

TOWN OF CAMBRIA TOWN BOARD

November 5, 2009

The regular meeting of the Town of Cambria Town Board was held at 8:00 PM on the 5th day of November 2009 at the Town Hall, 4160 Upper Mountain Road, Town of Cambria, NY

BOARD MEMBERS PRESENT:

**Wright H. Ellis, Supervisor
Superintendent
Robert E. Blackman, Councilman
George J. Bush, Councilman
Clerk
Debra L. Kroening, Councilwoman
Joseph Ohol, Councilman**

ALSO PRESENT:

**Jon T. MacSwan, Highway
Lou Ann Murawski, Town Clerk
Tamara J. Cooper, Deputy Town
Robert Roberson, Attorney
Eight interested individuals**

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

PUBLIC HEARING – 2010 PRELIMINARY BUDGET

The Town Clerk read the following public hearing notice:

PLEASE TAKE NOTICE that the Town Board of the Town of Cambria will conduct public hearings on the matters referred to herein at the Town Hall, 4160 Upper Mountain Road, Town of Cambria, NY on the 5th day of November 2009 at 8:00 PM. Said public hearings shall be as follows:

Any objections to the 2010 Tax Roll and the amounts to be raised by taxation for the following Special Districts:

Amount to be Raised by Taxes:

Cambria Water District.....	\$426,153.00
Cambria Fire District.....	\$442,326.00
Cambria Refuse & Garbage District.....	\$387,000.00
Cambria Sewer District No. 1.....	\$264,940.00
Cambria Drainage District	\$ 36,700.00

All persons interested shall be heard at the public hearing to be held by the Town Board as aforesaid relative to assessments and amounts to be raised in said districts.

Fire Contracts: The Town Board of the Town of Cambria will consider allocations as follows and authorization to enter into contracts with fire companies protecting areas of said Town for fire protection. The fire companies and amounts to be allocated for the year 2010 are as follows:

Cambria Volunteer Fire Company	\$149,600.00
Cambria Volunteer Fire Company Ambulance Service	\$36,310.00
Pekin Fire Company	\$149,600.00
Pekin EMS Contract	\$28,700.00
Sanborn Fire Company	\$1.00

With an additional allocation of \$40,000.00 for the Service Award Program.

The Town Board will conduct a public hearing on the 2010 Preliminary Budget. A copy of the 2010 Preliminary Budget is available at the office of the Town Clerk, 4160 Upper Mountain Road, Town of Cambria, NY, where it may be inspected by any interested person during regular office hours. The proposed salaries of the elected officials are hereby specified:

Supervisor	\$20,605.00	
Councilman	\$5,440.00	each
Justice	\$17,185.00	each
Town Clerk	\$27,300.00	
Tax Collector	\$5,500.00	
Highway Superintendent	\$52,470.00	

Further Notice is hereby given that pursuant to Real Property Tax Law Section 495, the Exemption Report that shows total assessed value on the final assessment roll that was used in the budgetary process that is exempt from taxation, is on file with the 2010 Preliminary Budget.

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

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Supervisor Ellis opened the public hearing and presented a brief overview of the 2010 Preliminary Budget indicating there is no change in any tax rates with the exception of Fire Protection which will increase \$.05/1000. The Fire Protection budget includes provisions for 10.5% increase in firematics and 8.7% increase in ambulance service/EMS. He indicated that the Fire Companies also suggested entering into a two-year contract, which would reflect the same contract amount for two years. The total tax rate would be \$5.099 per 1000 including Sewer availability, an increase of \$0.05 per 1000 and \$4.099 per 1000 without Sewer, an increase of \$0.05 per 1000.

As there were no comments from the public, the public hearing was closed.

APPROVAL OF MINUTES

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Blackman, it was resolved to approve the Minutes of September 17, October 5, October 8, October 15, October 20, and October 26, 2009.

