

TOWN OF CAMBRIA TOWN BOARD

August 14, 2014

The regular meeting of the Town of Cambria Town Board was held at 8:00 pm on the 14th day of August 2014 at the Town of Cambria Town Hall, 4160 Upper Mountain Road, Town of Cambria, NY

BOARD MEMBERS PRESENT:

Wright H. Ellis, Supervisor
Matthew Foe, Councilman
Jeffrey S. Hurtgam, Councilman
Randy Roberts, Councilman

ALSO PRESENT:

Tamara J. Cooper, Town Clerk
Jon MacSwan, Highway Superintendent
Robert Roberson, Attorney
David Godfrey, Niagara County Legislator
Randy Roeseler, Wendel
6 interested individuals

ABSENT:

Joseph Ohol, Councilman

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 Roberts, and seconded by Councilman Hurtgam, it was resolved to approve the minutes of July 10, 2014.

Ayes: Ellis, Foe, Hurtgam, Roberts

-Motion Carried-

APPROVAL OF VOUCHERS

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

Drainage	Claim	17	\$ 142.50
General Fund	Claims	305-358	\$ 45,369.67
Highway Fund	Claims	127-139	\$ 114,388.66
Recreation Fund	Claims	35-54	\$ 7,234.53
Refuse Fund	Claim	10 & 11	\$ 30,224.87
Sewer Operating Fund	Claims	26-30	\$ 1,008.03
Trust Agency Fund	Claims	30-32	\$ 9,832.82
Water Operating Fund	Claims	132-153	\$ 7,491.07

Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts, it was resolved that the abstract of audited vouchers dated August 14, 2014, be approved as read by the Town Clerk.

Ayes: Ellis, Foe, Hurtgam, Roberts

-Motion Carried-

ASSESSOR POSITION

Supervisor Ellis has received notification from the State of NY Department of Taxation and Finance that Debra A. Littere meets the minimum qualification standards for sole appointed assessor as prescribed in the Real Property Tax Law and 20 NYCRR 8188.

Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam, it was resolved that Debra A. Littere be appointed acting Assessor for the Town of Cambria effective immediately through September 30, 2014, with an annual salary of \$39,000.00.

Ayes: Ellis, Foe, Hurtgam, Roberts

-Motion Carried-

Upon a motion duly made by Councilman Roberts and seconded by Councilman Foe, it was resolved that Debra A. Littere be appointed Sole Appointed Assessor for the Town of Cambria effective October 1, 2014, for a six year term which expires September 30, 2020, with a continuing annual salary of \$39,000.00.

Ayes: Ellis, Foe, Hurtgam, Roberts

-Motion Carried-

ASSESSOR CLERK

Supervisor Ellis indicated that Melinda S. Olick will be moving from her position as Deputy Clerk II, to the Assessor Clerk effective September 1, 2014.

Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam, it was resolved that Melinda S. Olick be appointed Assessor Clerk effective September 1, 2014, with an hourly rate of \$12.00 / hr.

Ayes: Ellis, Foe, Hurtgam, Roberts

-Motion Carried-

DEPUTY TOWN CLERK II

Supervisor Ellis requested authorization for the Town Clerk to advertise for the available Deputy Clerk II position in the Town Clerk's office.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam, it was resolved to authorize the Town Clerk to advertise for Deputy Clerk II position.

Ayes: Ellis, Foe, Hurtgam, Roberts

-Motion Carried

COMPERHENSIVE PLAN UPDATE ADVISORY COMMITTEE

Supervisor Ellis reported that the Comprehensive Plan Advisory Committee is reviewing the material provided by the consultant and a meeting is expected in early September.

NYS RETIREMENT SYSTEM RESOLUTION

Supervisor Ellis indicated that the Town is required by the Office of NYS Comptroller to establish standard workdays and reporting procedures with elected and appointed personnel who are part of the NYS Retirement System. The participants have all kept a three month log of daily activities.

BE IT RESOLVED, that the Town of Cambria, hereby establishes the following standard work days for these titles and report the officials to the New York State and Local Retirement System based on time keeping system records or their record of activities.

*Councilman Foe
Councilman Hurtgam
Councilman Ohol
Councilman Roberts*

*Town Clerk Cooper
Deputy Town Clerk I Jones*

Historian Morse

Resolution in its entirety will be posted on the bulletin board outside the office of the Town Clerk for a period of 30 days.

Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts, it was resolved to approve the Resolution for the Standard Work Day and Reporting for Elected and Appointed Officials.

Ayes: Ellis, Foe, Hurtgam, Roberts

-Motion Carried

ADDITIONAL SECURITY EQUIPMENT

Supervisor Ellis indicated that the Town is still waiting on information from National Grid and also a proposal from Town Electrician John Thilk.

TOWN CLERK REPORTS

The Town Clerk reported receipt of the following:

Town Clerk Reports:

- Town Clerk Report July: Total Receipts: \$49,150.94
 - Mount View Receipts through beginning of August: \$4,000.00
 - Building Inspector Report July: Total fees collected: \$ 1,188.30
- Total estimated value of construction: \$177,850.00

HIGHWAY / WATER SEWER REPORTS

The Highway Superintendent, Jon MacSwan, reported as follows:

- Paving on Diller Rd. almost complete and would like to top coat Plank Rd.
- Anticipating shoulder work on Baer Rd., Budd Rd., Comstock Rd. and Heffren Rd.
- Next year the target is Baer Rd. from Raymond to Rt. 104
- Salt barn roof is fixed.
- Walking path at the Town Park has not been sealed yet because of the weather.
- Town hall parking lot will be repaired and sealed next week.

RECREATION

The Recreation Director, Sally Marotta-Reed, reported as follows:

- Day program officially ended on August 8th, with a record number of children registered / attending. Rough figures at this point indicate around 180. Mrs. Marotta-Reed is in the process of completing the year-end report.
- Health Department inspections went well and they are very pleased with the program Cambria offers.
- Thanked Jon MacSwan, Highway Superintendent, for delaying paving in the parking lot until after Recreation was over.
- Summer Concert Series went very well this year. Residents were very happy with the diversity of the performers.

TOWN POLICY/PROCEDURES REVIEW COMMITTEE

Councilman Foe indicated that the Town Policy and Procedures Review Committee met this morning and had a very productive meeting. Flow charts were established that linked some of the Town's Variances together. This will make it easier for the people in the community to understand how the process works. There was also discussion on making some of the documents currently only available in the Building Inspectors office to also be accessible to residents online.

ATTORNEY REPORTS

No reports presented.

CONCERNS OF CITIZENS

Rae Ann Amacher
2961 Raymond Rd., Sanborn

Mrs. Amacher commended Jon MacSwan, Highway Superintendent, and his crew for promptly placing cones where the Town of Lewiston was doing roadwork on Raymond Rd. and Hoover Rd. The roadwork was a shared project between the Town of Cambria and Lewiston. When Mrs. Amacher called Lewiston to place the precautionary cones on their portion of the roadwork, there was no response.

Michael Sieczkowski
4555 Budd Rd., Lockport

Mr. Sieczkowski also commended Jon MacSwan and his workers for their diligence. He indicated that there has been a rash of construction debris along the side of Shunpike Rd. and the ditch. When the Highway Dept. was notified the problem was taken care of immediately.

David Godfrey, Legislator reported:

- Niagara Falls Air Base broke ground on the simulator building. The simulator will bring in flight crews and hopefully the base will get some air craft back.
- There may be increased helicopter activity and emergency vehicles over the next few days as five counties, including Niagara, will be participating in a Drill simulating a terrorist attack. Any questions call the Sheriff's Department.
- A meeting was held recently with Mr. Tupis who is leading the internet broadband initiative. The final entire study was received for the towns that involves and every address point that is unserved or underserved by internet service was indicated. The Town of Cambria has approximately 200 homes that fall into this category. In a few weeks an RFP will be going out to about 15-20 IPS providers.
- Radio System has been stalled by the Town of Lewiston. A local law was presented to the County stating that the tower that was installed on Upper Mountain Road was done so without Lewiston's permission. There is a stop order in effect. All legal documents have been provided to Lewiston and a meeting is scheduled next week with Mr. Godfrey, Mr. Ross and the County Attorney to get the stop order lifted so the project can proceed.

