

TOWN OF CAMBRIA TOWN BOARD

November 6, 2008

The regular meeting of the Town of Cambria Town Board was held at 8:00 pm on the 6th day of November 2008 at the Town Hall, 4160 Upper Mountain Road, Town of Cambria, New York

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
14 Interested Individuals

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

PUBLIC HEARING - 2009 PRELIMINARY BUDGET

The clerk read the following public hearing notice:

**TOWN OF CAMBRIA
NOTICE OF PUBLIC HEARING**

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, Sanborn, New York 14132, on the 6th day of November, 2008 at 8:00 PM. Said hearings shall be as follows:

- 1. Any objections to the 2009 Assessment Roll for the following Districts:

Amount to be raised by Taxes:

Cambria Water District	\$ 411,324.00
Cambria Fire District	\$ 418,501.00
Cambria Refuse & Garbage District	\$ 385,560.00
Cambria Sewer District No. 1	\$ 251,030.00
Cambria Drainage District	\$ 36,000.00

All interested persons 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.

- 2. Fire Contracts: The Town Board of the Town of Cambria will consider allocations as follows and authorization to enter into contracts with the fire companies protecting areas of said Town for fire protection. The fire companies and amounts to be allocated for the year 2009 are as follows:

Cambria Volunteer Fire Company	\$ 135,300.00
Cambria Volunteer Fire Company Ambulance Service	\$ 33,400.00
Pekin Fire Company \$ 135,300.00	Pekin EMS Contract \$ 25, 400.00
Sanborn Fire Company \$ 1.00	

With an additional allocation of \$60,100.00 for the Service Award Program.

- 3. The Town Board will conduct a public hearing on the 2009 Preliminary Budget. A copy of the 2009 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	\$19,900.00	
Councilman	\$ 5,255.00	each
Justice	\$16,600.00	each
Town Clerk	\$33,500.00	
Tax Collector	\$ 5,310.00	
Highway Superintendent	\$50,685.00	

Further Notice is hereby given that pursuant to Real Property Tax Law §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 2009 Preliminary Budget.

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

TOWN OF CAMBRIA TOWN BOARD
 NOVEMBER 6, 2008

Supervisor Ellis opened the public hearing. He indicated there is a slight increase, 4.4%, which is still below the consumer price index.

Changes in the various funds are reflected as follows:

General Fund	Increase 3.17 %
Cemetery Fund	Decrease 3.69%
Highway Fund	Increase 11.95%
Special Districts	Increase 17.14 %
Fire Protection	Increase 9.84 %
Refuse District	Decrease 4.78 %
Sewer Fund	Increase 0.18%
Water Fund	Increase 1.56 %

Supervisor Ellis explained the increases in the three areas (General Fund, Highway Fund & Fire Protection) are due to increases in the cost of fuel, significant increase in the cost of asphalt, two large pieces of equipment were bought last year, a new plow truck to replace the one destroyed in a fire and an excavator which was budgeted for. The increase in the Fire Protection District covers increased costs associated with operating the Fire Companies and their Ambulance and EMS services. Additionally, the fire companies have requested some benefit in the service awards program for the older members who have reached the termination age of 62, who continue to serve. The increase for the Drainage account is for the mandates for the Stormwater management issued by the federal government. The Town requires the services of the engineers to meet the regulatory requirements.

Supervisor Ellis indicated that the Town Board is comfortable with the increases that have been made as there is justification for them. He also noted that the Refuse Fund reflects a decrease as a result of entering into a new contract with Modern.

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

APPROVAL OF MINUTES

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to approve the Minutes of the October 9, 2008 Town Board meeting.

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	Claims 25-29	\$ 3,404.05
Drainage Fund	Claims 25-26	\$ 641.10
General Fund	Claims 535-571	\$ 37,017.35
Highway Fund	Claims 219-234	\$ 8,929.67
Recreation Fund	Claims 41	\$ 60.38
Refuse Fund	Claims 19-20	\$ 29,052.16
Sewer Operating	Claims 49-53	\$ 1,550.78
Trust Agency Fund	Claims 45-46	\$ 9,046.19
Water Construction Fund	Claims 16	\$ 10,524.29
Water Operating Fund	Claims 197-219	\$ 13,624.78

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~

FORMER BUSINESS

APPROVAL OF 2009 ASSESSMENT ROLL

Upon a motion duly made by Councilman Ohol and seconded by Councilman Bush, it was resolved to approve the 2009 Assessment 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 Blackman, 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~

APPROVAL OF 2009 BUDGET

Upon a motion duly made by Councilman Bush and seconded by Councilwoman Kroening, it was resolved to adopt the 2009 Preliminary Budget with total appropriations of \$4,596,835.00.

