

TOWN OF CAMBRIA TOWN BOARD

September 11, 2008

The regular meeting of the Town of Cambria Town Board was held at 8:00 pm on the 11th day of September 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
Nine Interested Individuals

Supervisor Ellis requested a moment of silence in remembrance of September 11, 2001.

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

APPROVAL OF MINUTES

Upon a motion duly made by Councilman Bush and seconded by Councilwoman Kroening, it was resolved to approve the Minutes of the August 14, 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 20-23	\$ 695.34
Drainage Fund	Claims 22-23	\$ 1,574.18
General Fund	Claims 455-491	\$ 33,056.33
Highway Fund	Claims 181-201	\$ 52,490.54
Recreation Fund	Claims 30-38	\$ 2,437.52
Refuse Fund	Claims 16	\$ 17,117.86
Sewer Operating	Claims 37-43	\$ 1,362.02
Trust Agency Fund	Claims 33	\$ 78.44
Water Construction Fund	Claims 13-14	\$ 92,875.74
Water Operating Fund	Claims 156-174	\$ 6,380.42

Councilman Bush questioned Claim 22, Cemetery Fund. Jon MacSwan indicated the claim is for the material required for the painting of the upright fence posts at the Mt. View Cemetery.

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Bush, it was resolved to approve the abstract of audited vouchers as presented.

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

FORMER BUSINESS

SHAWNEE SNO-CHIEFS SITE PLAN

- ♦ Supervisor Ellis indicated a letter was received from the Town of Cambria Planning Board regarding the Planned Development District application of Shawnee Sno-Chiefs for approval to use a building located at 3856 Eagle Drive for a storage building for snow grooming equipment. The Planning Board recommends approval of the site plan with eight (8) conditions as set forth in their letter. Supervisor Ellis indicated that, after discussions with the Vice-President of the Sno-Chiefs, it was recommended that condition number one be changed to read as follows, "No storage of gasoline or diesel fuel in storage containers larger than 10 gallons, on site at 3856 Eagle Drive". A brief discussion followed on the number of containers that would be kept on site.

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Blackman, it was resolved to approve the site plan application of the Shawnee Sno-Chiefs to use the building located at 3856 Eagle Drive for the storage of snow grooming equipment, subject to the following recommendations:

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1. **No storage of gasoline or diesel fuel on site (3856 Eagle Drive) in containers larger than ten gallons;**
2. **No extended idling of machines outside of building;**
3. **Off-street parking to be provided for person(s) operating groomer vehicles;**
4. **No additional outdoor lighting permitted without permission from the Town of Cambria;**
5. **Indoor storage only of grooming machines;**
6. **No club activities within the building;**
7. **Up to four (4) groomers permitted.**
8. **Applicant to comply with Niagara County Health Department regulations regarding any restroom facilities.**

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

TOWN PARK NATURE TRAIL

- ♦ Supervisor Ellis reported the architect is preparing the final plans of the signs (20) to be installed as part of the Eagle Scout project. The interpretive sign will be installed by the end of September. Storm drainage plans will be delivered to the Highway Superintendent.

UPPER MOUNTAIN ROAD WATERLINE REPLACEMENT PROJECT

- ♦ Robert Klavoon, Wendel Duchscherer, reported the Upper Mountain Road Waterline Replacement Project has been completed; however, they are not closing out the contract yet. While digging, the contractor encountered some fiber optic lines which were not indicated on the design plans and are requesting to be reimbursed for time lost in the amount of \$21,000.00. Upon review of their request, errors were found in their calculations and the amount has been revised to \$12,500.00. They are recommending approval of Change Order Number 1 in the amount of \$12,500.00.

Upon a motion duly made by Councilman Bush and seconded by Councilwoman Kroening, it was resolved to approve Change Order Number 1 to the Upper Mountain Road Waterline Project in the amount of \$12,500.00.

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

Councilman Blackman requested that the Attorney check into the matter of the optic lines not being clearly identified as required.

2009 BUDGET

- ♦ Supervisor Ellis reported the 2009 Budget process is underway. A meeting has been scheduled with the Pekin Fire Company and Cambria Volunteer Fire Company for September 17, 2008 at 7:00 PM in the Community Room. The presentation of the 2009 Tentative Budget by the Town Clerk will be held October 3, 2008 at noon. A public hearing on the 2009 Preliminary Budget will be held on November 6, 2008 at 8:00 PM, followed by the November Town Board Meeting.

CONCERNS OF CITIZENS

- ♦ Mr. Gary DiLaura, 3056 Saunders Settlement, thanked the Highway Superintendent for cleaning up a tree that was down on his property. He again addressed the Town Board regarding the matter of the Assessor considering his application for the 485b status on all four of his buildings. Attorney Shoemaker indicated he would discuss the matter with the Town Assessor.