FORMER LOCKPORT AFS PROPERTIES

Supervisor Ellis indicated that the Town has been working in conjunction with the Cambria Housing Authority, using quite a bit of grant money, to clean up Brown Field areas where the old Air Force Base was located. (South bounds of Unicorn Drive and Eagle Drive tax map number 120.17-2-1.3 / 5.6 acres and tax map number 120.17-2-1.5 / 8.9 acres) The parcels are now clean and ready for something meaningful to be located there in order to get it back on the tax roll. The Town has approached the Housing Authority about taking over these properties. The Housing Authority owes back taxes, and does not have the staff or the financial resources to prepare the parcels for development. The Town Attorney has prepared an agreement and the Cambria Housing Authority has approved it. The Town Board has had time to review it and the Supervisor is asking for it to be approved in order for the Town and County to negotiate and resolve the tax bill.

Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam, it was resolved to approve the agreement with the Cambria Housing Authority and to authorize Supervisor Ellis to sign it on behalf of the Town.

In the event the County of Niagara and the Town of Cambria reach agreement on a settlement and compromise of the said tax liens at an amount agreeable to the Town of Cambria; the Cambria Housing Authority shall, upon request of the Town, execute and deliver to the Town of Cambria deeds good and sufficient to be recorded in the Niagara County Clerk's Office conveying the two identified parcels - south bounds of Unicorn Drive and Eagle Drive tax map number 120.17-2-1.3 / 5.6 acres and tax map number 120.17-2-1.5 / 8.9 acres – of real property to the Town of Cambria. The Town of Cambria shall take title subject to the tax liens of Niagara County against the subject premises. And thereupon, the Town of Cambria shall forever hold the Cambria Housing Authority harmless from any claims against the Cambria Housing Authority arising out of the said Niagara County tax liens on the two parcels of land conveyed and deeded to the Town of Cambria.

Roll call taken:

Ayes: Ellis, Foe, Hurtgam, Roberts

-Motion Carried

FORMER LOCKPORT AFS REUSE PREPARATION PROPOSAL

Supervisor Ellis is in receipt of a proposal from Wendel Engineers regarding the preparation of the two properties at the Former Lockport AFS for advertising and further development. Mr. Roeseler, gave a brief description of the work involved with the proposal.

- Summary documentation of each site and consolidating all existing information into one document.
- Site re-use plan/planning and provide guidelines for the properties and their re-development.

This proposal was reviewed with Amy Fisk from the County as they are the administrator of the National Grid Grant, which will be used to fund the project.

Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam, it was resolved authorize the proposal from Wendel Engineers for the Summary Documentation of both sites (south bounds of Unicorn Drive and Eagle Drive tax map number 120.17-2-1.3 / 5.6 acres and tax map number 120.17-2-1.5 / 8.9 acres) in the amount of \$17,000.00 and the Site Reuse Plan/Planning on the western parcel site in the amount of \$50,000.00 total \$67,000.00.

Roll call taken:

Ayes: Ellis, Foe, Hurtgam, Roberts

-Motion Carried

NIAGARA RIVER GREENWAY GRANT APPLICATION

-TOWN PARK COMFORT STATION-

Supervisor Ellis introduced the following resolution for the Cambria Town Park comfort station project which is a companion request to the previous Consolidated Funding Application that was approved in June. The total project will be a little over \$400,000.00.

For Niagara County AD HOC Committee through the Niagara River Greenway Program
Town of Cambria Town Park Comfort Station Project

WHEREAS, the Town Board desires to continue the process of acquiring the funds to complete the park improvements at Cambria Town Park for a Comfort Station.

WHEREAS, the Town Board desires to provide this type of facility to residents at the lowest possible cost to the Town and Town taxpayers, and

WHEREAS, the Town Board desires to apply for financial assistance from the Niagara River Greenway Niagara County Ad HOC, and

WHEREAS, the Town Board commits to providing the required local matching funds to insure the timely implementation of the proposed project.

THEREFORE BE IT RESOLVED, that the Town Board authorizes and submits an application for the Niagara River Greenway Niagara County Ad HOC funds for the Cambria Town Park Comfort Station in the amount of \$250,000.00, and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Supervisor to sign all documents and agreements related to the Niagara River Greenway Niagara County Ad HOC Program application

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 Niagara River Greenway Niagara County Ad HOC, and execute a project agreement for such financial assistance to the Town of Cambria for the proposed Town of Cambria, Cambria Town Park Comfort Station Project.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam, it was resolved to adopt the authorizing resolution for submission of grant application to the Niagara River Greenway Niagara County AD HOC Funds for the Town Park Comfort Station in the amount of \$250,000.00.

