

TOWN OF CAMBRIA TOWN BOARD

March 10, 2016

The regular meeting of the Town of Cambria Town Board was held at 7:00 pm on the 10th day of March 2016 at the Town Hall, 4160 Upper Mountain Road, Town of Cambria, New York.

BOARD MEMBERS PRESENT:

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

ALSO PRESENT:

Paula N. Jones, Deputy Town Clerk
Jon T. MacSwan, Highway Superintendent
Robert Roberson, Attorney
Jamie Johnson, Wendel
David Godfrey, Niagara County Legislator
10 interested individuals

ABSENT:

Joseph Ohol, Councilman

Following salute to the flag, Supervisor Ellis called the regular 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 of February 11, 2016 and March 4, 2016.

Ayes: Ellis, Foe, Hurtgam, Roberts

-Motion Carried-

APPROVAL OF VOUCHERS

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

Drainage Fund	Claims	3-4	\$ 1,935.64
General Fund	Claims	74-112	\$ 82,983.95
Highway Fund	Claims	30-50	\$ 48,862.33
Recreation Fund	Claims	1-3	\$ 3,330.00
Refuse Fund	Claim	2	\$ 31,312.40
Sewer Construction Fund	Claim	1	\$ 1,350.00
Sewer Operating Fund	Claims	6-9	\$ 1,645.71
Town Park Construction Fund	Claim	1	\$ 3,418.02
Trust & Agency Fund	Claim	6	\$ 805.00
Water Construction Fund	Claim	2	\$ 4,185.00
Water Operating Fund	Claims	28-40	\$ 11,891.36

Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts, it was resolved that the abstract of audited vouchers dated March 10, 2016, be approved as read by the Town Clerk.

Ayes: Ellis, Foe, Hurtgam, Roberts

-Motion Carried-

COMSTOCK/SUBBERA/CAMBRIA ROADS WATERLINES

Jamie Johnson, Wendel, gave an update on the waterline project. Final approval from the Army Corps of Engineers has gone through and the permit is in the mail. The Town Attorney is working on the easements. They are also finalizing bid documents to go out to bid soon. Wendel is requesting the Town Board approve the following three resolutions.

Resolution No. 1

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam, it was resolved to authorize the Town Supervisor to execute the CSX agreements (3) total including the issuance of the \$4,750.00 fee to accompany each application for a total of \$ 14,250.00.

Ayes: Ellis, Foe, Hurtgam, Roberts

-Motion Carried-

Resolution No. 2

Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Roberts, it was resolved to authorize the Town Supervisor to execute the National Grid/Niagara Mohawk agreement.

Ayes: Ellis, Foe, Hurtgam, Roberts

-Motion Carried-

Resolution No. 3

Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam, it was resolved to direct the Town Engineer (Wendel) to advertise the project for bids March 22-April 12 with bids to be received by the Town Clerk at the Cambria Town Hall no later than 10:00 am Tuesday, April 12, 2016.

Ayes: Ellis, Foe, Hurtgam, Roberts

-Motion Carried-

SANITARY SEWER REPAIRS

Jamie Johnson, Wendel, reported she will be meeting with the water foreman; ready to set bid dates in April. Supervisor Ellis requested authorization to execute the five year agreement with the WNY Stormwater Coalition.

Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts, it was resolved to authorize the Town Supervisor to execute the Memorandum of Agreement for the WNY Stormwater Coalition (term of five years) including issuance of the \$1,250.00 fee.

Ayes: Ellis, Foe, Hurtgam, Roberts

-Motion Carried-

TOWN PARK COMFORT STATION

Jamie Johnson, Wendel, reported the Town will be taking electrical service from National Grid at Upper Mountain Road and taking it to the center of the Park. The anticipated use will be for future lighting for the baseball diamonds and a restroom facility. In an effort to save the Town money, the Highway Department will do the trenching for the lines to be run instead of National Grid doing it. The Comfort Station is the restroom facility and will also have a concession stand space. The type of structure was discussed; CMU (concrete masonry unit) building versus a metal frame building including cost and long term life cycle of each, and it seems the Town Board is going to proceed with a brick and mortar type building.

Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam, it was resolved to direct the Town Engineer to prepare a proposal for design and bid documentation for a concrete masonry unit type building and prepare it for the April meeting.

Ayes: Ellis, Foe, Hurtgam, Roberts

-Motion Carried-

Councilman Roberts thanked Legislator Godfrey for helping the Town acquire funding for these projects.

TOWN CLERK REPORTS

The Town Clerk reported receipt of the following:

- Town Clerk Report February: Total Receipts: \$33,657.75
- Building Inspector Report February: Total fees collected: \$ 635.00
 Total estimated value of construction: \$110,608.00

HIGHWAY SUPERINTENDENT REPORTS

The Highway Superintendent, Jon MacSwan, reported as follows:

- It's been a nice winter so far and they have used about half of the fuel they used last year, half the overtime as well
- Plan on paving Baer Road from Upper Mountain Road up to Raymond Road and then split with the Town of Wheatfield from the bridge to Raymond Road, already started replacing culverts

WATER/SEWER DEPARTMENTS

No reports

TOWN POLICY AND PROCEDURES REVIEW COMMITTEE

Councilman Foe reported it is still in the hands of the attorney.

