

TOWN OF CAMBRIA TOWN BOARD

JUNE 16, 2011

The regular meeting of the Town of Cambria Town Board was held on the 16th day of June 2011 at 8:00 pm at the Cambria Town Hall, 4160 Upper Mountain Road, Town of Cambria, NY

BOARD MEMBERS PRESENT:

Wright H. Ellis, Supervisor
Robert E. Blackman, Councilman
George J. Bush, Councilman
Joseph Ohol, Councilman
Randy M. Roberts, Councilman

ALSO PRESENT:

Jon T. MacSwan, Highway Superintendent
Lou Ann Murawski, Town Clerk
Robert Roberson, Attorney
Randy Roeseler, Wendel Duchscherer
Sally Marotta Reed, Recreation Director
Rodney Hogg, Baseball Director
Six interested individuals

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

APPROVAL OF MINUTES

Upon a motion duly made by Councilman Bush and seconded by Councilman Ohol, it was resolved that the Minutes of the Town Board meetings held on May 11, 2011 and May 12, 2011 be approved as presented.

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

APPROVAL OF VOUCHERS

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

Cemetery Fund	Claim 7	\$ 48.00
Drainage Fund	Claims 9 – 11	\$ 1,894.74
General Fund	Claims 239 – 306	\$56,595.08
Highway Fund	Claims 121 – 149	\$34,840.38
Recreation Fund	Claims 4 – 17	\$13,633.31
Refuse Fund	Claims 3 – 4	\$62,454.98
Sewer Operating Fund	Claims 31 - 36	\$ 4,085.85
Trust Agency Fund	Claims 22 – 25	\$25,031.76
Water Construction Fund	Claims 4 – 6	\$13,035.75
Water Operating Fund	Claims 76 – 97	\$77,289.22

Upon a motion duly made by Councilman Roberts and seconded by Councilman Blackman, it was resolved to approve the abstract of audited vouchers as presented.

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

NIAGARA COUNTY SHOVEL READY PROJECT

Supervisor Ellis indicated the adoption of a resolution for the acceptance of the final SEQR Scoping Document is the next step involved for the “Shovel Ready” project which encompasses 152 acres on the north side of Lockport Road between Comstock Road and Campbell Boulevard. The parcel is being considered for rezoning for use as a high technology manufacturing site.

The following resolution was presented for the Board’s consideration:

Resolution for the Acceptance of the Final SEQR Scoping Document

WHEREAS, the Town of Cambria has received a Rezoning application from the Walck, Wasik and Ohol families for the rezoning of approximately 152 acres of land, encompassing four parcels located along the north side of Lockport Road, between Comstock Road and Campbell Blvd, from B-2 and A-R to P-D; and

WHEREAS, it is the intent of the Walck, Wasik and Ohol families, in conjunction with Niagara County, to create a ‘High Technology Manufacturing Site’ in conjunction with the Build Now-NY Shovel Ready Program Initiative coordinated under the Empire State Development Corporation and the Governor’s Office of Regulatory Reform; and

SANITARY SEWER EVALUATION

Randy Roeseler indicated he expects to have the report tomorrow.

TOWN CLERK REPORTS

The Town Clerk received the following communications/reports:

- Building Inspector Report May 2011:
Total Receipts: \$530.00
Total estimated value of construction cost: \$168,668.00
- Town Clerk Report May 2011:
Total Receipts: \$62,661.40
- Receipt of renewal application to NYS Liquor Authority from Country Roadhouse Inn, Inc., 2989 Ridge Road, Ransomville, NY
- Receipt of Letter from U.S. Department of Homeland Security acknowledging Town Board's resolution relating to the bill to amend the Homeland Security Act of 2002 to limit the number of urban area security initiative grants awarded.
- Letter from Pekin Fire Company, Inc. requesting Town Board approval to cover the expense of physicals for members of Pekin Jr. Firefighters' Explorer Post #1732 age 16 and 17 years old.

Upon a motion duly made by Councilman Bush and seconded by Councilman Roberts, it was resolved to approve the request of Pekin Fire Company for the Town of Cambria to cover the expense for the required physical for those participants in Pekin Jr. Firefighters' Explorer Post 1732, over the age of 16. The same format that is currently in effect for the Cambria Jr. Firefighters' Explorer Post shall also apply to the participants in the Pekin Jr. Firefighters' Post with it being understood that parental permission will be obtained prior to the scheduling of the physicals.

