

**TOWN OF CAMBRIA TOWN BOARD**

**June 12, 2014**

The regular meeting of the Town of Cambria Town Board was held at 8:00 pm on the 12<sup>th</sup> day of June 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  
Joseph Ohol, Councilman  
Randy Roberts, Councilman

**ALSO PRESENT:**

Paula N. Jones, Deputy Town Clerk  
Jon MacSwan, Highway Superintendent  
Robert Roberson, Attorney  
Randy Roeseler, Wendel Engineers  
6 interested individuals

Following salute to the flag, Town Board members took action upon the following matters:

**APPROVAL OF MINUTES**

**Upon a motion duly made by Councilman Roberts, and seconded by Councilman Foe, it was resolved to approve the minutes of May 8, 2014.**

**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	3-5	\$ 231.22
Drainage	Claims	11-13	\$ 3,180.66
General Fund	Claims	207-253	\$ 44,449.57
Highway Fund	Claims	85-108	\$ 157,722.17
Recreation Fund	Claims	6-15	\$ 9,842.59
Refuse Fund	Claims	6 & 7	\$ 34,440.47
Sewer Operating Fund	Claims	21-23	\$ 128.96
Trust Agency Fund	Claims	21 & 22	\$ 9,703.82
Water Operating Fund	Claims	94-116	\$ 17,590.66

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

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

**-Motion Carried-**

**2013 FINANCIAL STATEMENTS PRESENTATION**

Supervisor Ellis indicated that the 2013 financial audit results for the Town have been received. He introduced John Schiavone, Lumsden & McCormick, to summarize the findings.

Mr. Shiavone gave a brief explanation of their findings, indicating that the Town continues to be in a strong financial position and the Town has sound financial operations.

**COMPREHENSIVE PLAN UPDATE**

Supervisor Ellis reported the review conducted by the committee of the first draft of the comprehensive plan update is now with Wendel, to be reviewed at the next meeting.

**RECYCLING CART IMPLEMENTATION**

Supervisor Ellis reported (100) 64 gallon recycling carts have been received, 39 have been distributed with about 60 in reserve. A postcard was mailed out to residents to review the procedures and schedules for pick up throughout the Town. Since implementing the new recycling program, a decrease of about \$3,500.00 was seen in this month's bill from Modern.

**NIAGARA COUNTY 2014 HAZARD MITIGATION PLAN**

Supervisor Ellis indicated the next meeting of the committee is June 25, 2014 at 10 am. Mr. MacSwan, Mr. McCann and Supervisor Ellis will be going over the latest reports that have been sent to us asking for mitigation actions to be taken on hazards that might be expected or the possibility of those hazards in the Town.

**TOWN PARK COMFORT STATION**

Supervisor Ellis reported that the Town is applying for two grants to fund the comfort station, one through the Consolidated Funding application and one through New York State Parks. The following authorizing resolution was presented to the Town Board:

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

**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 CFA/NYS Parks; and

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

**WHEREAS**, the Town Board authorizes and submits an application for the CFA/NYS Parks funds for Cambria Town Park Comfort Station, with a projected cost not to exceed \$400,000.00; and

**WHEREAS**, upon approval of the application for financial assistance that the Town make available \$200,000.00 in matching funds to satisfy the requirements of the funding program; and

**BE IT FURTHER RESOLVED**, the Town Board authorizes the Supervisor to sign all documents and agreements related to CFA/NYS Parks 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 New York State Parks, in an amount no less than 50% of the approved funding and upon approval of said request to enter into and execute a project agreement with the State of New York for such financial assistance to the Town of Cambria, Cambria Town Park Comfort Station.

**Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts, it was resolved to approve the authorizing resolution.**

<b>SUPERVISOR ELLIS</b>	<b>AYE</b>
<b>COUNCILMAN FOE</b>	<b>AYE</b>
<b>COUNCILMAN HURTGAM</b>	<b>AYE</b>
<b>COUNCILMAN OHOL</b>	<b>AYE</b>
<b>COUNCILMAN ROBERTS</b>	<b>AYE</b>

**~ MOTION CARRIED ~**

**Upon a motion duly made by Councilman Ohol and seconded by Councilman Hurtgam it was resolved to reaffirm the Town Park Master Plan action by the Town Board on January 9, 2002 to accept and file with the Town Clerk the Town Park Master Plan as prepared by Wendel Duchscherer dated 12/13/2001.**