ATTORNEY REPORTS

Town Attorney, Mr. Roberson, reported as follows:

- Regarding the Annalora accident on routes 93 and 104 last spring, submitted the Highway Superintendent's affidavit to the Insurance Company so that the plaintiff will withdraw the notice of claim against the Town
- In receipt of executed copies of agreement from Benderson and filed one original with the Town Clerk

CONCERNS OF CITIZENS

Legislator Godfrey updated the Board on the following:

- A new coroner will be voted in tomorrow night, the coroner from the City of Niagara Falls retired
- The Broadband effort is coming along. The RFPs are due on April, they will reviewed and awarded in early June, Seneca Solutions is awaiting the funds

J MICHAEL MORAN PROPERTY-DRIVEWAY

Supervisor Ellis reported the Town is in receipt of a letter from the law office of Patricia George concerning the property at 4217 Ridge Road, Cambria owned by Michael Moran. Sometime in the past Mr. Moran purchased the property, changed the driveway and put it over a burial ground which was well documented on all of the deeds ever since the beginning of the property. Now they are trying to sell the property and would like permission to leave it there. It cannot be allowed; according to the Department of State this is not tolerated.

Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam, it was resolved to reject the request for a right of way for the continued use of the existing nine foot stone drive or a license allowing the same and further direct that the owner of the property 4217 Ridge Road, Cambria SBL: 78.00-2-31 immediately and completely remove the driveway from the area of the burial grounds SBL: 78.00-2-30.

Ayes: Ellis, Foe, Hurtgam, Roberts

-Motion Carried-

SERVICE AWARD PROGRAM

Supervisor Ellis reported an issue has been brought to the Board's attention regarding membership of Vincent Salerno and Cambria Volunteer Fire Company and presented the following resolution.

The Town Board having duly investigated the membership status of Mr. Vincent Salerno as a member of the Cambria Volunteer Fire Company for the period May 1, 2012 to March 10, 2016 it is hereby,

RESOLVED; that Mr. Salerno having submitted his letter of resignation dated May 1, 2012 to the Cambria Volunteer Fire Company, and not having received the consent of the Cambria Town Board at any time during the period May 1, 2012 to March 10, 2016 to become a member of said fire company is not and has not been a member of the said fire company since submitting his letter of resignation;

THEREFORE, the Town Board will remove his name from the fire company roster for 2014, 2015, 2016 and authorize the Supervisor to take any further necessary administrative action on this issue.

Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam, it was resolved to accept the foregoing resolution as stated.

**ROLL CALL: ELLIS AYE
 FOE AYE
 HURTGAM AYE
 ROBERTS AYE**

-Motion Carried-

Supervisor Ellis reported the census for Pekin Fire Company has 19 eligible members and Cambria Volunteer Fire Company has 34 eligible members for a total of 53 members eligible for the fireman's service award program for 2015.

Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts, it was resolved to approve the 2015 census for the Pekin Fire Company with 19 eligible members and the Cambria Volunteer Fire Company with 34 eligible members for a total of 53 members eligible for the Fireman's Service Award Program and further direct the Supervisor to take the necessary corrective action on the 2014 census of the Fireman's Award Service Program.

Ayes: Ellis, Foe, Hurtgam, Roberts

-Motion Carried-

PLANNING BOARD ALTERNATE MEMBER APPOINTMENT

Supervisor Ellis reported Garret A. Meal of 5704 Campbell Boulevard expressed interest in the open position.

Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Foe, it was resolved to appoint Garret A. Meal of 5704 Campbell Boulevard to a one-year term as alternate to the Town of Cambria Planning Board.

Ayes: Ellis, Foe, Hurtgam, Roberts

-Motion Carried-

NATIONAL FUEL INVOICES (3)

Supervisor Ellis indicated there are three invoices from National Fuel that need to be paid prior to the work being done. The Town has been negotiating with the company to bring natural gas to the Town Hall, down Upper Mountain Road from Shawnee Road. National Fuel came back with a proposal, three invoices totaling \$46,648.61 for the extension of natural gas service. The work should be completed this summer.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam, it was resolved to approve the three National Fuel invoices totaling \$46,648.61 for the extension of the natural gas service along Upper Mountain Road to provide services to the Town Hall, Municipal Garage and Community Room/Record Storage Building.

Ayes: Ellis, Foe, Hurtgam, Roberts

-Motion Carried-

NIAGARA HEALTH CARE CONSORTIUM

Supervisor Ellis reported this effort has been ongoing for the past 18 months. Feasibility studies have been received, there are 26 entities involved in the initial project including Niagara County. This effort is funded by the NYS Department of State grant, \$225,000.00 from the Local Government Efficiency Program.

Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam, it was resolved to accept the feasibility analysis provided by Arthur J. Gallagher & Co. and further authorize the Supervisor to continue participation in the formation of the Greater Niagara Municipal Health Care Consortium under Article 47.

Ayes: Ellis, Foe, Hurtgam, Roberts

-Motion Carried-

RECREATION CONTRACTS WITH FIRE COMPANIES

Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam, it was resolved to approve the 2016 Recreation Contract with the Pekin Fire Company, Inc. in the amount of \$1,600.00 for the use of (4) baseball/softball/t-ball diamonds covering the period April 1, 2016 through September 30, 2016.

Ayes: Ellis, Foe, Hurtgam, Roberts

-Motion Carried-

At this time, the Town is evaluating the need for two baseball diamonds at Cambria Fire Company. As the program evolves, operations are being moved to the Town Park. This will be addressed at the April meeting.

ADJOURNMENT

The meeting was adjourned by motion made by Councilman Foe and seconded by Councilman Roberts.
Time: 7:30 pm

Respectfully submitted,

Paula N. Jones
Deputy Town Clerk