

# TOWN OF CAMBRIA TOWN BOARD

OCTOBER 14, 2010

The regular meeting of the Town of Cambria Town Board was held on the 14<sup>th</sup> day of October 2010 at 8:00 PM at the Town Hall, 4160 Upper Mountain Rd., Town of Cambria, NY

## BOARD MEMBERS PRESENT:

Wright H. Ellis, Supervisor  
Robert E. Blackman, Councilman  
Joseph Ohol, Councilman  
Randy M. Roberts, Councilman

**ABSENT:** George J. Bush, Councilman

## ALSO PRESENT:

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

Following salute to the flag, Supervisor Ellis welcomed those present and called the meeting to order.

## APPROVAL OF MINUTES

**Upon a motion duly made by Councilman Blackman and seconded by Councilman Roberts, it was resolved to approve the Minutes of September 9, 2010 and October 4, 2010.**

**Ayes: Blackman, Ellis, Ohol, Roberts     -Motion Carried-**

## APPROVAL OF VOUCHERS

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

Cemetery	Claim	13	\$	900.00
Drainage	Claim	17	\$	32.50
General Fund	Claims	416- 480	\$	59,741.83
Highway Fund	Claims	212-240	\$	48,734.93
Recreation Fund	Claims	43-45	\$	1,889.57
Refuse Fund	Claims	9-10	\$	62,010.36
Sewer Operating Fund	Claims	46-59	\$	5,695.19
Trust Agency Fund	Claims	50-60	\$	5,020.60
Water Operating Fund	Claims	191-213	\$	12,481.85

**Upon a motion duly made by Councilman Roberts and seconded by Councilman Ohol, it was resolved to approve the abstract of audited vouchers as read.**

**Ayes: Blackman, Ellis, Ohol, Roberts     -Motion Carried-**

## NCWD/ PENDLETON/CAMBRIA METER PIT

Supervisor Ellis indicated he is in receipt of the tri-party agreement between Niagara County Water District, Pendleton and the Town of Cambria for the installation of a meter pit on the south side of Lockport Rd. between Meahl Rd. and Aiken Rd. The meter pit would service both Pendleton and Cambria. The agreement was drawn up by the Attorney for the Niagara County Water District and reviewed by our Attorney and Engineer. He stated there is some question in the language pertaining to the Town's responsibility regarding the maintenance and repair. Supervisor Ellis requested Town Board approval of the draft agreement, pending changes regarding future repair and maintenance issues and authorization for him to sign the final draft once those changes have been addressed.

**Upon a motion duly made by Councilman Ohol and seconded by Councilman Blackman, it was resolved to approve the tri-party agreement, pending changes regarding future repair and maintenance issues and authorize the Supervisor to sign the final draft once those changes are made.**

**Ayes: Blackman, Ellis, Ohol, Roberts     -Motion Carried-**

## REZONING APPLICATION – Frank Pellicano, 4662 Ridge Road

Supervisor Ellis indicated he is in receipt of a letter from the Planning Board recommending approval of the application of Frank Pellicano to re-zone from B2 to Planned Development, a portion of the land located at 4662 Ridge Rd., the site of the former Twin Oaks Motel. Mr. Pellicano is applying to convert the motel into residential apartments. A public hearing is required on the proposed re-zoning.

**Upon a motion duly made by Councilman Roberts and seconded by Councilman Ohol, it was resolved to schedule a public hearing for November 4, 2010 at 8:00 pm on the application of Frank Pellicano, to rezone from B2 to Planned Development approximately three acres of his property located at 4662 Ridge Road.**



## **DOG LOCAL LAW - PUBLIC HEARING SCHEDULED**

Supervisor Ellis explained that the State of New York is relinquishing its responsibility for maintaining NYS Dog Licensing and is mandating that all municipalities take on the duties that were once that of NYS Agriculture and Markets. A local law for the licensing, identification and control of dogs within the Town of Cambria is required to be enacted. All fees will remain the same with the exception of an additional \$1.00 surcharge that is mandated by NYS for spayed and neutered dogs, designated for animal control. Currently, there is a surcharge of \$3.00 for unspayed and unneutered dogs. A public hearing will be scheduled for 8 pm on December 9, 2010.

## **PROCUREMENT POLICY**

The following procurement forms for the purchase of equipment were presented for the Board's consideration:

**Valley Fab and Equipment** -Purchase of 14' sander for Truck #6 in the amount of \$9,433.00.

**Value Turf LLC** – Purchase of (Used) Jacobsen HR 5111 large area mower for the Town Park grounds in the amount of \$9,500.00.

**Upon a motion duly made by Councilman Roberts and seconded by Councilman Blackman it was resolved to authorize the procurement to the lowest bidder for the 14' sander for truck #6 in the amount of \$9,433.00 from Valley Fab and Equipment and the Jacobsen HR 5111 used large area mower in the amount of \$9,500.00 from Value Turf LLC.**

**Ayes: Blackman, Ellis, Ohol, Roberts -Motion Carried-**

**Empire State Insulation** - Replacement of 6 panels of windows on the east side of the Old Town Hall, located on the corner of Rt. 425 and Lower Mt. Rd. The low bidder is not able to do the work before the winter sets in; therefore, the second lowest bidder (cost difference of \$116.00), is recommended to get the work done in a timely manner.

**Upon a motion duly made by Councilman Ohol and seconded by Councilman Blackman it was resolved to accept on an emergency basis the second lowest bid of Empire State Insulation in the amount of \$6,972.24 for installation of 6 panels of replacement windows at the Old Town Hall.**

**Ayes: Blackman, Ellis, Ohol, Roberts -Motion Carried-**

## **UNPAID WATER/ SEWER/ REFUSE ACCOUNTS**

**Upon a motion duly made by Councilman Blackman and seconded by Councilman Ohol it was resolved to place a lien on the Real Property for which services were provided in the amounts of: Unpaid Water: \$14,421.61; Unpaid Sewer: \$1,601.49; Unpaid Refuse: \$495.00 and to submit the same to the Niagara County Real Property Tax Services Department.**

**Ayes: Blackman, Ellis, Ohol, Roberts -Motion Carried-**

## **ADDITIONAL MATTERS**

### **PROPANE/ HEATING FUEL CONTRACT**

Supervisor Ellis indicated that the contract expires at the end of December of this year and it is necessary to bid the Town's supply of propane.

**Upon a motion duly made by Councilman Roberts and seconded by Councilman Ohol it was resolved to authorize the Town Clerk to prepare bid documents for propane/ heating fuel and to advertise for bids to be received at the Town Clerk's Office at 11 am on Monday, November 1, 2010.**

**Ayes: Blackman, Ellis, Ohol, Roberts -Motion Carried-**

Councilman Roberts requested that the Supervisor contact the State regarding an "Adopt a Highway" sign on Rt. 93 that impedes a driver's view when approaching the intersection. He is asking that it be moved back a bit to avoid any traffic accidents. Supervisor Ellis stated he will call or write a letter sometime in the next week.

## **ADJOURNMENT**

As there was no further business, the meeting was adjourned by motion made by Councilman Roberts and seconded by Councilman Blackman. Time: 8:35 pm

Respectfully submitted,

Lou Ann Murawski  
Town Clerk