<b>SUPERVISOR ELLIS</b>	<b>AYE</b>
<b>COUNCILMAN FOE</b>	<b>AYE</b>
<b>COUNCILMAN HURTGAM</b>	<b>AYE</b>
<b>COUNCILMAN OHOL</b>	<b>AYE</b>
<b>COUNCILMAN ROBERTS</b>	<b>AYE</b>

**~ MOTION CARRIED ~**

**ADDITIONAL SECURITY EQUIPEMNT**

Supervisor Ellis reported a meeting is set up for next week with PremCom. Councilman Foe explained the Board is looking at setting up remote security cameras at the Town Park to address issues of vandalism in the past and today as reported by the Highway Superintendent. A package will be presented to the Town Board at July's meeting for review.

**TOWN CLERK REPORTS**

The Town Clerk reported receipt of the following:

Town Clerk Reports:

- Town Clerk Report May: Total Receipts: \$101,693.99
- Building Inspector Report May: Total fees collected: \$ 940.00  
Total estimated value of construction: \$154,938.00
- Letter from the Department of State that Local Law #1, 2014 was received and filed on May 16, 2014.
- Receipt of letter of resignation from the Town Assessor, Janelle Kroening, effective June 30, 2014.

**Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam it resolved to accept with regret the resignation of Town Assessor Janelle Kroening effective June 30, 2014, with appreciation of a job well done over the last several years.**

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

**-Motion Carried-**

- Requests from Cambria Fire Company:
  - Add Brent Stoltman, 3506 Lower Mountain Road, Sanborn to the roster pending receipt of physical paperwork.
  - Change in status from social member to active member for Joshua Austin, 5458 Comstock Road, Lockport, pending receipt of physical paperwork.
  - Adam Boone, 4468 Ridge Road, Lockport, be placed back on the active roster.

**Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts it resolved to approve adding Brent Stoltman, 3506 Lower Mountain Road, Sanborn to the active roster, the change in status from social member to active member for Joshua Austin, 5458 Comstock Road, Lockport and Adam Boone, 4468 Ridge Road, Lockport, be placed back on the active roster for the Cambria Fire Co.**

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

**-Motion Carried-**

## **HIGHWAY / WATER SEWER REPORTS**

The Highway Superintendent, Jon MacSwan, reported as follows:

- Resurfacing Burch Road, Meahl Road and North & South Cambria Road, waiting for the stripers to stripe the roads, Diller Road will get new shoulders; work on Hoover Road and Baer Road, repair work on the culvert on Comstock Road.
- The new doors are installed at the Records Storage Room.
- The Town Hall roof has been re-surfaced.
- Repairs to the Town Hall parking lot, stripe and re-surface.
- The Veteran's monument at the Town Park has a border done and is ready for shrubs.
- Councilman Foe requested Mr. MacSwan speak about brush issue. Mr. MacSwan replied they were out picking up some more brush today. They are having contractor issues, private contractors are hired and people are putting out stumps that are too big. New guidelines will be in the Fall Newsletter.

## **WATER / SEWER**

Mr. MacSwan reported water service was installed at the Coulter farm, 2 meter pits and 2 lines.

## **NYS DEPARTMENT OF TAXATION AND FINANCE - EQUALIZATION RATE**

Supervisor Ellis reported he is in receipt of a letter from the NYS Department of Taxation and Finance establishing a tentative equalization rate of 99% for 2014.

## **RECREATION**

Sally Marotta-Reed, Recreation Director reported as follows:

- The outfield fence will be put up next week at the Town Park.
- The grill for the large pavilion has been delivered and the volleyball court will be delivered tomorrow.
- CPR training is happening this evening for the Recreation Day Program workers; June 24 the County will be inspecting the site.
- June 30 is a work session and July 1 is the first day of recreation.
- Soccer Shots program is going well, would like to do a summer session.
- Concessions: Kona Ice is interested in having a contract with the Town of Cambria. Mrs. Marotta-Reed will print out the contract for the Town Board to review; she will be using them for the last day of Recreation party.
- Supervisor Ellis inquired about additional portable potties and wash stands. Mrs. Marotta-Reed replied they are in the process of getting them now.