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

TOWN HALL EVENTS SIGNAGE

Supervisor Ellis indicated the bid specifications for the electronic message center have been prepared with a proposed bid opening date scheduled for December 4, 2008 at 10:00 am.

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Blackman, it was resolved to set the bid opening for the electronic message center for December 4, 2008 at 10 AM at the Town Hall.

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

TOWN PARK NATURE TRAIL

Supervisor Ellis reported work is continuing to progress on the Nature Trail. John MacIntosh, an Eagle Scout candidate, has chosen to install the nature trail signs as part of his Eagle Scout project. The signs are at the fabricators and are scheduled to be installed in January.

TOWN PARK STORM DRAINAGE

The Highway Superintendent reported they have finished staking out the road, and they hope to get the pond dug and do additional drainage work this winter.

CONCERNS OF THE CITIZENS

Supervisor Ellis welcomed several Boy Scouts from Troop 8 who are in attendance at tonight's meeting in an effort to obtain their communications merit badge.

TOWN CLERK REPORTS

The Town Clerk reported receipt of the following:

- Niagara County SPCA Report, October - Total Animal Contacts: 25
- Receipt of a letter from Senator Maziarz thanking us for our support in protecting the Local Government Records Management Improvement Fund. He indicated his support to insure the integrity of the Local Government Records Management Improvement Fund Program.
- The Town Clerk requested the Town Board to adopt a resolution authorizing the filing of the application for 2009 State Aid Application for recreation through the New York State Office of Children and Family Services in the following amounts:

Recreation \$1,550.00
Youth Service \$1,373.00

Upon a motion duly made by Councilman Bush and seconded by Councilman Ohol, it was resolved to authorize the filing of the application for 2009 State Aid through NYS Office of Children and Family Services for recreation and youth services.

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

- Veterans' Day Ceremony will be held on November 11, 2008 at 11 AM at the Town Hall. The Tree Lighting festivities will be held on November 29, 2008 beginning at 3 PM in the Community Room.

HIGHWAY DEPARTMENT REPORTS

The Highway Superintendent reported as follows:

- The plow trucks are ready to go. This year granite chips will be mixed in with the salt to help keep the roads and hills clear of ice. The granite chips are a more cost effective additive because salt is up \$10/ton from last year and salt shortages are being predicted.
- Councilman Ohol inquired about the completion of a ditching project. Mr. MacSwan indicated the project is nearly complete with some work scheduled for next year.
- Councilman Bush asked about the fire hydrant which was replaced on Baer Road. Mr. MacSwan indicated the hydrant was struck by a motorist.

WATER / SEWER REPORTS

No reports presented.

ATTORNEY

No reports presented.

NEW BUSINESS

PEKIN VOLUNTEER FIRE COMPANY 75TH ANNIVERSARY PROCLAMATION

Supervisor Ellis presented the following Proclamation, commemorating the 75th Anniversary of Pekin Fire Company.

PROCLAMATION - 75TH ANNIVERSARY – PEKIN FIRE COMPANY, INC.

WHEREAS, the Pekin Fire Company was organized by their membership on February 16, 1933 and their Certificate of Incorporation was filed in the office of the Secretary of State on April 13, 1933, thus making the year 2008 a commemoration of 75 years of community service to the citizens of the Town of Cambria; and

WHEREAS, volunteering one's time and talents has traditionally been, and continues to be, a fundamental component of the fabric and tradition of our country and essential to its spirit and vitality; and

WHEREAS, volunteerism fulfills and enriches the participants, as well as the recipients of the service, and is increasingly recognized as an important partner in effective municipal government; and

WHEREAS, through the years, the members of the Pekin Fire Company have accepted responsibility for providing fire protection and other emergency services to the citizens of the Town of Cambria; and

WHEREAS, the dedication of the volunteers from the Pekin Fire Company deserves a public expression of appreciation for their contributions of community service, both individually and collectively;

NOW, therefore, be it

RESOLVED, that the Town of Cambria Town Board deems it an honor and privilege to extend sincere congratulations and appreciation to the members of the Pekin Fire Company on the occasion of their 75th Anniversary and honors you this day by resolution of the Town Board on November 6, 2008.