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

- Letter from Pekin Fire Company, Inc., requesting that Steve Larson, 3134 Upper Mountain Road, Sanborn, NY be added to the roster of active firemen.

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved that Steve Larson, 3134 Upper Mountain Road, Sanborn, NY be added to the roster of active firemen, pending receipt of the required medical form.

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

- Letter from Amel S. Jowdy, Jr., Town Justice, requesting permission to attend the NYS Magistrates' annual meeting to be held in Niagara Falls, NY September 24-28, 2011.

Upon a motion duly made by Councilman Blackman and seconded by Councilman Ohol, it was resolved to authorize Amel S. Jowdy, Jr., Town Justice, to attend the NYS Magistrates' annual meeting to be held in Niagara Falls, NY September 24-28, 2011.

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

HIGHWAY SUPERINTENDENT REPORTS

Jon MacSwan, Highway Superintendent, reported as follows:

- Plank Road has been recycled; shoulders will be done when the road has set up.
- Recommend acceptance of bid from Empire Insulation for reconstructing the roof on the Water storage building (Procurement form has been submitted); Thilk Electric has submitted a quote between \$2,000 - \$2,500 for the electric work.
- Baughman Magic Seal has submitted the low quote for sealing the blacktop area of the Town Hall/Municipal Building at a price of \$5,100. A procurement form will be prepared for the expenditure

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- The ball diamond at the Town Park is prepared for playing. Work still needs to be completed on the dugouts.
- With regard to the petition for lowering the speed limit on Baer Road between Lower Mountain Road and Ridge Road, Mr. Mac Swan indicated he has prepared a letter that can be submitted with the request to the State.

A brief discussion followed relative to additional road signage on Shawnee Road and Upper Mountain Road indicating that cross traffic does not stop and the removal of the sign on Town Line (Junction Road) Rte. 93 off of Lower Mountain Road.

Also, the question arose if the bush on the corner of Blackman Road and Thrall Road was ever trimmed/cut. Mr. MacSwan indicated the owner of the property said she would take the bush down. Supervisor Ellis suggested that the property owner be reminded of her commitment to remove the bush and if no action is taken, that the Highway Department follow up on the matter, as it does pose a hazardous condition to motorists.

RECREATION MATTERS

Councilman Roberts reported to the Board concerns of the Recreation Committee relative to the following matters:

- Security at the Town Park. It is understood that Jon MacSwan has contacted the Sheriff's Department for routine patrol and the Board will give consideration over the next few months as to what can be done to supplement security measures at the park.
- Advertising for Recreation Committee member. Supervisor Ellis has indicated he would make the arrangements for placing the ad in the newspaper.
- Town Park Rules – The Recreation Committee is requesting the Town Park Committee to meet to establish rules/regulations for the Town Park.
- Spraying for Mosquitoes – The matter was discussed by the Recreation Committee, but they decided to hold off at this time due to issues relating to mosquito control.

Sally Marotta-Reed, Recreation Director, updated the Board on the recent inspection of the sites for the Summer Recreation Day program. Both sites passed inspection with only a few minor issues to be resolved.

Rodney Hogg, Baseball Director, reported that a few games have been played at the Town Park. The first official game and grand opening is scheduled for 6 pm on Monday, June 20th.

CONCERNS OF CITIZENS

Erik Gustafson, 4515 Baer Road, presented a petition to the Board to reduce the speed limit on Baer Road between Ridge Road and Upper Mountain Road from 55 mph to 45 mph. Board members were provided a copy of the petition, signed by 46 residents.

A brief discussion followed as to the process for submittal of speed limit reductions on Town roads. Once the request is approved by the Town Board, it is submitted to the County and is then forwarded to the NYS Department of Transportation for approval. The process usually takes about six months.

BAER ROAD SPEED LIMIT REDUCTION

Upon a motion duly made by Councilman Blackman and seconded by Councilman Roberts, it was resolved to direct the Town Clerk to file the required TE9 forms, requesting a speed limit reduction from 55 mph to 45mph on Baer Road, between Ridge Road and Lower Mountain Road.

