

TOWN OF CAMBRIA TOWN BOARD

July 13, 2017

The regular meeting of the Town of Cambria Town Board was held at 7:00 pm on the 13<sup>th</sup> day of July 2017 at the Town Hall, 4160 Upper Mountain Road, Town of Cambria, New York.

BOARD MEMBERS PRESENT:

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

ALSO PRESENT:

Tamara J. Cooper, Town Clerk  
Jon MacSwan, Highway Superintendent  
Robert Roberson, Attorney  
Jamie Johnson, Wendel  
Sally Marotta-Reed, Recreation Director  
4 interested persons

Following salute to the flag, Supervisor Ellis opened the public hearing on the Amendment to the Zoning re: Tourist Homes and Bed and Breakfast.

PUBLIC HEARING – Amendment to Zoning Ordinance re: Tourist Homes and Bed and Breakfast

The Clerk read the following public hearing notice:

TOWN OF CAMBRIA  
NOTICE OF PUBLIC HEARING

Amendment to 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 13th day of July, 2017 at 7:00 p.m. to hear and consider amending definitions of tourist homes and bed and breakfast establishments set forth in the Zoning Ordinance.

All persons in interest shall be heard at the public hearing to be held as aforesaid.

DATED: June 28, 2017

BY ORDER OF THE TOWN BOARD

Supervisor Ellis explained that this was brought about because of an application that was submitted for a tourist home by the name of Wolf Ridge Guest House (Ridge Road). The Town also found out there is another one operating in Town- Freedom Run Manor House (Lower Mt. Rd.).

Supervisor Ellis opened the Public Hearing to those present who wished to be heard:

Steve Gojevic-4965 Ridge Road and Sally Marotta-Reed:  
Spoke in favor of the Tourist Home.

Supervisor Ellis closed the public hearing and opened the regular meeting; Board members took action on the following:

APPROVAL OF MINUTES

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam, it was resolved to approve the Minutes of the Town Board meeting and work meeting of June 8, 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:

Cemetery Fund	Claim	4	\$ 245.70
Drainage Fund	Claims	10-12	\$ 1,653.16
General Fund	Claims	290-349	\$ 66,865.43
Highway Fund	Claims	111-130	\$ 142,304.13
Recreation Fund	Claims	10-19	\$ 2,318.96
Refuse Fund	Claims	9	\$ 28,582.83

Sewer Operating Fund	Claims	24-27	\$ 248.61
Trust and Agency Fund	Claims	11-15	\$ 2,240.24
Water Operating Fund	Claims	86-106	\$ 51,079.07

**Upon a motion duly made by Councilman Foe and seconded by Councilman Ohol, it was resolved that the abstract of audited vouchers dated July 13, 2017, be approved as read by the Town Clerk.**

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

#### **ZONING ORDINANCE AMENDMENT**

Supervisor Ellis read the proposed amendment to the Zoning Ordinance; A single family residence, which is leased to a single client, with no more than six (6) adult occupants, or four (4) adults and four (4) children, under the age of 18 years old, for a stay of seven (7) days or less. This will be listed under Special Use in the Zoning Ordinance and we will add to the Fee Schedule a \$250.00 yearly compliance inspection.

**Upon a motion duly made by Councilman Foe and seconded by Councilman Ohol, it was resolved to approve the Zoning Ordinance amendment as stated above.**

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 ROBERTS voting AYE**

The Resolution was thereupon declared duly adopted.

Jamie Johnson, Wendel reported on the following:

The Town has a 1.5 million gallon water storage tank that was originally constructed in 1994 and as part of the routine maintenance for it every five years it needs a detailed inspection, both interior and exterior, by a professional company. The most recent inspection was done in 2015 and identified an aesthetic coating on the roof exterior was deteriorating. It was recommended that in the next 2-3 years the Town Board take care of the coating system. Along with that, a yearly inspection of the tank roof and or the vent must be performed by the water/sewer employees, currently there is no fall protection system for them. A 2-part project is proposed, the first is to authorize Wendel to go for RFP through the Town's procurement policy for the roof cleaning and the second is to contract with DN Tanks (the original tank manufacturer) to perform the installation of the fall protection system.

#### **WATER STORAGE TANK FALL PROTECTION SYSTEM**

**Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam, it was resolved to accept the proposal of DN Tanks to install stainless steel dome safety cable for access to the roof of the water storage tank total cost not to exceed \$7,500.00; sole source as this is the manufacturer of the tank thus reinforcing the warranty currently in place.**

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

#### **WATER STORAGE TANK IMPROVEMENTS**

**Upon a motion duly made by Councilman Ohol and seconded by Councilman Foe, it was resolved to approve the engineering proposal from Wendel for Cambria water storage tank cleaning services to include design, request for proposals and construction engineering services in the amount not to exceed \$5,000.00.**

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

#### **REAL PROPERTY TAX EXEMPTION RE: SOLAR/WIND ENERGY SYSTEMS**

Supervisor Ellis reported the changes to the Solar Energy Local Law are in the draft stage, Drew Reilly from Wendel was consulted about these changes; expect to have it for the August Board meeting.

