

TOWN OF CAMBRIA TOWN BOARD

April 9, 2015

The regular meeting of the Town of Cambria Town Board was held at 7:00 pm on the 9th day of April 2015 at the Town Hall, 4160 Upper Mountain Road, Town of Cambria, New York.

BOARD MEMBERS PRESENT:

Wright H. Ellis, Supervisor
Matthew P. Foe, Councilman
Jeffrey S. Hurtgam, Councilman
Randy M. Roberts, Councilman
Joseph Ohol, Councilman

ALSO PRESENT:

Tamara J. Cooper, Deputy Town Clerk
Jon MacSwan, Highway Superintendent
Robert Roberson, Attorney
4 interested individuals

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

APPROVAL OF MINUTES

Upon a motion duly made by Councilman Ohol, and seconded by Councilman Hurtgam, it was resolved to approve the minutes of March 12, 2015.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

APPROVAL OF VOUCHERS

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

Cemetery Fund	Claims	1-3	\$ 1,971.89
Drainage Fund	Claims	5-6	\$ 1,309.00
General Fund	Claims	122-168	\$ 53,528.60
Highway Fund	Claims	47-64,66-68	\$ 58,563.52
Recreation Fund	Claim	4	\$ 1,561.56
Refuse Fund	Claim	4	\$ 30,584.12
Sewer Operating Fund	Claims	8-13	\$ 828.09
Trust Agency Fund	Claims	5-10	\$ 2,504.44
Water Operating Fund	Claims	38-59	\$ 41,534.02

NOTE: Claim #65 (Valley Fab and Equipment) from the Highway Fund was approved separately. Total amount for the Highway fund is \$68,652.84.

Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts, it was resolved that the abstract of audited vouchers dated April 9, 2015, be approved as read by the Town Clerk.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

Supervisor Ellis explained voucher #65 from the Highway Fund will need to be approved separately by the Town Board under the terms of the procurement policy due to the size of the purchase.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam, it was resolved to authorize the Highway Superintendent to make an emergency sole source purchase of one stainless steel Harder Sander LWES144 at a cost of \$9,884.20.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

Upon a motion duly made by Councilman Foe and seconded by Councilman Ohol, it was resolved to approve voucher #65 in the Highway Fund total of \$10,089.32.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

SANBORN MEADOWS APARTMENT COMPLEX

Supervisor Ellis asked Michael Giangrosso from Sanborn Meadows Apartment Complex about the square footage of the new apartment. Mr. Giangrosso replied they will be converting the recreation room into living space, approximately 900 square feet; twice as big as the existing apartments within the complex.

Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam, it was resolved to accept the recommendation letter from the Planning Board and approve the application to amend the Site Plan previously granted for P-D rezoning to permit applicant to convert recreation room into an apartment at premises commonly known as 3072 Shenk Road.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

VEHICLE DISPOSAL AND TRANSFER

Supervisor Ellis reported a change in the list of trucks to be declared as surplus. Truck #22 1995 Blue Chevy utility truck VIN # 9887 will be deleted from this list and replaced with truck # 1 2002 Maroon Chevy pickup truck VIN # 5666.

Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Foe, it was resolved to delete truck # 22 from the surplus list and declare truck # 1 2002 Maroon Chevy pickup truck VIN # 5666 as surplus.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

TOWN CLERK REPORTS

The Town Clerk reported receipt of the following:

- Town Clerk Report March: Total Receipts: \$19,242.18
- Building Inspector Report March : Total fees collected: \$ 2,454.05
Total estimated value of construction: \$223,000.00
- The Clerk is in receipt of the Town's Annual Financial Report of the Supervisor for the fiscal year ending 12/31/2014. It is available in the Town Clerk's office for inspection.
- The dog enumeration is going on right now. Information cards were sent out in the newsletter. The Town Clerk's office has already received 25 new dog licenses since the newsletter went out. When the mailers are returned we will conduct random road/house checks and would like to appoint Patricia Lawrence as the dog enumerator, would like to request the Town Board approve the rate of \$3.75 per dog that she comes across during her check.

Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts, it was resolved to authorize the Town Clerk to hire Patricia Lawrence to provide dog enumeration services at a rate of \$3.75 per dog that she comes across.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

HIGHWAY SUPERINTENDENT REPORTS

The Highway Superintendent, Jon MacSwan, reported as follows:

- CSX is working on the railroad crossing on Comstock Road right now; they will also repair the crossing on Subbera Road.
- In receipt of CHIPS report from Senator Ortt; the Town of Cambria will receive \$70,661.36 and an additional \$9,951.22 for extreme winter weather recovery apportionment.
- Mr. MacSwan reported they will be starting reconstruction on lower Baer Rd. next week, it will not be closed, but they will be replacing the cross culverts and do shoulder work. Repair work will be done on Irish Road, Blackman Road and Old Pekin Hill will be paved.
- Supervisor Ellis inquired about a five year plan to replace the trucks. Mr. MacSwan replied he will work on it; the Town is in pretty good shape equipment wise.

WATER/SEWER

- Mr. MacSwan reported a water leak has been found on Townline Road at the base of Pekin Hill. A locator from the Town of Lockport will be here on Monday to help pinpoint where the leak is, it will find it within 15 feet and save a lot of time digging. He will report back to the Town Board the progress.
- A house is being built at 4315 Lockport Road and the Town will have to do a push. This will be contracted out.

TOWN POLICY/PROCEDURES REVIEW COMMITTEE

No reports presented.

ATTORNEY REPORTS

No reports presented.

CONCERNS OF CITIZENS

Mr. Roger Shreader Sr. - Lower Mountain Road
He thanked the Water Department and Highway Department for cleaning the snow away from the fire hydrants. Supervisor Ellis welcomed a student from Starpoint in the audience.

NYS MAGISTRATES ASSOCIATION ANNUAL MEETING

Justice Jowdy is requesting authorization to attend the annual meeting and training September 26-30, 2015, in Niagara Falls, NY. Mr. Jowdy is responsible for the program & training. Supervisor Ellis extended best wishes to Mr. Jowdy for a successful program and seminar. It is in Niagara Falls because he is the President of the association.

Upon a motion duly made by Councilman Ohol and seconded by Councilman Hurtgam, it was resolved to authorize Justice Jowdy to attend the NYS Magistrates Association annual meeting & Seminar September 26-30, 2015, in Niagara Falls, NY.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

STORMWATER ANNUAL REPORT-PUBLIC INFORMATION MEETING

Supervisor Ellis reported itø that time of year, to set the public meeting for the informational meeting presented by Wendel, the Town Engineer, for the May 14, 2015, meeting at 7:05 at the Cambria Town Hall.

GOVERNMENT EFFICIENCY PLAN

RESOLUTION SUPPORTING TOWN/CITY/VILLAGE PARTICIPATION IN COUNTYWIDE GOVERNMENT EFFICIENCY PLAN

WHEREAS, Governor Andrew Cuomo and the New York State Legislature enacted the Property Tax Freeze Credit to provide property tax refunds to homeowners as part of the 2014-2015 State Budget; and

WHEREAS, the new law encourages local governments to generate long-term tax -relief for taxpayers by sharing services, consolidating or merging, and demonstrating and implementing operational efficiencies; and

WHEREAS, in year one of the program, which is 2015 for local governments, homeowners will receive the Freeze Credit if their local government stays within the property tax cap; and

WHEREAS, in year two of the program, which is 2016 for local governments, homeowners will receive the Freeze Credit for property taxes from any taxing jurisdiction in which the homeowner resides that stays within the property tax cap and puts forward a State-approved Government Efficiency Plan demonstrating savings equivalent to one percent of their property tax levies in each of the following three years; and

WHEREAS, while local governments may take a variety of approaches to develop their Government Efficiency Plans, the State has strongly encouraged they convene and facilitate a process to develop and submit county-wide Government Efficiency Plans; and

WHEREAS, Niagara County has offered to coordinate the development of such Government Efficiency Plans as the -lead agencyø on behalf of all other interested municipalities; and

WHEREAS, the Town of Cambria is interested in intergovernmental cooperation with Niagara County and other municipalities in submitting a county-wide Government Efficiency Plan and desires to memorialize its intention to participate in a coordinated Plan to allow its homeowners to receive the Freeze Credit.

