

TOWN OF CAMBRIA TOWN BOARD

JANUARY 12, 2012

The regular meeting of the Town of Cambria Town Board was held on the 12th day of January 2012 at 8:00 PM at the Town Hall, 4160 Upper Mountain Rd., Town of Cambria, NY

BOARD MEMBERS PRESENT:

Wright H. Ellis, Supervisor
Robert E. Blackman, Councilman
Matthew P. Foe, Councilman
Joseph Ohol, Councilman
Randy M. Roberts, Councilman

ALSO PRESENT:

Jon MacSwan, Highway Superintendent
Lou Ann Murawski, Town Clerk
Robert Roberson, Attorney
Randy Roeseler, Wendel
Approximately 11 interested individuals

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

APPROVAL OF MINUTES

Upon a motion duly made by Councilman Blackman and seconded by Councilman Ohol it was resolved to approve the Minutes of the December 8, 2011 and December 20, 2011 Town Board meetings.

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

APPROVAL OF VOUCHERS

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

Drainage Fund	Claim 1	1,250.00
General Fund	Claims 1-13	76,178.87
Highway Fund	Claims 1-10	29,105.01
Recreation Fund	Claim 1	950.00
Sewer Operating	Claims 1-2	5,699.21
Trust Agency	Claims 1-5	417,340.63
Water Operating	Claims 1-6	35,892.48

Upon a motion duly made by Councilman Roberts and seconded by Councilman Ohol, it was resolved to approve the abstract of audited vouchers as read by the Town Clerk.

Ayes: Blackman, Ellis, Ohol, Roberts Abstained: Foe -Motion Carried-

LETTER OF APPRECIATION – DONALD P. LANE

Supervisor Ellis recognized Donald Lane with a letter of appreciation for his service to the Town of Cambria as a seven-year member of the Zoning Board of Appeals, as the Assistant to the Building Inspector and Deputy Building Inspector from June 2000 through December 31, 2011.

Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts, it was resolved to approve the letter of appreciation for Donald P. Lane.

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

PROCLAMATION – GEORGE J. BUSH

Supervisor Ellis stated that a Proclamation for former Councilman George J. Bush has been prepared and will be formally presented to him on Monday, January 16, 2012 honoring him for his service to the Town of Cambria over the past four decades..

Upon a motion duly made by Councilman Ohol and seconded by Councilman Foe it was resolved to approved the Proclamation for George J. Bush. (Copy attached and made a part of these Minutes).

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

RE-ORGANIZATIONAL APPOINTMENTS

The following re-organizational appointments, salary schedules, designations, contract authorizations, numbered 1-30 were presented for the Board's consideration:

- 1. Town Board Meeting** 2nd Thursday of each month at 8 PM at the Town Hall; Work meeting 7:15 pm
- 2. Planning Board Meeting** 3rd Monday of each month at 8 PM at the Town Hall; Exceptions due to conflicts relating to certain holidays: Jan 23, 2012 – 7 PM; Feb 27, 2012 -

7 PM; May 21, 2012 – 7 PM; Dec 17, 2012 – 7 PM

- 3. Zoning Board Meeting** 4th Monday of each month at 8 PM at the Town Hall: Exceptions due to conflicts relating to certain holidays: May 21, 2012 – 8 PM; Dec 17, 2012 - 8 PM
- 4. Newspaper Publications** Authorize advertising in Union Sun & Journal or Niagara Gazette, as needed
- 5. Official Banks** HSBC, Bank USA (Sanborn/Cambria) for Supervisor, Town Clerk, Building Inspector, Town Justices
M & T Bank (Lockport) for Supervisor
First Niagara Commercial Bank (Ransomville) for Supervisor and Tax Collector