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

BROWNFIELD GRANT

Supervisor Ellis stated the Town is working on grants through EPA and HUD to address the Brownfield condition at the former Air Force Base on Shawnee Road and Route 31. In the process of working on the grants, one area that needs to be addressed involves the bidding for the services of an engineer. Supervisor Ellis directed the Town Attorney to prepare and publish a request for qualifications for engineering services for execution of the Brownfield grant and he announced the appointment of the

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following individuals to serve as a Committee to process those applications: John Phillips, Chairman, Councilmen Randy Roberts and Robert Blackman and Bernie Rotella.

HIGHWAY FUND APPROPRIATION – CHIPS FUNDING

Supervisor Ellis indicated we received good news in April that NYS decided to restore the CHIPS funding for the 2011 budget. When the 2011 Town budget was adopted the CHIPS funding was not available, so it was not appropriated in the budget. The following resolution was presented for the Board's approval:

Resolution to modify the 2011 Highway Fund budget by increasing revenues in line DA1000.3521 State Aid for Chips by \$55,687.46 and increasing Highway Fund appropriations line DA5112.2010 Current Improvement CHIPS by \$55,687.46 the funds to be used for Town Highway Repair.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Blackman, it was resolved to modify the 2011 Highway budget by increasing revenues in line DA1000.3521 State Aid for CHIPS by \$55,687.46 and increasing Highway Fund appropriations line DA5112.2010 Current Improvement CHIPS by \$55,687.46 the funds to be used for Town Highway repair.

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

PROCUREMENT OF MATERIALS/SERVICES

The following Procurement forms were presented for the Board's approval:

➤ **Replacement of Sewer Pump and Hatch at BOCES**

Supervisor Ellis referenced a letter to BOCES dated May 12, 2011, outlining the details relative to the repair of the existing pump, it being understood that the cost of rebuilding the pump will be split evenly between the Town and BOCES. The replacement hatch will be installed by the Town of Cambria and BOCES will reimburse the Town for the cost. He indicated that the 1985 agreement with BOCES will be reviewed with the objective of turning all responsibility for the Sewer Pump Station over to BOCES.

Upon a motion duly made by Councilman Bush and seconded by Councilman Ohol, it was resolved to authorize the purchase of materials from sole provider, ITT Water and Wastewater USA, for the replacement of the hatch and repair/replacement of pump at the BOCES sewer pump station at a total cost of \$11,047.00.

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

➤ **Replacement of Roof – Water Department Storage Building**

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to accept the proposal from Empire State Insulation, 5921 Baer Road, in the amount of \$9,000 for the replacement of the Water Department storage building roof. Electrical work to be performed by M.H. Thilk Electric at a cost not to exceed \$2,500.00

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

➤ **Blacktop Sealing – Town Hall/Municipal Building Parking Lots**

Jon MacSwan indicated Baughman Magic Seal submitted the lowest quote at \$5,100 for the sealing/stripping of the Town Hall and Municipal Building parking lots. A procurement form will be prepared and submitted.

Upon a motion duly made by Councilman Bush and seconded by Councilman Ohol, it was resolved to accept the proposal submitted by Baughman Magic Seal, Inc., Amherst, NY for the sealing/stripping of the Town Hall and Municipal Building parking lots.

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

➤ **Used Ferris Zero Turn Riding Mower**

Supervisor Ellis indicated that the Niagara County Water District has offered to the member Towns an opportunity to bid on a used 2006 Ferris Zero Turn riding mower, which they have declared as surplus. The Niagara County Water District has accepted the bid submitted by the Town of Cambria for the purchase of a used 2006 Ferris Zero Turn riding mower in the amount of \$4,250.00.

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Upon a motion duly made by Councilman Ohol and seconded by Councilman Bush, it was resolved to authorize the Supervisor to finalize the transaction for the purchase of a 2006 Ferris Zero Turn riding mower from the Niagara County Water District in the amount of \$4,250.00 and to arrange delivery to the Town.

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

ADJOURNMENT

As there was no further business, the meeting was adjourned by motion made by Councilman Ohol and seconded by Councilman Blackman. Time: 9:00 pm.

Respectfully submitted,

Lou Ann Murawski
Town Clerk