

**TOWN OF CAMBRIA TOWN BOARD**

**October 9, 2008**

The regular meeting of the Town of Cambria Town Board was held at 8:00 pm on the 9<sup>th</sup> day of October 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  
Robert Klavoon, Wendel Duchscherer  
14 Interested Individuals

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

**PUBLIC HEARING- INCREASE PER CENTUM OF EXEMPTION PURSUANT TO TITLE 2, REAL PROPERTY TAX LAW**

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 hold a Public Hearing at the Town Hall, 4160 Upper Mountain Road, Sanborn, New York 14132, on the 9<sup>th</sup> day of October, 2008 at 8:00 p.m. to hear and consider adoption of a local law entitled "Increase Per Centum of Exemption Pursuant to Title 2, Real Property Tax Law," as follows:

"Increase the per centum of exemption authorized by Title 2, Real Property Tax Law in the Town of Cambria, Niagara County, New York, as provided in Subdivision Two of Section 485b of the Real Property Tax Law, which exemption was previously reduced to zero by the Town of Cambria.

This exemption shall take effect on January 1, 2009.

All other provisions of Section 485b, Real Property Tax Law shall remain in full force and effect."

A copy of the proposed local law is on file at the Town Clerk's Office located at the Town Hall, 4160 Upper Mountain Road, Sanborn, New York 14132 and may be viewed during regular business hours.

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

**BY ORDER OF THE TOWN BOARD, TOWN OF CAMBRIA**

Supervisor Ellis opened public hearing. The following individuals were given an opportunity to be heard.

Gary DiLaura, owner of Cambria Self-Storage, Saunders Settlement Road, indicated that he understood the public hearing was scheduled for the November meeting. He had spoken to some other Cambria small business owners who were planning to attend the November Board meeting to voice their opinion regarding this issue. Mr. DiLaura spoke on their behalf and stated they would support the Town Board in adopting the proposed local law regarding Real Property Tax Law, Section 485B.

After hearing all those who desired to be heard, the hearing was closed and the regular meeting was called to order.

**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 September 11, 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 24	\$	186.46
Drainage Fund	Claims 24	\$	34.00
General Fund	Claims 492-534	\$	60,748.03
Highway Fund	Claims 202-218	\$	24,192.64
Recreation Fund	Claims 39-40	\$	1,400.00
Refuse Fund	Claims 17-18	\$	30,227.47



## TOWN CLERK REPORTS

The Town Clerk reported receipt of the following:

- Niagara County SPCA Report, September - Total Animal Contacts: 13
- Building Inspector's Report - **August, 2008** - Total Receipts: \$1,497.50; Total estimated construction cost: \$223,352. **September, 2008**- Total Receipts: \$2,462.50; Total estimated construction cost: \$134,000.00
- The Town Clerk indicated she is in receipt of a letter from the NYS DEC acknowledging their receipt of the Town Board's resolution opposing the landfilling of PCB's in Niagara County, dated August 14, 2008. The NYS DEC appreciates the Town's interest and has given full consideration to the issues the Town raised.

*Supervisor Ellis commented that NYSDEC **did not** give any consideration, as they started hauling the PCB's into Niagara County in July, before anyone was informed about it.*

- The resignations of Karen Singleton, Water Department, effective October 10, 2008 and Stephania Ohol, Building Janitor, were received.

**Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Blackman, it was resolved to accept the resignations of Karen Singleton and Stephania Ohol and to extend thanks and appreciation to Stephania Ohol for her years of service to the Town of Cambria.**

**Ayes: Blackman, Bush, Ellis, Kroening, Ohol**

**~Motion Carried~**

- Communication received from Susan Stoddard indicating her parents (now deceased) purchased three plots in the old section at Mt. View Cemetery several years ago, and the family would like permission to sell the lots as soon as possible. They would like to offer the plots to the Town first for purchase; if the Town is not interested, they would like to put them up for sale.

The Town Clerk indicated the Cemetery Foreman viewed the location of the plots and it is his recommendation that if the town were able to purchase them for a nominal fee, it would help with access to the three adjacent plots that are currently open. As the Highway Superintendent is responsible for the maintenance of the cemetery, Supervisor Ellis recommended that he be authorized to negotiate a price for the possible purchase of the lots.

**Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Bush, it was resolved to authorize the Highway Superintendent to negotiate for the purchase of the three Mt. View Cemetery plots located in Section A.**

**Ayes: Blackman, Bush, Ellis, Kroening, Ohol**

**~Motion Carried~**

## HIGHWAY DEPARTMENT REPORTS

The Highway Superintendent reported as follows:

- Niagara County Sheriff's Department is requesting the use of the Town Park and the fenced area behind the Highway Garage to train their bloodhounds during regular business hours.
- Pekin Fire Company is requesting the Highway Department to put in a temporary binder on the approaches to their garage. Mr. MacSwan suggested that we provide the truck to complete the work and they supply the material and labor as we have done in the past with the other Fire Company.
- Town of Wilson would like to store two trucks in the Cambria Highway's secured fenced-in area for the winter. They have two new trucks coming and have no room or secured area to store them until they go to auction in the spring. Attorney Shoemaker suggested that proof of insurance coverage be provided.

**Upon a motion duly made by Councilman Bush and seconded by Councilwoman Kroening, it was resolved to authorize the Highway Superintendent to enter into a written agreement with the Town of Wilson for the storage of two vehicles in the Highway Garage.**

**Ayes: Blackman, Bush, Ellis, Kroening, Ohol**

**~Motion Carried~**

- Niagara County Court sent a letter to the Highway Department requesting permission for an individual to fulfill 29 hours of community service requirement in Cambria on weekends. Mr. MacSwan indicated he intends to contact the court and inform them that the community service could be completed during the regular work week.

## WATER / SEWER REPORTS

No reports presented.

## ATTORNEY

No reports presented.

**NEW BUSINESS**

- **TOWN HALL EVENTS SIGNAGE**

Thomas Reed, Sign Committee Chairman, indicated the Committee has been researching prices and designs for the new Town Hall message sign. Sign sketches, along with quotes have been provided to the Town Board. As the quotes on the electronic message sign exceeds \$20,000.00, it will be necessary to go out for bid. The standard sign, (letters are manually changed) is priced below the bidding requirement amount.

**Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Bush, it was resolved to authorize development of bid specifications for an electronic message sign for presentation at the November 6, 2008, Town Board Meeting.**

**Ayes: Blackman, Bush, Ellis, Kroening, Ohol**

**~Motion Carried~**

Councilman Bush and Supervisor Ellis thanked the Sign Committee members for their work.

- **PROPOSED RESOLUTION OPPOSING THE LOSS OF LOCAL GOVERNMENT RECORDS MANAGEMENT IMPROVEMENT FUND**

Board members were presented with a copy of a resolution adopted by the New York State Town Clerks Association relative to the loss of revenue earmarked for the Local Government Records Management Improvement Fund.

**Upon a motion duly made by Councilman Bush and seconded by Councilwoman Kroening, it was resolved that the Town Board supports the Resolution of the New York State Town Clerk's Association objecting to the loss of funds earmarked for the Local Government Records as adopted by their Executive Committee on September 20, 2008.**

**Ayes: Blackman, Bush, Ellis, Kroening, Ohol**

**~Motion Carried~**

- **UNPAID WATER, SEWER AND REFUSE CHARGES**

**Upon a motion duly made by Councilman Ohol and seconded by Councilman Bush, it was resolved to direct and authorize the Town Supervisor and Town Clerk to sign the letter of authorization and to certify same to the Niagara County Real Property Tax Services Department to levy the following charges totaling \$23,022.82 to be included on the tax warrant for 2008 in accordance with New York State Town Law.**

**Unpaid Water: \$21,912.42**

**Unpaid Sewer: \$1,110.40**

**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: 9:05 pm.

**Ayes: Blackman, Bush, Ellis, Kroening, Ohol**

**~Motion Carried~**

Respectfully submitted,

Lou Ann Murawski  
Town Clerk

Tamara J. Cooper  
Deputy Clerk I