TOWN CLERK REPORTS

- ♦ Request from Pekin Fire Company to add three members to their roster: Andrew Dysard, Penni Dysard and Courtney Dysard, all residing at 4259 North Ridge Road. Copies of the physicals have been received.

Upon a motion duly made by Councilman Ohol and seconded by Councilman Blackman, it was resolved to add Andrew Dysard, Penni Dysard and Courtney Dysard to the roster of active members for Pekin Fire Company.

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

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- ♦ A letter was received from Rebecca Iannone, 5788 Fairview Drive, requesting a refund for the Community Room she had reserved for October 11, 2008.

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to refund \$50.00 to Rebecca Iannone for use of the Community Room on October 11, 2008.

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

- ♦ Niagara County SPCA Report, July 2008 – Total Animal Contacts: 11
- ♦ Mount View Cemetery report from January 1, 2008 through August 31, 2008 totaling \$5,950.00 in receipts.
- ♦ A letter was received from Manning's Corner Store, 5218 Upper Mountain Road, indicating they are renewing their liquor license.

HIGHWAY SUPERINTENDENT REPORTS

The Highway Superintendent reported as follows:

- ♦ The first 300 tons of salt for this winter was bought at last year's price of \$30.57/ton. The purchase price for more will be \$40.41/ton. Mr. MacSwan indicated they will be mixing a granite chip in with the salt which is purchased in Delevan, NY for \$3.25/ton. This will help keep the roads in better condition; some towns in the Southern Tier are doing this and it is proving to be cost effective, as well as keeping the roads safe. He also indicated they may be cutting back on salting some of the subdivisions due to the cost.
- ♦ The Highway Department will continue to do brush chipping until the snow comes.

WATER/SEWER REPORTS - None

ATTORNEY REPORTS – None

BICENTENNIAL COMMITTEE

- ♦ Councilman Bush reported they are looking for ideas about possibly doing a time capsule.

RECREATION COMMITTEE

- ♦ Councilwoman Kroening reported Lonnie Sullivan, representing the Greater Niagara Softball/Baseball Association discussed with the Recreation Committee about taking over the Town of Cambria's baseball program. He would like to be put on the agenda and present to the Town Board at the next Town Board meeting plans for the baseball program.

NEW BUSINESS

- ♦ Cambria Volunteer Fire Company and Pekin Fire Company have requested financial support for their Halloween parties to be held October 25, 2008 and October 31, 2008 respectively.

Upon a motion duly made by Councilman Ohol and seconded by Councilwoman Kroening, it was resolved to allocate \$700.00 each to the Cambria Volunteer Fire Company and Pekin Fire Company for use towards the expenses of their Halloween parties for 2008.

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

- ♦ Cambria Housing Authority has requested emergency financial support from the Town Board in the sum of \$20,000.00 for emergency repairs to the furnace and roof. The following resolution was presented for the Board's consideration:

Resolved that the Cambria Town Supervisor be authorized to advance the sum of \$20,000.00 to the Cambria Housing Authority from funds in the unappropriated reserve of the General Fund for the purpose of emergency

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repairs to the furnace and roof. The Cambria Housing Authority would sign a promissory note to the Town of Cambria secured by a mortgage on Unicorn Apartments in the amount of \$20,000.00.

Upon a motion duly made by Councilman Bush and seconded by Councilman Ohol, it was resolved to approve the resolution as stated above.

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

EXECUTORY ACCORD RELATIVE TO SERVICES OF TOWN ELECTRICIANS

- ♦ Supervisor Ellis presented a proposal to designate M. H. Thilk of 4161 Chestnut Road, Wilson, NY as the Town Electrician which would enable the Town to purchase emergency generators for the Town Hall, Water District, Water Tank, Pump Station and Town Garage. This will not prohibit the Town from contracting with other electricians. M. H. Thilk Electric has specific knowledge of the town's electrical needs and requirements and would not be subject to competitive bidding. If it is determined that it is in the best interests of the town to place a project out to bid or make it subject to the Town's procurement policy, the electrician may participate in the bidding process.

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Blackman, it was resolved to approve the executory accord relative to engaging the services of M. H. Thilk Electric.

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

ADDITIONAL MATTERS

- ♦ Councilman Bush expressed concerns over the progress of the Town Park and suggested the Town Board consider borrowing money to complete the project.
- ♦ Councilman Ohol indicated he is interested in the Town Board adopting a local law to permit 485B exemptions. Supervisor Ellis requested the Town Attorney to prepare a local law for a public hearing to be held at the October Town Board meeting.
- ♦ The Town Clerk reported there has been no response from the DOT in regards to the reduction of speed limit on Campbell Blvd. which was presented to the Town Board at the July meeting.

ADJOURNMENT

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

Respectfully submitted,

Paula N. Jones
Deputy Town Clerk II

Lou Ann Murawski
Town Clerk