## **TOWN POLICY/PROCEDURES REVIEW COMMITTEE**

Councilman Foe reported the committee met this morning and will meet again in two weeks to move forward on some of things the committee is working on. Councilman Foe will also meet with the attorney, Gary Billingsley.

## **ATTORNEY REPORTS**

Mr. Roberson reported the lawsuit with Clark has been withdrawn by the claimant.

## CONCERNS OF CITIZENS

- Mr. Blackman from Thrall Road inquired about regulations of placement of brush at the road. Highway Superintendent MacSwan replied brush is supposed to be placed on the Town's easement. Mr. Blackman said he hit a pile of brush with his tractor, wondered about the placement, too close to the road.
- Mr. Godfrey, Niagara County Legislature reported:
  - The Air Base reception is tonight, the construction for the simulator is underway, working on the fiber optics infra-structure for the county. Installation of the radio towers for the emergency broadcast system is going very well, the North Tonawanda site is up in the air right now, archeological digging found some scrapings that need to be investigated. The go live date is October. Mr. Godfrey attended a broadband conference in Albany, he is very disappointed on the focus of where the money is going, and they are not servicing the people.

## 2014 TOWN OF CAMBRIA FEE SCHEDULE CHANGES

Supervisor Ellis presented a few changes to the fee schedule:

- Recreation Fee Schedule Town Park Shelter Reservations, small pavilion fee: resident \$25/day non-resident \$50/day the new large pavilion fee: resident \$50/day and non-resident \$75/day.
- Sewer Ordinance, fee schedule grinder pump and tank: change from \$ \$4,500 to current market cost.
- Water Fee Schedule 10 meter pit proposed rate increase to \$675.

**Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam, it was resolved to approve the proposed changes to the Town of Cambria 2014 Fee Schedule specifically the recreation fee, sewer fee and water fee as read.**

Councilman Ohol asked if the small shelter price was a change, Supervisor Ellis replied, no that is the current rate, they are just affirming it and adding the large pavilion rate.

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

**-Motion Carried-**

## PETTY CASH FUND

Supervisor Ellis reported he would like to change the petty cash from the Town Clerk's office to the Water Department/Building Inspector office.

**Upon a motion duly made by Councilman Roberts and seconded by Councilman Ohol, it was resolved to authorize the transfer of the petty cash fund in the amount of \$100.00 from the Town Clerk's office to the Water Department/Building Inspector office.**

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

**-Motion Carried-**

## PERSONNEL ACTIONS

Supervisor Ellis requested the approval of Margaret A. Mayer, 3996 Lower Mountain Road for the part time typist position in the Water Department Office at \$11.50 per hour.

**Upon a motion duly made by Councilman Ohol and seconded by Councilman Hurtgam, it was resolved to approve Margaret A. Mayer, 3996 Lower Mountain Road for the part time typist position in the Water Department Office at \$11.50 per hour.**

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

**-Motion Carried-**

## PROCUREMENT POLICY

Supervisor Ellis presented three procurement proposals to the Town Board for their consideration.

Repairs, sealing and striping of the parking lots for the Town Hall and Municipal Building. Proposal from Baughman Magic Seal total price not to exceed \$8,000.00.

**Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam, it was resolved to accept the procurement proposal from Baughman Magic Seal to do repairs, seal and stripe the parking lot at the Town Hall and Municipal Building cost not to exceed \$8,000.00.**

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

**-Motion Carried-**

Low bid from College Bound Sealers to seal the walking path at the Town Park cost of \$1,950.00.

**Upon a motion duly made by Councilman Roberts and seconded by Councilman Ohol, it was resolved to accept the bid from College Bound sealers for the walking path at the Town Park cost of \$1,950.00.**

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

**-Motion Carried-**

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Tree removal from the cemetery in Pekin; damage to the trees from the ice storm; low bid was from Timber Tree Service in the amount of \$3,100.00.

**Upon a motion duly made by Councilman Ohol and seconded by Councilman Foe, it was resolved to accept the bid from Timber Tree Service in the amount of \$3,100.00.**

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

**-Motion Carried-**

**ADJOURNMENT**

The meeting was adjourned by motion made by Councilman Roberts and seconded by Councilman Foe.  
Time: 8:50 pm

Respectfully submitted,

Paula N. Jones  
Deputy Town Clerk