Roll call taken:

Ayes: Ellis, Foe, Hurtgam, Roberts

-Motion Carried

TOWN OF CAMBRIA PERSONNEL POLICY

Supervisor Ellis indicated that some modifications have been made to the Personnel Policy and are as follows:

Page 3, Section J

2. Hospitalization and medical insurance coverage is currently provided through BlueCross BlueShield of Western New York. The town "Plan" currently offers "HMO 205" for active employees or "Forever Blue Medicare PPO 799" for retirees.

3. Hospitalization and medical insurance coverage upon retirement will be provided to all those previously covered by insurance as follows:

<i>Years of Service under the criteria of New York State Retirement System</i>	<i>Percentage Paid by the Town of Cambria</i>
20 years	100%
15 years to 19 years	75%
10 years to 14 years	50%

NOTE: any town official or employee attaining the age of sixty two (62) upon retirement, may remain in the Town's Group Hospitalization and Medical Plan at his or her own expense unless he or she qualifies under one of the above categories.

Change:

Page 3, Section J

2. Hospitalization and medical insurance coverage is currently provided through BlueCross BlueShield of Western New York. The town "Plan" currently offers "an HMO plan" for active employees and retirees under 65; or "Medicare Advantage" for retirees over 65.

3. Hospitalization and medical insurance coverage upon retirement will be provided to all those previously covered by insurance as follows:

<i>Years of Service under the criteria of New York State Retirement System</i>	<i>Percentage Paid by the Town of Cambria</i>
20 years	100% *
15 years to 19 years	75% *
10 years to 14 years	50% *

*Less percentage of annual health insurance premium being paid by the member on his/her day of retirement

NOTE: Any town official or employee attaining the age of sixty two (62) upon retirement, may remain in the Town's Group Hospitalization and Medical Plan at his or her own expense unless he or she qualifies under one of the above categories.

Page 3, Section J

6. The Town of Cambria will augment the medical insurance coverage provided for full-time employees and elected officials by reimbursing for costs associated with medical care. This self-insurance fund will be administered by the Supervisor's Office and will reimburse up to \$300.00 for a single participant and up to \$600.00 for a family participant. Full-time employees/elected officials may file quarterly (March 31; June 30; September 30; December 31) for reimbursement by submitting receipts for vision, dental care and/or physician co pays with a voucher to the Supervisor's Office for approval and processing. Reimbursement payments will be made from the Trust Fund after the Town Board approval.

Change:

Page 3, Section J

6. The Town of Cambria will augment the medical insurance coverage provided for full-time employees and elected officials by reimbursing for costs associated with medical care. This self-insurance fund will be administered by the Supervisor's Office and will reimburse up to \$700.00 annually for each participant. Full-time employees/elected officials may file quarterly (March 31; June 30; September 30; December 31) for reimbursement by submitting receipts for vision, dental care and/or physician co pays with a voucher to the Supervisor's Office for approval and processing. Participants with a family may include allowable receipts for immediate family members. Reimbursement payments will be made after Town Board approval.

Page 5, Section R

Effective January 1, 2007, partial benefits will be made available to those qualified part-time individuals based upon the following:

Clerical positions only; part-time is considered a minimum of 20 hours with a maximum of 39 hours per week; twelve month employment. No overtime. Employee cannot bank unused personal time- use within the applicable calendar year or lose it. Earned vacations time will be handled in accordance with the same terms set forth for full-time employees. See paragraph E, specifically sub paragraph c and d.

Change:

Park 5, Section R

Effective January 1, 2007, partial benefits will be made available to those qualified part-time individuals based upon the following:

Clerical positions only; part-time is considered a minimum of 20 hours with a maximum of 39 hours per week; twelve month employment. No overtime. Earned vacation and personal time must be used with the applicable calendar year (use it or lose it).

Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts, it was resolved to approve the changes to the Town of Cambria Personnel Policy and Benefits Schedule.

Ayes: Ellis, Foe, Hurtgam, Roberts

-Motion Carried

ADJOURNMENT

The meeting was adjourned by motion made by Councilman Hurtgam and seconded by Councilman Roberts.

Time: 8:45 pm

Respectfully submitted,

Tamara J. Cooper
Town Clerk