

TOWN OF CAMBRIA TOWN BOARD

December 14, 2017

The regular meeting of the Town of Cambria Town Board was held at 7:00 pm on the 14th day of December 2017 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, Town Clerk
Jon MacSwan, Highway Superintendent
Robert Roberson, Attorney
Robert Klavoon, Wendel
10 interested individuals

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

APPROVAL OF MINUTES

Upon a motion duly made by Councilman Ohol and seconded by Councilman Roberts, it was resolved to approve the Minutes of the Town Board meeting of November 9, 2017.

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:

General Fund	Claims	564-621	\$ 85,089.32
Highway Fund	Claims	200-220	\$ 67,447.27
Refuse Fund	Claims	17 & 18	\$ 33,388.64
Sewer Operating Fund	Claims	42-50	\$ 18,387.97
Trust & Agency	Claims	27-33	\$ 3,342.36
Water Operating Fund	Claims	183-199	\$ 44,623.02

Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam, it was resolved that the abstract of audited vouchers dated December 14, 2017, be approved as read by the Town Clerk.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

ZONING ORDINANCE AMENDMENTS

Supervisor Ellis indicated that a public hearing was held on November 9, 2017, on the Amendments to the Zoning Ordinance with regard to accessory buildings. Action on this matter was tabled as the Town Board was waiting for the recommendations from the Niagara County Planning Board. The paperwork has been received and the Niagara County Planning Board has recommended the approval of the amendments.

Proposed Amendment to Town of Cambria Zoning Ordinance

PLEASE TAKE NOTICE that the Town Board of the Town of Cambria will conduct a Public Hearing at the Cambria Town Hall, 4160 Upper Mountain Road, Sanborn, New York 14132, on the 9th day of November, 2017 at 7:00 p.m. to hear and consider amending Town of Cambria Zoning Ordinance sections 302(6), 303(2) and 303(5) pertaining to square footage of accessory buildings and set back requirements as set forth below:

1. Amending Section 302 (6) to read:
 6. Height for each foot that a residential building that exceeds 35 feet the total width of the two side yards shall be increased by 2 feet. For each foot that non-residential building accessory thereto exceeds 35 feet, this total width of the two side yards shall be increased by 4 feet.
2. Amending Section 303(2) to read:
 2. No accessory building as defined herein shall be placed closer to the side or rear property lines than ten (10) feet, shall not be closer than twenty-five (25) feet to the principle dwelling, shall not be placed closer to the street line than the rear main wall of the principle dwelling, and in the case of a lot abutting more than one street, shall not be placed closer to either street than the area of the foundation farthest from each street.

EXCEPTIONS:

- a. 3 - 5 acres - No accessory building as defined herein shall be placed closer to the side or rear property lines than twenty (20) feet and every foot above fifteen (15)

feet in height an additional two (2) feet shall be required of lot line setback, shall not be closer than twenty-five (25) feet to the principle dwelling, shall not be placed closer to the street line than the rear main wall of the principle dwelling, and in the case of a lot abutting more than one street, shall not be placed closer to either street than the area of the foundation farthest from each street.

- b. 5 acres - No accessory building as defined herein shall be placed closer to the side or rear property lines than twenty (100) feet, shall not be closer than twenty-five (25) feet to the principle dwelling, shall not be placed closer to the street line than the rear main wall of the principle dwelling, and in the case of a lot abutting more than one street, shall not be placed closer to either street than the area of the foundation farthest from each street.
3. Amending Section 303(5) to read:
 5. Land requirements for Accessory Buildings:
 - a. 0-1 acre - Allowed two (2) accessory buildings - each building not to exceed one thousand (1,000) square feet; total not to exceed two thousand (2,000) square feet.
 - b. 1-3 acres - Allowed two (2) accessory buildings - one (1) building can be up to one thousand five hundred (1,500) square feet; total not to exceed two thousand five hundred (2,500) square feet.
 - c. 3-5 acres - Allowed two (2) accessory building - one (1) building can be up to two thousand (2,000) square feet; total not to exceed three thousand (3,000) square feet.
 - d. 5 acres or more - See Article III Section 303, subsection 4.

These Amendment shall be effective upon adoption by the Town Board.
All persons in interest shall be heard at the public hearing to be held as aforesaid.

Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts, it was resolved to approve the Amendments to the Zoning Ordinance with regard to Accessory buildings as presented in the Public Hearing held on November 9, 2017.

The question of the adoption of the forgoing Resolution was duly put to a vote on roll call, which resulted as follows:

WRIGHT H. ELLIS voting AYE
MATTHEW P. FOE voting AYE
JEFFREY S. HURTGAM voting AYE
JOSEPH OHOL voting AYE
RANDY M. ROBERTS voting AYE

The Resolution was thereupon declared duly adopted.

Robert Klavoon, Wendel Engineers, reported on the following:

WATER STORAGE TANK IMPROVEMENT

Wendel is requesting authorization to perform a structural evaluation of the exterior roof structure of the Water Storage Tank based on findings noted in the project report after the cleaning and installation of the fall protection.

