

TOWN OF CAMBRIA TOWN BOARD

June 8, 2017

The regular meeting of the Town of Cambria Town Board was held at 7:00 pm on the 8th day of June 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
5 interested persons

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

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 May 11, 2017- work meeting; May 11, 2017-regular meeting.

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	3	\$ 131.50
Drainage Fund	Claims	8-9	\$ 7,902.50
General Fund	Claims	228-289	\$ 54,886.97
Highway Fund	Claims	85-110	\$ 13,986.56
Recreation Fund	Claims	4-9	\$ 5,739.40
Refuse Fund	Claims	7-8	\$ 20,050.93
Sewer Operating Fund	Claims	22-23	\$ 3,280.63
Trust and Agency Fund	Claims	9-10	\$ 33,498.23
Water Operating Fund	Claims	74-85	\$ 5,036.69

Additional payment request (included in abstract):

Pay request #2 from JR Swanson for the work at the BOCES Pump Station. This payment represents the final contract payment in the amount of \$3,197.00.

Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts, it was resolved to approve Final Pay Request #2 from JR Swanson for the work at the BOCES Pump Station in the amount of \$3,197.00.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam, it was resolved that the abstract of audited vouchers dated June 8, 2017, be approved as read by the Town Clerk.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

2016 FINANCIAL STATEMENT PRESENTATION

Supervisor Ellis indicated that the 2016 financial audit results for the Town have been received. He introduced John Schiavone, managing partner of Lumsden & McCormick, to summarize the findings.

Mr. Schiavone 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.

Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam, it was resolved to acknowledge the receipt and filing of the audit of the Town of Cambria financial statements for the period ending 12/31/2016 as prepared by Lumsden & McCormick, LLP certified public accountants. The audit included the examination of the Justice Court records and dockets.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

STORMWATER MANAGEMENT PLAN FOR 2017; MS4 ANNUAL REPORT

Upon a motion duly made by Councilman Roberts and seconded by Councilman Foe, it was resolved to approve the 2017 Stormwater Management Plan and the 2016 MS4 Draft Annual Stormwater Management Report and to authorize Supervisor Ellis to sign the document and forward it to the DEC.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

O/N BOCES PUMP STATION RFP

Supervisor Ellis indicated that the work on the O/N BOCES Pump Station is complete. He is putting together the paperwork to submit to BOCES for reimbursement of a little over \$21,000.00. The project came in under budget by \$1,000.00.

REAL PROPERTY TAX EXEMPTION RE: SOLAR/WIND ENERGY SYSTEMS

Supervisor Ellis stated that he and Councilman Foe will be meeting with Drew Riley, Wendel, to look over the local law and the potential changes with regard to solar and wind energy systems; including ground mounted solar panels and property tax exemption. A draft for the Town Board's consideration should be completed by the July meeting.

NYS COMPTROLLER 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.

NIAGARA COUNTY NY HAZARD MITIGATION PLAN

Town of Cambria Niagara County NY Hazard Mitigation Plan ADOPTION RESOLUTION

WHEREAS, Town of Cambria, with the assistance from Witt O'Brien's, has gathered information and prepared the Niagara County NY Hazard Mitigation Plan; and

WHEREAS, the Niagara County NY Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, The Town of Cambria NY is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS The Town of Cambria NY have reviewed the Plan and affirms that the Plan will be updated no less than every five years;

NOW THEREFORE, BE IT RESOLVED by the Town Board that The Town of Cambria NY adopts the Niagara County NY Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

ADOPTED this 8th day of June 2017, at the meeting of the Cambria Town Board.

Town of Cambria Town Board

Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam, it was resolved to adopt the Niagara County NY Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

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.

BACKHOE PURCHASE

**PROCUREMENT-WATER-2017-8
COMPACT EXCAVATOR PURCHASE**

Supervisor Ellis indicated that there was a proposal from the Water Department last month for the replacement of a backhoe. There was some concern that the trade in was not a good value. The Supervisor asked the Highway Superintendent to speak on this issue.

Highway Superintendent Jon MacSwan has received three proposals for a compact excavator. He indicated that Bobcat compact excavator was on state bid. The company brought the equipment to the Town for the Highway employees to use it for a week. It was also the only company who included three bucket attachments in the proposal. This equipment will be quicker for trenching. This is a 2017 budgeted item.

Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Roberts, it was resolved to accept the proposal from Bobcat, Clark Equipment Co. (W. Fargo ND but will be bought locally) for the purchase of a Bobcat Compact Excavator in the amount of \$58,769.00.