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Bush, it was resolved to approve the Proclamation recognizing the 75th Anniversary of Pekin Volunteer Fire Company.

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

TRAINING REQUEST FROM BUILDING INSPECTOR

The Town Building Inspector and Code Enforcement Officer requested approval to attend the Niagara Frontier Building Officials Annual Conference and Training School during January 26-28,2009 in Buffalo, NY.

Upon a motion duly made by Councilman Ohol and seconded by Councilman Blackman, it was resolved approve the request of the Building Inspector and the Code Enforcement Officer to attend the Niagara Frontier Building Officials Annual Conference and Training School during January 26-28,2009 in Buffalo, NY.

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

NATURE TRAIL GRANT APPLICATION RESOLUTION

Supervisor Ellis indicated that an authorizing resolution is required to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation not to exceed \$125,000.00. It will be used for further development of the Town of Cambria Park; specifically, the recreational trails which are positioned around the perimeter of the park.

Upon a motion duly made by Councilman Blackman and seconded by Councilwoman Kroening, it was resolved that Wright H. Ellis, as Supervisor of the Town of Cambria is hereby authorized and directed to file an application for funds from the New York State Office of Parks, Recreation and Historic Preservation in accordance with the provisions of Title 9 of the Environmental Protection Act of 1993 or the Federal Land and Water Conservation Fund Act of 1965, in an amount not to exceed \$125,000 and upon approval of said request to enter into and execute a project agreement with the State for such financial assistance to the Town of Cambria for the Town of Cambria Park Development/Recreational Trails Program and, if appropriate, a conservation easement/preservation covenant to the deed of the assisted property.

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

CONTRACT RENEWAL OPTION – PROPANE GAS

Upon a motion duly made by Councilman Bush and seconded by Councilman Ohol, it was resolved to execute the contract renewal option with Ken Wendt's Propane for a for one year period, extending the contract to December 31, 2009.

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

RESOLUTION OPPOSING THE PROPOSED CHANGES TO THE PUBLIC HEALTH LAW CONSOLIDATING LOCAL REGISTRARS OF VITAL STATISTICS

The following resolution was presented for the Board's consideration:

WHEREAS, The New York State Local Government Commission on Efficiency and Competitiveness has made certain recommendations to the Governor which affects the operation of local governments, and

WHEREAS, one of the recommendations of the Commission was to move all Registrar of Vital Statistics duties to the County level under the direction of the New York State Health Commissioner, and

WHEREAS, the NYS Department of Health has developed a program bill that would allow the Commissioner to consolidate the function of the local registrars of vital statistics, and

WHEREAS, the local city, town and village Clerks have provided this service professionally and efficiently over the years, and

WHEREAS, the local Registrars presently charge \$10.00 per certified copy and the State proposes that the County will charge \$30.00 per certified copy;

NOW, THEREFORE, BE IT RESOLVED that in the interest of efficient government, the Town of Cambria Town Board opposes the consolidation of the function of local registrars of vital statistics, and

BE IT FURTHER RESOLVED that a copy of this resolution to be forwarded to our Governor and State Elected Officials to encourage their support.

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Ohol, it was resolved to adopt the resolution opposing the proposed changes to the public health law consolidating local registrars of vital statistics.

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

ASSOCIATION OF TOWNS CONFERENCE

Upon a motion duly made by Councilman Blackman and seconded by Councilman Ohol, it was resolved to authorize Town Officials to attend the Association of Towns Conference and Training School in NYC in February 2009.

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

EXECUTIVE SESSION

Upon a motion duly made by Councilman Ohol and seconded by Councilman Blackman, it was resolved to enter into Executive Session to discuss personnel matters.

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

THERE WAS NO ACTION TAKEN DURING THE EXECUTIVE SESSION

Upon a motion duly made by Councilman Bush and seconded by Councilwoman Kroening, it was resolved to close the executive session.

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

REGULAR MEETING RE-CONVENED

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Bush, it was resolved to re-convene the regular meeting.

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

APPOINTMENT OF PART-TIME WATER CLERK

Upon a motion duly made by Councilman Ohol and seconded by Councilwoman Kroening, it was resolved to authorize the Town Supervisor to fill the vacant position of part-time Water Clerk at the rate of pay of \$11.50 per hour.

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 Councilman Bush. Time: 9:15 PM.

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

Respectfully submitted,

Lou Ann Murawski
Town Clerk

Paula N. Jones
Deputy Clerk II