6. Authorize Supervisor to invest money in accordance with the Investment Policy as reviewed and approved

7. APPOINTMENTS:

- Buildings/Grounds Maintenance Manager** Jon T. MacSwan, one-year term
- Building Inspector** Clifford E. Burch, one-year term
- Cambria Housing Authority** Rae Amacher, five-year term to expire 4/18/2017
- Cemetery Superintendent** Jon T. MacSwan, one-year term
- Cemetery Supt. Assistant** Steven M. Kroening, one-year term
- Computer Tech. Committee** Matthew P. Foe, one-year term
Lynn J. Schlemmer, one-year term
- Constable** Richard M. Dalton, Sr., one-year term
- Drainage Committee** Robert E. Blackman, one-year term
Joseph Ohol, one-year term
Steven M. Kroening, one-year term
Jon T. MacSwan, one-year term
- Ethics Board** Lou Ann Murawski, three-year term to expire 12/31/2014
- Highway Foreman** Steven M. Kroening, one-year term
- Justice Clerks** Joy W. Caldwell, one-year term
M. Sandra Jowdy, one-year term
- Planning Board** William J. Amacher, five-year term to expire 12/31/2016
Chairman, one-year term
Gerald E. Kroening, Alternate, one-year term
- Records Advisory Board** Brooke Genter
- Records Mgt. Officer** Lou Ann Murawski, one-year term
- Recreation Baseball Director** Rodney J. Hogg, one-year term
- Recreation Committee** Lawrence Amacher, Chairman, one-year term
Susan Wendt, Member, five-year term to expire 12/31/2016
- Town Park Director** George J. Bush
- Water/Sewer Dept. Manager** Jon T. MacSwan, one-year term
- Water/Sewer Dept. Foreman** Randall J. Shoop, one-year term
- Zoning Board of Appeals** John Reardon, five-year term to expire 12/31/2016
Chairman, one year term
Michael Sieczkowski, Alternate, one year term

8. Approve the 2012 Town of Cambria Volunteer Firemen’s Service Award point system for Cambria and Pekin Fire Companies

9. Authorize Supervisor to sign and pay contracts/agreements as follows:

Cambria Housing Authority	10,000.00
Dale Association	5,000.00
Friendship Club	950.00
Niagara Community Action Program	2,500.00
Ransomville Library	3,500.00
Sanborn-Pekin Library	31,500.00
Sanborn Post 969 - American Legion	750.00
Sanbornites	4,000.00
NIMAC Support	1,500.00
Pekin Fire Co. Recreation Contract	2,100.00
Cambria Fire Co. Recreation Contract	1,600.00
Niagara County SPCA	10,224.00

10. Authorize Supervisor to pay all utilities, refuse, medical insurance, authorized payroll deductions, charge account invoices and postage as billed

11. Designation of C. W. Baker Insurance Agency, Inc. as Agent for Town Insurance

12. Authorize Supervisor to hire Engineer and Attorney as needed

13. Authorize rate of pay (annual) for Town Employees/Officers as follows:

Administrative Assistant	50,997.00	Historian	3,060.00
Assessor	42,024.00	Historian - Deputy	1,224.00
Baseball Director	3,121.00	Records Management Officer	1,700.00
Budget Officer	2,716.00	Recreation Director	4,162.00
Building Inspector	14,290.00	Registrar Vital Stats	1,000.00
Building/Grounds Manager	2,535.00	Registrar Vital Stats - Deputy	525.00
Cemetery Superintendent - Assistant	1,715.00	Sewer-Water Manager	1,688.00
Foreman - Highway	1,259.00	Tax Collector - Deputy	1,337.00
Foreman - Sewer - Water	3,428.00	Town Clerk - Deputy I	33,252.00

14. Authorize pay rates for Town Employees as follows:

Department	Position	Full Time per hour	Part Time per hour
Highway	Laborer	7.50 to 10.20	7.50 to 9.00
	Mechanic	20.89	-----
	Truck Driver	N/A	9.00 to 11.00
	Motor Equipment Operator	20.89	-----
Water - Sewer	Laborer	7.50 to 10.20	7.50 to 9.00
	Maintenance - Sewer	20.89	-----
	Maintenance -Water	20.89	-----

15. Elections: Voting Machine Inspectors \$15 per machine per occasion

16.	Assessment Review Board - Member	95.00	first day
		85.00	additional day(s)
17.	Planning Board - Chairman	85.00	meeting
	- Member	57.00	meeting
18.	Recreation Committee - Chairperson	35.00	meeting
	- Member	30.00	meeting
19.	Zoning Board - Chairman	85.00	meeting
	- Member	57.00	meeting
20.	Groundsperson I	9.18	per hour
21.	Groundsperson II	8.67	per hour
22.	Highway Clerk	13.58	per hour
23.	Justice Clerk	16.18	per hour
24.	Justice Court Officers	17.80	per hour
25.	Planning/Zoning Stenographer	15.35	per hour
26.	Real Property Appraisal Technician Trainee	13.44	per hour
27.	Town Clerk - Deputy II	12.92	per hour
28.	Water Typist I	15.10	per hour
29.	Water Account Clerk Typist	13.77	per hour

30. Payroll Schedule: Highway, Water, Sewer, Drainage and Summer Recreation are paid bi-weekly.

Monthly positions are processed with the last bi-weekly pay of the month.

