Total Animal Contacts: 28
- Letter from Town of Somerset thanking the Town Board for their support in requesting the Attorney General and State Comptroller to investigate the Niagara County IDA concerning the PILOT to AES Eastern Energy, LLC
- Letter from Senator George Maziarz indicating he will oppose Senate Bill 744 which would provide for the establishment of statewide cable franchises. The bill is currently under review by the Senate Energy and Telecommunications Committee
- Letter of resignation from William Knapp as a member of the Board of Assessment Review
- The Town Clerk reported on the forum she attended sponsored by the Niagara County Center for Economic Development which included key speakers from the NFTA, NY Power Authority, Niagara County IDA, Niagara County Farm Bureau, among others.

HIGHWAY SUPERINTENDENT REPORTS

The Highway Superintendent reported as follows:

- Town employees have been issued ID badges
- Request authorization for employees to attend Fall Protection and Rigging Classes offered by Niagara County Community College Department of Corporate Training; each training class is eight hours and would cost \$693.96 for each class for 15 participants

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Upon a motion duly made by Councilman Bush and seconded by Councilman Foe, it was resolved to authorize employees to attend safety classes offered by NCCC Corporate Training Center – Fall Protection Class \$693.96; Rigging Class - \$693.96 to be held in May and June 2007.

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

- The new truck for the Water Department is in
- New water meter installations – 48 have been installed. Training class for the Water Clerks is scheduled for May 22 – 24.
- Several items/equipment being prepared for disposal through sealed bids; List of obsolete equipment will be prepared for the June meeting

2008 BICENTENNIAL

Councilman Bush reported that several events are planned for the last weekend in July 2008 at Niagara County Community College, including a kite flying festival, petting zoo, parade, bands, etc. NCCC is also checking into hot air balloons for the same weekend.

RECREATION

Councilwoman Kroening reported that baseball started this week. The question as to whether applications to participate are still being accepted will be addressed to the Baseball Director.

ADDITIONAL MATTERS

Supervisor Ellis indicated that agricultural assessment rates increased dramatically in 2007 which was initiated by Agriculture & Markets and the increased values for certain types of soils. He requested authorization to request support from our Senate and Assembly representatives of legislation that would amend the Agriculture and Markets Law in relation to agricultural assessment values.

Upon a motion duly made by Councilman Foe and seconded by Councilwoman Kroening, it was resolved to authorize the Town Supervisor to write a letter on behalf of the Town Board to our Senate and Assembly representatives asking for relief and supporting legislation in relation to agricultural assessment values.

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

Councilman Blackman indicated that the Niagara County Bicentennial Committee is sponsoring the painting of the County Bicentennial logo on barns throughout the County. He questioned if this would be permissible under our ordinance.

Attorney Shoemaker will address the matter and present information at the next meeting.

ADJOURNMENT

As there was no further business, the meeting was adjourned by motion made by Councilman Foe and seconded by Councilwoman Kroening. Time: 8:45 PM

Respectfully submitted,

Lou Ann Murawski
Town Clerk