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	Claims	15	\$	10.75
Drainage	Claims	21	\$	380.80
General Fund	Claims	468-518	\$	48,010.90
Highway Fund	Claims	216-232	\$	21,771.01
Recreation Fund	Claims	70	\$	119.98
Refuse Fund	Claims	11	\$	29,756.80
Sewer Operating Fund	Claims	53-57	\$	284.77
Trust Agency Fund	Claims	51-52	\$	642.49
Water Operating Fund	Claims	204-225	\$	54,464.32

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-

APPROVAL OF ADDITIONAL VOUCHERS

Upon a motion duly made by Councilman Ohol and seconded by Councilman Bush, it was resolved to approve payment of additional vouchers to Sampson's Cleaning Service in the amount of \$920.00 and to BAS Incorporated in the amount of \$650.00.

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

APPROVAL OF 2010 BUDGET

Upon a motion duly made by Councilman Ohol and seconded by Councilman Bush, it was resolved to adopt the 2010 Preliminary Budget with total appropriations of \$4,662,084.00.

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

**TOWN OF CAMBRIA TOWN BOARD
NOVEMBER 5, 2009 PAGE THREE**

APPROVAL OF 2010 ASSESSMENT TAX ROLL

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Blackman, it was resolved to approve the 2010 Tax Roll and the amounts to be raised by taxes for the five special districts as set forth in the notice of public hearing.

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

APPROVAL OF FIRE PROTECTION CONTRACTS

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Bush, it was resolved to approve the fire contracts with the Cambria Volunteer Fire Company, the Pekin Fire Company and the Sanborn Fire Company in the amounts as set forth in the public hearing notice.

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

WIND ENERGY CONVERSION SYSTEMS (WECS) FEE SCHEDULE

Special Use Permits:

Initial Application:

Commercial	\$5,000 per windmill
Non-Commercial	\$ 500 per windmill
Met Tower	\$1,000 per tower

SUP Renewal:

Commercial	\$ 500 per windmill
Met Tower	\$ 250 per tower
Non-Commercial	NO FEE

Upon a motion duly made by Councilman Blackman and seconded by Councilman Bush, it was resolved to approve the Wind Energy Conversion Systems (WECS) Fee Schedule.

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

WILLOW CREEK STREET LIGHTING

Attorney Roberson indicated that he received a letter and petition from Castleton Development for the proposed creation of a lighting district for the Willow Creek Subdivision. He will be reporting back to the Town Board with recommendations. Supervisor Ellis indicated the matter will be discussed at the December meeting.

TOWN CLERK REPORTS

The Town Clerk reported receipt of the following:

Building Inspector's Report:

- October 2009 – Total Receipts: \$1770.00; Total estimated value of construction cost: \$216,000.00

Niagara County SPCA Report:

- October 2009 – Total animal contacts: 18

Pekin Fire Company

Pekin Fire Company submitted a letter requesting the addition of Christopher Beutel, 5066 Grove Street, Sanborn to their roster of active members.

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Blackman, it was resolved to approve the request for the addition of Christopher Beutel, 5066 Grove Street, Sanborn, to the roster of active members for Pekin Fire Company.

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

TOWN OF CAMBRIA TOWN BOARD NOVEMBER 5, 2009 PAGE FOUR

- Town Clerk, Lou Ann Murawski, issued a reminder that the annual Veterans' Day Ceremony will take place on Wednesday, November 11, 2009, at 11 a.m., and the Tree Lighting Ceremony will take place on November 28, 2009.
- Councilman Bush made a recommendation that each Veteran receive a Bicentennial commemorative plate, and that each of the Bicentennial Committee Members receive a metal sign if they desire to have one.

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to provide a Bicentennial Plate to each Veteran at the Veterans' Day Ceremony and to further approve each Bicentennial Committee member receiving a Bicentennial sign with the remaining signs to be sold at \$10.00 each.

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

HIGHWAY SUPERINTENDENT REPORTS

The Highway Superintendent reported as follows:

- Kurk Fuel lost the state bid contract and NOCO will be the Town's fuel supplier for the next year.
- The generator's hot line hook up will take place Friday, November 6, in the Highway Garage and Saturday in the Town Hall.
- Trees are being planted in the Town Park.

WATER/SEWER- No reports were presented.

ATTORNEY REPORTS - No reports were presented.