Terms specified for one year expire 12/31/2012

Upon a motion duly made by Councilman Ohol and seconded by Councilman Roberts, it was resolved to adopt the reorganization resolutions, appointments, designations, salary schedules and contract authorizations numbered 1-30.

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

SUPERVISOR/TOWN CLERK APPOINTMENTS

Supervisor Ellis announced the following appointments made by Town Officials:

Joseph Ohol – Deputy Supervisor appointed by Supervisor Ellis

Town Board Liaison – Appointments by Supervisor Ellis:

Matthew P. Foe, Planning Board;
Robert E. Blackman, Zoning Board of Appeals;
Randy M. Roberts, Recreation Committee;
Joseph Ohol, Highway, Water/Sewer Departments

Supervisor Ellis reported a committee will be set up to review the Town ordinances, local laws and procedures.

Appointments by Lou Ann Murawski, Town Clerk:

Tamara J. Cooper – Deputy Town Clerk I
Paula N. Jones – Deputy Town Clerk II

ANNUAL FINANCIAL REPORT SUBMITTAL

Supervisor Ellis indicated Town Board authorization is required to authorize the submittal of the Annual Report to the Town Clerk within the required time frame, including any extensions allowed by the State Comptroller.

Upon a motion duly made by Councilman Foe and seconded by Councilman Blackman, it was resolved to authorize the Supervisor to submit to the Town Clerk a copy of the annual financial report that is submitted to the State Comptroller within the time frame, including any extensions allowed by the State Comptroller, as set forth in Town Law and the General Municipal Law.

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

FEE SCHEDULE 2012

Supervisor Ellis noted the following changes to the 2011 Fee Schedule:

**Page Eight – Mileage Reimbursement – 55.5¢ per mile
Page Eleven – Sewer Fees \$136.00/EDU**

Upon a motion duly made by Councilman Roberts and seconded by Councilman Blackman, it was resolved to approve the 2012 Fee Schedule with the changes as noted.

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

PERSONNEL POLICY

Supervisor Ellis noted the following amendments to the personnel policy relating to Hospitalization and Medical Insurance:

Section J. HOSPITALIZATION AND MEDICAL INSURANCE

Paragraph 2. (Additional sentence added) The town “Plan” currently offers “HMO 205” for active employees or Forever Blue Medicare PPO 799 for retirees.

Paragraph 6. (Additional sentence added) Reimbursement payments will be made from the Trust Fund after Town Board approval.

Paragraph 7. Eligible full-time employees and elected officials who do not participate in the Plan will receive an annual compensatory payment of \$1,000.00. Payment will be made during the first quarter of the year. These individuals also qualify for single or family participant supplemental coverage, as described in paragraph 6, utilizing the same reimbursement schedule.

Upon a motion duly made by Councilman Ohol and seconded by Councilman Roberts, it was resolved to approve the 2012 Personnel Policy with the changes as noted.

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

CROWN CASTLE LEASE AGREEMENT

Attorney Roberson reported he has contacted Crown Castle and has had additional conversations with them. He hopes to have more information for the February meeting.

TIME WARNER FRANCHISE AGREEMENT

Attorney Roberson reported he is awaiting the results of a survey Time Warner conducted to extend cable service. He feels they are close to finalizing the agreement.

BROWNFIELDS GRANT/PHASE II ENVIRONMENTAL AUDIT

Mr. Roeseler, Wendel Engineers, reported the sample results and analysis have been completed. At this point, it appears as though there will be enough funds to abate everything, with the exception of the bomb shelter. They now have a handle on the types of material they will be dealing with. He also noted that the Command Center has some areas that are accessible and there is concern about getting it secured as soon as possible. Mr. Roeseler stated he hopes to have a proposal prepared for the February meeting.

FAIR VILLAGE SANITARY SEWER TV AND FLUSH

Randy Roeseler, Wendel Engineers, reported the contractor reports have been reviewed; they will develop a priority listing of repairs and will submit their report for the next meeting.

TOWN CLERK REPORTS

The Town Clerk reported receipt of the following:

- Building Inspector's Report: Total Receipts: \$1,007.50
Total Estimated value of construction: \$57,000.00
- Town Clerk's Monthly Report: Total Receipts: \$20,003.39
- Niagara County SPCA Report: December 2011 - 3 Animal Contacts
- Letter from Pekin Fire Company to include the addition of a new member, Erin Wollaber.