NOW, THEREFORE, BE IT RESOLVED that the Town of Cambria seeks to ensure that Town homeowners will receive the Freeze Credit as part of this new State law; and

BE IT FURTHER RESOLVED that the Town of Cambria did not exceed its designated property tax cap for fiscal year 2015 and memorializes that it has no intention of exceeding the cap for fiscal year 2016, which if exceeded would disqualify the town/village from participation in the Property Tax Cap Freeze Credit Program; and

BE IT FURTHER RESOLVED that the Cambria Town Board does hereby express its support for, and participation in an Niagara County-wide Government Efficiency Plan; and

BE IT FURTHER RESOLVED that the Cambria Town Board urges the New York State Division of the Budget to approve Niagara Countyø coordinated Government Efficiency Plan with local governments

with the understanding that Cambria has played an active role in the identification of preexisting and implementation of new shared services, consolidations or merges, and operational efficiencies within the Town of Cambria for inclusion in the county-wide plan; and

BE IT FURTHER RESOLVED that certified copies of this resolution shall be forwarded to the Niagara County Manager; the Niagara County Budget Director; and the Niagara County Legislature.

Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Roberts, it was resolved to authorize The Town of Cambria to participate in the Government Efficiency Plan.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

PROCUREMENT POLICY PURCHASE

Supervisor Ellis reported this procurement is for the upgrade of the handheld water meter and the associated software for gathering water meter readings and billings. It is compatible with the automatic meter reader water meters the Town transitioned to several years ago. This will be a sole source purchase from Lock City Supply in the amount of \$11,445.00; \$5,040.00 for the Badger software and \$6,405.00 for the Badger handheld meter reader.

Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam, it was resolved to approve the procurement Badger software and the Badger handheld meter reader from Lock City Supply in the amount of \$11,445.00.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

AGREEMENT TO SPEND HIGHWAY FUNDS

Supervisor Ellis explained this is an annual agreement between the Town Board and the Town Highway Superintendent, to spend \$490,600.00 to expend general repairs upon 31.58 miles of Town highways including sluices, culverts, and bridges having a span of less than five feet and boardwalks or the renewals thereof. The focus will be on a portion of Baer Road, Plank Road and Meahl Road.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Ohol, it was resolved to approve the agreement to spend Town Highway Funds in the amount of \$490,600.00 for various road projects.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

TOWN HIGHWAY MILLINGS

Mr. MacSwan, Highway Superintendent, is asking for authorization from the Town Board to declare millings from road construction surplus and to dispose of it. The reason for this is that the state and county will not permit this material to be used for road base as it is not suitable.

Upon a motion duly made by Councilman Ohol and seconded by Councilman Hurtgam, it was resolved to declare as surplus all millings taken from Town highways during the 2015 construction season.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

MUNICIPAL BUILDING OVERHEAD DOORS

Supervisor Ellis explained the replacement of (5) overhead doors and also the replacement of (5) openers were budgeted for this year. The contractor has requested an advance payment of \$8,400.00 to place the order. The total price is \$24,480.00 for: (5) model 592 doors and (5) model T5011 openers.

Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts, it was resolved to approve the advance payment of \$8,400.00, 1/3 of the total cost.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

BAN PUBLIC HEARING

Supervisor Ellis would like to schedule a public hearing for May 14, 2015 at 7PM on the proposed borrowing of \$69,000 to finance the purchase of a new Kubota tractor mowing implements 96ö rear mower on the Terrain King KSM60 rotary side mower approved at last month's meeting.

Upon a motion duly made by Councilman Ohol and seconded by Councilman Roberts, it was resolved to set the public hearing for May 14, 2015 at 7PM.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

ADDITIONAL MATTERS

Supervisor Ellis reported Julie Goss, current owner of 3100 Saunders Settlement Road, is requesting a change in the Planned Development agreement to residential single family home. Supervisor Ellis explained this procedure is necessary because it is located in the planned development zone.

Upon a motion duly made by Councilman Ohol and seconded by Councilman Hurtgam, it was resolved to accept the request of Julie Goss, current owner of 3100 Saunders Settlement Road, to change the Planned Development agreement to residential and refer it to the Planning Board for review and a recommendation back to the Town Board for final action.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

Supervisor Ellis reported Michael Sieczkowski's term on the Cambria Housing Authority will expire on the 18th of April. He would like to re-appoint Mr. Sieczkowski, 4455 Budd Road, to the Cambria Housing Authority to a 5 year term to expire 4/18/2020.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam, it was resolved to appoint Michael Sieczkowski, 4455 Budd Road to a 5 year term on the Cambria Housing Authority, term expiring 4/18/2020.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

ADJOURNMENT

The meeting was adjourned by motion made by Councilman Foe and seconded by Councilman Hurtgam.
Time: 7:35 pm

Respectfully submitted,

Tamara J. Cooper
Town Clerk