CONCERNS OF THE CITIZENS

Roger Schreder, Upper Mountain Road, expressed his concern that he received the Town Newsletter at least a week later than other residents. Lou Ann Murawski, Town Clerk, indicated that according to the Postmaster this was only a problem with the 14094 zip code, the Lockport Post Office. All other mailing destinations received the newsletter in a timely manner. The Town Clerk and the Sanborn Postmaster are considering options such as direct delivery to the Lockport Post Office to ensure a timely delivery of the next newsletter.

For those who missed the tire pick up due to the late delivery of their newsletter, Jon MacSwan indicated that residents could make arrangements with his office for tire drop off.

PROPANE SUPPLY – ADVERTISING FOR BIDS

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Blackman, it was resolved to authorize the Town Clerk to advertise for bids for the Town's supply of propane. Bid opening to be on November 24, 2009, at 10 a.m.

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

CHURCH ROAD SPEED LIMIT REDUCTION - SCHOOL ZONE

Upon a motion duly made by Councilman Bush and seconded by Councilwoman Kroening, it was resolved to petition the NYS Department of Transportation to establish a school zone speed limit reduction from 45 mph to 35 mph, in the vicinity of St. Peter's Lutheran School, 4169 Church Road, and to authorize the Town Clerk to file the required TE-9A forms.

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

SANBORN-PEKIN LIBRARY – CAPITAL PROJECT

Supervisor Ellis explained that Sanborn-Pekin Library received funds from the Town of Lewiston for new carpeting. They are requesting financial support from the local Towns to offset expenses for the storage of books and shelving during the carpet installation.

TOWN OF CAMBRIA TOWN BOARD NOVEMBER 5, 2009 PAGE FIVE

Upon a motion duly made by Councilman Blackman and seconded by Councilwoman Kroening, it was resolved to authorize the expenditure of \$4800, toward the Capital Project at the Sanborn-Pekin Library for the storing of shelving and books during the installation of new carpeting at the Library.

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

RECREATION - Appointment of Recreation Director and Baseball Director

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Bush, it was resolved to appoint Sally Marotta-Reed to the part-time position of

Recreation Director, with an annual salary of \$4000, and Rodney Hogg as Baseball Director for the 2010 Baseball season at an annual salary of \$3000.

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

BUILDING INSPECTOR CONFERENCE

The Building Inspector has requested authorization for himself and the Deputy Building Inspector to attend the Niagara Frontier Building Officials Conference in Buffalo, NY from January 25-27, 2010.

Upon a motion duly made by Councilman Bush and seconded by Councilman Ohol, it was resolved to authorize the Building Inspector and the Deputy Building Inspector to attend the annual Niagara Frontier Building Officials Conference in Buffalo, NY from January 25 -27, 2010.

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

REGISTRAR/ DEPUTY REGISTRAR

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Bush, it was resolved to approve the 2009 stipends for the Registrar, Lou Ann Murawski, in the amount of \$1000, and for the Deputy Registrar, Tamara Cooper, the amount of \$500.

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

STORMWATER MANAGEMENT PLAN

Supervisor Ellis indicated a public information session will be scheduled for Thursday, December 10, 2009, at 8:00 p.m. on the revised Stormwater Management Plan.

AGRICULTURE DISTRICT #6

Supervisor Ellis indicated the 8-year review of the Niagara County Agriculture District #6 has been announced. A public information session will be scheduled at the Cambria Town Hall, at 8 p.m., on Tuesday, November 17, 2009.

FIRST NIAGARA BENEFITS CONSULTING AGREEMENT

Supervisor Ellis indicated that three proposals have been received relating to the GASB 45 compliance actuarial services. First Niagara Benefits Consulting submitted the lowest proposal with a base fee of \$1,500.

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to authorize the Supervisor to accept the proposal of First Niagara Benefits Consulting to provide actuarial services in connection with GASB 45 and execute an agreement for their services for the fiscal calendar year 2009.

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

Adjournment

As there was no further business, the meeting was adjourned by motion made by Councilwoman Kroening and seconded by Councilman Blackman. Time: 8:40 PM.

Respectfully submitted,

Tamara J. Cooper

Lou Ann Murawski

Lou Ann Murawski, Town Clerk

Tamara J. Cooper, Deputy Town Clerk