Upon a motion duly made by Councilman Blackman, seconded by Councilman Roberts, it was resolved to approve the addition of Erin Wollaber, 4501 Ridge Rd to the active roster of members for the Pekin Fire Company, pending receipt of the required medical form.

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

- 2012 Rosters from Pekin Fire Company and Cambria Volunteer Fire Company (on file in office of Town Clerk)

Upon a motion duly made by Councilman Ohol, seconded by Councilman Foe, it was resolved to approve the 2012 rosters of the Pekin Fire Company and Cambria Volunteer Fire Company.

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

HIGHWAY SUPERINTENDENT REPORTS

APPOINTMENT OF STEVEN KROENING, DEPUTY HIGHWAY SUPERINTENDENT

Mr. MacSwan announced that he is re-appointing Steven Kroening as Deputy Highway Superintendent.

RECREATION

Councilman Roberts welcomed the new Chairperson, Larry Amacher. He also stated the Committee is working on developing a soccer program. Sally Marotta-Reed reported she is in receipt of an invitation from the Niagara County Health Department for their annual meeting. The registration forms for both sites have also been prepared.

ATTORNEY REPORTS - None

CONCERNS OF THE CITIZENS

Geraldine Daul, 4284 Church Rd., inquired about the new water meter program and how the grant money was spent. The Town Clerk informed Mrs. Daul she can file a FOIL request with the Town Clerk's office for this information.

David Godfrey, Niagara County Legislator, reported that the County is dealing with difficulties with the budget. He commended the Town Board on their budget. He indicated the leadership for the County will remain the same with William Ross serving as Chairman. The downsizing of the Legislature has made Cambria a part of Legislative District 10.

Mr. Godfrey reported that on December 20, 2011 the County Legislature passed a resolution to accept the bid from Motorola for the County-wide narrow banding project. The accepted bid was for \$10 million, rather than the original proposal of \$20 million, with \$2 million secured in grants. He also reported the Niagara Falls Air Base is in jeopardy again. NIMAC will be holding a briefing in March to bring a level of awareness as to the seriousness of the situation. He stated the Air Base is the largest employer in Niagara County with 3,500 employees and a payroll of \$18 million.

Supervisor Ellis questioned Mr. Godfrey as to why Niagara County cut \$50,000 out of its budget, which was formerly appropriated to the Buffalo-Niagara Enterprise. Mr. Godfrey indicated his understanding was that Niagara

County was not getting fair representation and the message was that Niagara County needed to market its own turf.

SECURITY ALARM CONTRACT

Supervisor Ellis indicated the Eastern States Sentinel contract is due. They have proposed a contract for five years to remain at the same rate as it is now, for \$300.00 per year. The Town Clerk indicated it was her understanding the contract covered the Town Hall only.

Upon a motion duly made by Councilman Foe, seconded by Councilman Blackman, it was resolved to approve the contract for five years with Eastern States Sentinel pending research by the Town Clerk as to the specific location covered by the contract.

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

NYS DOT OFFICIAL UNDERTAKING

Upon a motion duly made by Councilman Roberts, seconded by Councilman Ohol, it was resolved to approve and authorize the Supervisor to sign the undertaking provided by NYS Department of Transportation in connection with work affecting State highways.

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

ENGINEER AND ATTORNEY CONTRACTS

Supervisor Ellis presented the new contracts for the Town Attorney, Brandt, Roberson & Brandt, P.C. with no change in fees for the 2012 year. The contract for the Town Engineer, Wendel Duchscherer Engineers has a 2% increase for the retainer fee, raising it \$96 per year.

Upon a motion duly made by Councilman Ohol, seconded by Councilman Blackman, it was resolved to approve the contracts for Brandt, Roberson & Brandt, P.C. & Wendel Duchscherer Engineers for 2012.

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

Supervisor Ellis reported Wendel Duchscherer Engineers has presented a Consent to Assignment of Contracts which is required to be executed as part of the Company's corporate restructuring.

Upon a motion duly made by Councilman Foe, seconded by Councilman Ohol, it was resolved to approve the Consent to Assignment of Contracts for Wendel Duchscherer Engineers to the newly formed Audubon Architecture, Engineering, Land Surveying & Land Architects, P.C., as outlined in their letter dated January 6, 2012.