Upon a motion duly made by Councilman Foe and seconded by Councilman Ohol, it was resolved to approve the proposal from Wendel Engineers dated December 7, 2017, to perform a structural evaluation of the exterior roof structure of the Water Storage Tank in the amount of \$3,300.00

The question of the adoption of the forgoing Resolution was duly put to a vote on roll call, which resulted as follows:

WRIGHT H. ELLIS voting AYE
MATTHEW P. FOE voting AYE
JEFFREY S. HURTGAM voting AYE
JOSEPH OHOL voting AYE
RANDY M. ROBERTS voting AYE

The Resolution was thereupon declared duly adopted.

TOWN CLERK REPORTS

The Town Clerk reported receipt of the following:

- Town Clerk Report December: Total Receipts: \$50,013.10
- Building Inspector Report December: Total fees collected: \$ 751.00
Total estimated value of construction: \$143,000.00

HIGHWAY SUPERINTENDENT REPORTS

No Reports.

WATER/SEWER DEPARTMENTS

Supervisor Ellis reported that the five year review of the water supply and emergency response plan has been conducted along with a vulnerability assessment. This is an update that is required by the health department because the Town maintains a public water system. The Town is also in the process of conducting a cyberspace vulnerability assessment of the computer network that is connected to the water system and the billing system.

ATTORNEY REPORTS

Mr. Roberson reported that the case regarding the Town's claim for damages in the Town Park has been heard and the Town will recover \$600.00 for the damage.

CONCERNS OF CITIZENS

Supervisor Ellis recognized students in the audience from Starpoint in attendance for their government class.

UNION CONTRACT

Supervisor Ellis reported that negotiations are complete on a new union contract. The employees voted on the contract on December 11, 2017. Supervisor Ellis is requesting approval of the tentative agreement.

Upon a motion duly made by Councilman Ohol and seconded by Councilman Hurtgam, it was resolved to approve the tentative agreement between the Town of Cambria and the Teamsters Local 264 as approved and signed by the negotiating team representatives.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts -Motion Carried-

2017 YEAR END CLOSEOUT OF ACCOUNTS

Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts it was resolved to authorize the Supervisor to encumber funds, pay bills and make necessary line item transfers to close out the 2017 accounts.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts -Motion Carried-

PROCUREMENT POLICY PURCHASE SEWER OPERATING

Supervisor Ellis is requesting an amendment be made to a procurement policy purchase that was presented and approved in October for a grinder pump system and parts. Shortly after this was approved a request for an additional grinder pump system was received. The amendment of the October 12, 2017 resolution should include 2 grinder pump systems and parts in the amount of \$19,447.00.

Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts it was resolved to amend the procurement policy approved October 12, 2017, to include 2 grinder pump systems and parts from Fluid Kinetics for a total amount of \$19,447.00.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts -Motion Carried-

EAGLE SCOUT PROCLAMMATION

Supervisor Ellis indicated that information was received after the November Town Board meeting to recognize Zachary Meal for attaining his Eagle Scout rank. The Supervisor and Town Clerk prepared the proclamation and it was presented at the award ceremony that took place on November 25. The Supervisor is asking that the action of the Town Supervisor and the Town Clerk be ratified.

PROCLAMATION

Whereas, the Boy Scouts of America was founded on February 8, 1910, in the United States of America; and

Whereas, in September 2005, Zachary Gerald Meal joined Cambria Cub Scout Pack 8; and

Whereas, Zachary earned his Arrow of Light April 11, 2010, and crossed over to Cambria Boy Scout Troop 8; and

Whereas, Zachary has earned 36 merit badges, was elected to the Order of the Arrow in 2015, earned the God and Me religious award and served his Troop as scribe, historian, assistant patrol leader, assistant senior patrol leader and senior patrol leader; and

Whereas, Zachary has exemplified leadership qualities, organizational skills and strength of character while completing his Eagle Scout Project for the Royalton Ravine Park in Gasport by removing the old washed out stairs and replacing with new ones, installing a rope rail along with a new drainage system as well as GPS surveying and marking of all trails in the park; and

Whereas, as a member of Troop 8, Zachary, through his hard work and personal commitment, attained the rank of Eagle Scout on September 21, 2017, the highest and most prestigious rank offered by the Boy Scout Program; and

Whereas, Scouts believe it is their duty to love their country, to support its Constitution, to obey its laws, to respect its flag, and to defend it against all enemies; and

Whereas, character, participation and leadership are the basis of good citizenship; therefore, be it

Resolved, the Town of Cambria is proud of your achievement, advancement to the rank of Eagle Scout, and shares with you in one of the greatest occasions, not merely of your career as a Scout, but of your whole life, and honors you this day by resolution of the Town Board on December 14, 2017.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam, it was resolved to ratify the action of the Supervisor and the Town Clerk in preparing the Eagle Scout Proclamation for Zachary Meal.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

Councilman Ohol, on behalf of the Town Board, the Town Clerk and the Town Attorney, wished everyone a Merry Christmas and a Happy New Year.

ADJOURNMENT

The meeting was adjourned by motion made by Councilman Foe and seconded by Councilman Roberts.
Time: 7:13pm

Respectfully submitted,

Tamara J. Cooper
Town Clerk