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
RANDY ROBERTS voting AYE

JOSEPH OHOL voting NO

The Resolution was thereupon declared duly adopted.

**PROCUREMENT-TOWN PARK- 2017-7
60” LAWN PLUGGER/AERATOR**

Supervisor Ellis indicated there were three proposals received for the purchase of an aerator to enable the Town Park work force to maintain grounds. The lowest quote was from Bentley Brothers, Brockport, NY for Landpride Aerator CA1556 56ö in the amount of \$1,400.00.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam, it was resolved to accept the proposal and authorize payment of the bill from Bentley Bros., Brockport, NY, for the purchase of a 60” Landpride Lawn Plugger / Aerator in the amount of \$1,400.00.

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

TOWN CLERK REPORTS

The Town Clerk, reported receipt of the following:

- Town Clerk Report May: Total Receipts: \$129,348.67
- Building Inspector Report May: Total fees collected: \$4,467.20
Total estimated value of construction: \$714,857.00

Pekin Fire Company notified the Town Board that they accepted the resignation of Mark Willard, 3134 Upper Mountain Road effective May 2, 2017; requesting Jim Church-5347 Townline Rd., Sanborn and Rodney Hogg-5310 Shawnee Rd., Sanborn-be removed from the active roster effective May 2, 2017.

Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam, it was resolved to acknowledge the resignation of Mark Willard, 3134 Upper Mountain; requesting Jim Church-5347 Townline Rd., Sanborn and Rodney Hogg-5310 Shawnee Rd., Sanborn-be removed from the active roster all effective May 2, 2017.

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

HIGHWAY SUPERINTENDENT REPORTS

The Highway Superintendent, Jon MacSwan, reported as follows:

- Blackman Road paving complete- shoulder to be done next Monday
- Andrews and Moore next on paving list
- Brush pickup ongoing
- Town park lawn fixed and seeded from the cuts from the power and water lines
- Trees planted
- Bathrooms / comfort station a hit with patrons

SUPERVISOR REPORT

Supervisor Ellis is in receipt of a letter of intent from the Teamsters Local Union 264. He appointed Councilman Joseph Ohol to chair the negotiation committee and assisted by Councilman Matthew Foe.

Supervisor Ellis appointed Councilman Joseph Ohol as Deputy Supervisor and he thanked Councilman Matthew Foe for his service as Deputy for the past three months.

ATTORNEY REPORTS

No reports.

CONCERNS OF CITIZENS

Jon Pressley, Chief Cambria Volunteer Fire Company-

The Cambria Fire Company has received 222 calls in 2017. By June of 2016 there were approximately 125-150 calls. The increase could be attributed to the aging of the Town. Unicorn Apartments had 20-30 calls for the same individual since January.

Thomas Reed-5292 Cambria Rd.-

Mr. Reed asked if the Town had a dog control officer. There is a problem with people walking dogs at the Town Park without leashes and is requesting that someone patrol the park and issue tickets to those violating the Cambria Dog Control Local Law. There is a contract with the SPCA but not in the scope of the contract. The rules are posted but no one there to reinforce the rules.

Brief discussion followed.

PUBLIC HEARING RE: ZONING ORDINANCE

Supervisor Ellis indicated the Town needs to make a change to the Zoning Ordinance to address homes which will be rented for short periods of time; primarily for tourists. There is nothing in the Ordinance at the present time that addresses the issue so technically it isn't permitted. Supervisor Ellis would like to call a public hearing on July 13, 2017, at 7:00 pm to address the Bed and Breakfast and Tourist Homes.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Foe, it was resolved to set a public hearing for July 13, 2017, at 7:00 pm to consider amending the Zoning Ordinance with regard to the definitions of Bed & Breakfast establishments and Tourist Homes.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

ELECTRONIC RECYCLING

Supervisor Ellis reported that the Town Supervisors met with the county regarding the government mandated shared services plan. Electronic Recycling was discussed along with the option of the county taking it over and having a centralized location for drop off.

PREMCOM PROPOSAL

Supervisor Ellis is in receipt of a proposal from Premcom Town of Cambria Server and Security Upgrade. The current server is very old and the fire wall is just as old. A network security audit will be completed. The amount of this project will be \$9,217.99.

Upon a motion duly made by Councilman Foe and seconded by Councilman Ohol, it was resolved proposal from Premcom for the Town of Cambria Server and Security Upgrade in the amount of \$9,217.99.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

ADJOURNMENT

The meeting was adjourned by motion made by Councilman Hurtgam and seconded by Councilman Roberts.
Time: 7:52 pm

Respectfully submitted,

Tamara J. Cooper
Town Clerk