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

RECYCLING BIN PROCUREMENT

Supervisor Ellis presented a proposal from Kraftworks in Tonawanda, NY for 1,500 recycle bins for \$15,075.00. This will need to be approved as a sole source purchase as this company is the only one in the area who provides the recycling bins. The Town has applied for a grant to offset the cost by 50%, which should be forthcoming in about a year.

Upon a motion duly made by Councilman Roberts, seconded by Councilman Blackman, it was resolved to approve the procurement of 1,500 recycle bins for \$15,075.00 from Kraftworks in Tonawanda, NY.

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

TOWN PARK BASEBALL DIAMOND FEES

Supervisor Ellis indicated a fee schedule needs to be approved for the Town Park baseball diamonds. The Recreation Committee will set up the procedure and form for the rental of the diamonds for games and tournaments.

Town Park Baseball Diamond Fees

1 Game	\$50.00	Non-Profit Organization
1 Game	\$75.00	For-Profit Organization
Multiple Game Days	\$40.00	Non-Profit Organization (at least three game days)
Multiple Game Days	\$50.00	For-Profit Organization (at least three game days)
Try-Outs	\$50.00	Any Organization
Outside Organization		
Tournaments	\$25.00	Per game – No materials except for 1 Game Prep each day
	\$50.00	Per game – with field maintenance between games (groundskeeper needs to be there between games)
For Director to be on Staff	\$100.00	For eight hours of the tournament per day

Upon a motion duly made by Councilman Roberts, seconded by Councilman Ohol it was resolved to approve the Town Park Baseball Diamond Fees as set forth by the Recreation Committee dated 10/13/2011.

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

TOWN PARK FINANCING

Supervisor Ellis reported the Town is considering borrowing \$200,000.00 to complete the development and construction of the west half of the Town Park in 2012. Supervisor Ellis would like to schedule a public hearing on February 9, 2012 at 8 PM.

Upon a motion duly made by Councilman Roberts, seconded by Councilman Ohol it was resolved to call a public hearing for February 9, 2012 at 8 PM to authorize the bonding of \$200,000.00 to complete the development and construction of the west half of the Town Park.

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

ADDITIONAL MATTERS

Councilman Foe reported he attended the training for newly elected officials last week in Rochester, NY. He stated the full day sessions were very intense and he received a lot of information at the meeting which he intends to share with the Town Board and Town Clerk.

ADJOURNMENT

As there was no further business, the meeting was adjourned by motion made by Councilman Blackman and seconded by Councilman Ohol. Time: 8:55 pm

Respectfully submitted,

Lou Ann Murawski
Town Clerk

PROCLAMATION

IN RECOGNITION OF GEORGE J. BUSH

WHEREAS, in January of 1972, George J. Bush was appointed to the Town of Cambria Recreation Commission and served his fellow citizens for nineteen years as a member of that Commission, including eleven years as Recreation Commission Chairman; and

WHEREAS, in February of 1991, he was appointed to a vacated seat on the Town Board and served as Councilman for twenty-one years, noteworthy for his valuable and substantive contributions to the deliberations and decisions of the Board; and

WHEREAS, in January of 1992, he was appointed as Deputy Supervisor and served with distinction for twenty years, supporting the goals of the Town Board and providing the necessary leadership and administrative direction during the absence of the Supervisor; and

WHEREAS, he initiated the first Town-Wide Yard Sale on 12 and 13 July 2003, precipitating the first of many traffic jams on Upper Mountain Road in the Town of Cambria at 9:00 AM on that memorable Saturday morning, an annual event that has endured for nine years; attracting bargain hunters from Canada and several adjoining states; and

WHEREAS, he chaired the Town of Cambria Bicentennial Celebration in 2008, a series of special events and activities spanning several months, which demonstrated his exceptional planning and organizational skills and produced a level of recognition worthy of the oldest Town in Niagara County; and

WHEREAS, George J. Bush has served his neighbors and his community with commitment and distinction, consistently demonstrating his willingness to always place his concern for the public good ahead of his own personal interests; and

WHEREAS, the Town of Cambria Town Board desires to recognize George J. Bush for his four decades of dedicated Public Service;

NOW, THEREFORE BE IT

RESOLVED, the Town of Cambria is proud of your contribution to the vitality of our Town and commitment to the welfare of our fellow citizens, and honors you on this 12th day of January 2012 by resolution of the Town Board.

Cambria Town Board
Town of Cambria, New York

Wright H. Ellis, Town Supervisor

