

TOWN OF CAMBRIA TOWN BOARD

JUNE 14, 2012

The regular meeting of the Town of Cambria Town Board was held on the 14th day of June 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
Jamie Davidson, Wendel
Approximately ten interested individuals

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

APPROVAL OF MINUTES

Supervisor Ellis noted a correction to the May 10, 2012 Minutes, indicating the resolution for the fee schedule for the baseball diamonds should read "Baseball Director", rather than "Recreation Director".

Upon a motion duly made by Councilman Foe and seconded by Councilman Blackman, it was resolved to approve the Minutes of the Town Board meeting of May 10, 2012 as corrected.

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:

Capital Projects	Claims	6-14	\$	41,001.27
Cemetery	Claim	2-4	\$	631.20
Drainage	Claims	15-18	\$	4,791.78
General	Claims	211-253	\$	51,049.84
Highway	Claims	124-151	\$	160,201.34
Recreation	Claims	9-22	\$	9,947.60
Refuse	Claim	7-8	\$	64,809.68
Sewer Operating	Claims	30-38	\$	16,930.45
Trust Agency	Claims	25-28	\$	49,977.70
Water Operating	Claims	98-119	\$	29,335.30

Sally Marotta-Reed, Recreation Director, satisfactorily answered a question from Councilman Ohol relating to the voucher submitted for printing services.

Board members discussed with the Highway Superintendent Drainage Fund Claim #17 in the amount of \$369.98 payable to Thiele's Countrymax for the purchase of boots. Questions arose as to the particular purchase being in violation of a provision of the approved union contract. The following resolution was presented:

Upon a motion duly made by Councilman Ohol and seconded by Councilman Foe, it was resolved to approve the abstract of audited vouchers as read by the Town Clerk with the exception of Claim #17 from the Drainage Fund.

Ayes: Ellis, Foe, Ohol, Roberts Noes: Blackman

-Motion Carried-

CROWN CASTLE LEASE AGREEMENT/UNISON PROPOSAL

Attorney Roberson reported he had a discussion with Unison regarding the cell tower site. As a marketing company, Unison is proposing to have the Crown Castle lease assigned to them. They would, in turn, pay the Town a lump sum figure. Their marketing would then procure additional users for the tower and provide additional revenues to the Town. Councilman Ohol expressed concerns with accepting a lump sum and also questioned whether or not co-locator fees would be shared with the Town since we presently do not receive revenue from co-locators on the tower. Attorney Roberson will contact Crown Castle and request them to submit a firm proposal.

FORMER LOCKPORT AFS REMEDIATION/DEMOLITION WORK

Jamie Davidson, Wendel, gave a brief overview of the Lockport AFS projects. Wendel is requesting authorization to advertise for bids for the demolition work.

Councilman Ohol asked about the upcoming event scheduled for Nick Wallenda's tightrope walk across Niagara Falls. Mr. Godfrey responded the Police personnel required for this event is a good example of the importance of the need for the narrow band radio systems. The County and State are on different radio frequencies so the officers have to carry two radios on their belts. The new system eliminates that so any agency can talk to each other at any given time.

NYS RECREATION REIMBURSEMENT

Upon a motion duly made by Councilman Roberts and seconded by Councilman Ohol, it was resolved to authorize the Supervisor to make an application to the NYS Office of Children and Family Services for approval of youth recreation programs in the amount of \$709.00.

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

BOCES PUMP STATION AGREEMENT

Councilman Ohol mentioned that he understood the Town had discussed about turning the pump station over to BOCES. Supervisor Ellis replied the Town is essentially doing that. It will be their pump station and the Town will provide some service and maintenance for an annual fee of \$4,500.00. The proposed agreement is replacing a 1985 agreement.

Upon a motion duly made by Councilman Foe and seconded by Councilman Blackman, it was resolved to approve the pumping station maintenance and service agreement with the Board of Cooperative Education Services Orleans - Niagara Medina, New York for maintenance repair services for the BOCES pump station located at the BOCES West Facility, 3181 Saunders Settlement Road, Sanborn, NY.

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

PROCUREMENT POLICY PURCHASES:

Supervisor Ellis presented two procurement policies for approval:

- ◆ Purchase of IPS Software to be purchased from Business Automation Services in the amount of \$6,710.00. This would be a sole-source purchase to be able to provide a workable software program to enable the Building Inspector's Office to become more efficient and provide a better system of tracking activities.
- ◆ Procurement form for services for the blacktop for the bike path at the Town Park. The lowest proposal was submitted by Ken Young Paving in the amount of \$3,300.00 per day for the services of a small blacktop paver, roller and two operators. Mr. MacSwan stated the blacktop being used is a higher grade and will be approximately \$63-\$64 per ton.

Upon a motion duly made by Councilman Foe and seconded by Councilman Ohol, it was resolved to approve the purchase of the IPS software in the amount of \$6,710.00 and the services of Ken Young Paving in the amount of \$3,300.00 per day.

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

TOWN PARK RULES AND REGULATIONS

Tabled until the July meeting.

TRAINING SEMINAR

The Assessor has requested approval for Debra Littere to attend training in Ithaca, NY from July 16-20, 2012.

Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts, it was resolved to approve Debra Littere to attend training in Ithaca, NY from July 16-20, 2012.

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

GENERATOR PLANNED MAINTENANCE RENEWALS

Supervisor Ellis indicated the renewal of the planned maintenance agreement with Cummins Northeast is due. The agreement is for the generator at 4160 Upper Mountain Road for \$783.75 and the generator at the Water Pump Station for \$795.65. The agreement will be valid from July 1, 2012 through June 30, 2012.

Upon a motion duly made by Councilman Foe and seconded by Councilman Blackman, it was resolved to approve the planned maintenance contracts with Cummins Northeast for two emergency generators total price \$1,579.40.

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

SESAC PERFORMANCE LICENSE

Upon a motion duly made by Councilman Roberts and seconded by Councilman Blackman, it was resolved to authorize the Supervisor to obtain the SESAC performance license for the year 2012 in the amount of \$311.00.

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

ADDITIONAL MATTERS

Supervisor Ellis reported the official undertaking of municipal officers needs to be updated to meet NYS requirements. The following resolution was presented for the Board's consideration:

OFFICIAL UNDERTAKING OF MUNICIPAL OFFICERS

WHEREAS, various sections of New York State Town Law and Public Officers Law require that certain officials execute an Official Undertaking; and

WHEREAS, the Town Board of the Town of Cambria hereby requires the Supervisor, Town Clerk, Tax Collector, Town Justice and Highway Superintendent to execute said Official Undertaking as required by said law;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Cambria approve the document entitled "Town of Cambria Official Undertaking of Municipal Officers" as to its form and manner of execution and the sufficiency of the insurance;

BE IT FURTHER RESOLVED, that each Town official, as above-identified, shall individually sign the official undertaking in the time period provided by law (30 days after commencement of term of office); and

BE IT FURTHER RESOLVED, that said Official Undertaking containing the notarized signatures of those named municipal officials be filed in the office of the Town Clerk, as well as the original copies of the insurance policies indicating the sufficiency of the sureties to indemnify the Town against losses which may arise from failure of such officials to properly discharge their duties.

Councilman Ohol inquired about the 30-day period for signing the undertaking. Attorney Roberson recommended the undertaking should be signed by the various Town officials after it is adopted and again in January when newly elected officials take office.

Upon a motion duly made by Councilman Ohol and seconded by Councilman Blackman, it was resolved to adopt the resolution regarding the official undertaking of municipal officers.

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

ADJOURNMENT

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

Respectfully submitted,

Lou Ann Murawski