#### **NYS COMPTRROLLER AUDIT**

Supervisor Ellis reported that the field work for the NYS State Audit is complete and the Town will be getting a written report from the Comptroller.

#### **TOWN CLERK REPORTS**

The Town Clerk, reported receipt of the following:

- Town Clerk Report June: Total Receipts: \$15,106.46

- Building Inspector Report June: Total fees collected: \$2,822.90  
Total estimated value of construction: \$118,400.00
- Request from Cambria Volunteer Fire Co to return Nicholas Pressley-2083 Fix Rd., Grand Island, 14072 to active status and to remove Matthew Dysard-5039 Tuscarora Rd., Niagara Falls, 14304 & Mark Printup-5768 Buffalo St., Sanborn, 14132 from the active roster.

**Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Roberts, it was resolved to approve the return of Nicholas Pressley-2083 Fix Rd., Grand Island, 14072 to active status; and to remove Matthew Dysard-5039 Tuscarora Rd., Niagara Falls, 14304 & Mark Printup-5768 Buffalo St., Sanborn, 14132 from the Cambria Volunteer Fire Company active roster.**

**Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts**

**-Motion Carried-**

- In receipt of a request from Boone's Hillside BBQ, Inc., 3997 Lower Mountain Road, with regard to their liquor license application requesting a waiver for the 30day waiting period; it was granted and letter was mailed out July 10.
- The Baseball Director has scheduled the baseball picnic for noon on August 5<sup>th</sup> in the Town Park

### **HIGHWAY SUPERINTENDENT REPORTS**

The Highway Superintendent, Jon MacSwan, reported as follows:

- The parking lot will be paved after August 17th
- Paved Human Road
- Working on the Town Park parking lot next week
- Proposal for the Town Hall Parking lot, did not use procurement policy because the contractors are in the Niagara County Bid

**Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam, it was resolved to approve the proposal by the Highway Superintendent for redoing the Town Hall parking lot estimates in accordance to the memo dated June 23, 2017.**

**Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts**

**-Motion Carried-**

### **WATER/SEWER DEPARTMENTS**

- Two new services were installed this month, one on Carter Road & one on Green Road
- Landscaping around the Town Park utility lines is finished

### **RECREATION/BASEBALL PROGRAMS**

- Sally Marotta-Reed reported the program averages between 85-low 100-high daily. The weather has not always cooperated, but they are utilizing the Town Board room on those days showing movies.
- At the Town Park new this year is exercise in the Park; electricity is only at the comfort station right now so the instructor either plays the music from her car or a radio at the basketball court, where they exercise.
- The soccer fields are rented by NWAA and they are very happy with the fields, they do have applications out there for anyone that would like to join the travel league; they are trying to get as many Cambria kids as they can.
- The concert series is going on, over 300 people came out for 90 West.

### **ATTORNEY REPORTS**

No reports.

### **CONCERNS OF CITIZENS**

#### **Robert Spencer-5106 Upper Mt. Rd.-**

Inquired about the availability of using space at the Town Park for AMA (American Modeling Association) to fly youth airplanes, drones by an instructor through the licensed club. Supervisor Ellis advised Mr. Spencer to speak with Sally Marotta-Reed and the Highway Superintendent.

### **PROCUREMENT POLICY**

Nothing to address at this time.

Supervisor Ellis reported the Town Board is looking at a Peddlers, Vendors, Solicitor Mobile Food Vehicle Local Law that was prepared by the Town Clerk's office; perhaps address this at the August meeting, right now there is nothing on the books regarding this.

Supervisor Ellis also reported at the October 9, 2014 Town Board meeting passed a resolution opposing expansion of the federal control under the Clean Water Act. This was done primarily in support of local farmers and agriculture community; it also affected our town wide ditching programs. The Trump administration has withdrawn from the Clean Water Act.

**NYS MAGISTRATES ASSOCIATION ANNUAL MEETING**

A request from Justice Amel S. Jowdy Jr. to attend the NYS Magistrates Association annual meeting October 14-18, 2017 in Verona, NY.

**Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts, it was resolved to approve Justice Amel S. Jowdy Jr., attendance at the NYS Magistrates Association annual meeting October 14-18, 2017 in Verona, NY.**

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

**WATER FEE SCHEDULE**

Supervisor Ellis is requesting an increase in the Water Fee Schedule. The 3/4" AMR meter will increase from \$190.00 to \$230.00 and the 1" AMR meter will increase from \$280.00 to \$355.00.

**Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Ohol, it was resolved to increase in the Water Fee Schedule the price of the 3/4" AMR meter from \$190.00 to \$230.00 and the price of the 1" AMR meter will increase from \$280.00 to \$355.00.**

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

**ADJOURNMENT**

The meeting was adjourned by motion made by Councilman Foe and seconded by Councilman Roberts.  
Time: 7:48 pm

Respectfully submitted,

Tamara J. Cooper  
Town Clerk