

TOWN OF CAMBRIA TOWN BOARD

March 12, 2015

The regular meeting of the Town of Cambria Town Board was held at 7:00 pm on the 12th day of March 2015 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 Hurtgam, Councilman
Randy M. Roberts, Councilman
Joseph Ohol, Councilman

ALSO PRESENT:

Paula N. Jones, Deputy Town Clerk
Jon MacSwan, Highway Superintendent
Robert Roberson, Attorney
David Godfrey, Legislator
3 interested individuals

Following salute to the flag, Supervisor Ellis opened the public hearing to amend the Town's Water Ordinance and to amend the Town's Sewer Ordinance for Town of Cambria Sewer District No. 1.

The Clerk read the following Notices of Public Hearing:

PLEASE TAKE NOTICE that the Town Board of the Town of Cambria will conduct a Public Hearing at the Cambria Town Hall, 4160 Upper Mountain Road, Sanborn, New York 14132, on the 12th day of March, 2015 at 7:00 p.m. to hear and consider amendment to the Rules and Regulations of the Town's Water Ordinance as follows:

1. adding the following paragraph to Section I, paragraph A:

* * * ÷WATER CHARGES SHALL BE A LIEN UPON THE REAL PROPERTY upon which or in connection with which the water had been used. In all cases where water charges remain due and unpaid at the time the annual tax roll is made out, the same shall be included therein and levied against the real property upon which or in connection with which the water is used and shall be collected with and in the same manner as other town taxes, together with the additional charges, fees, and penalties incident to the collection of such taxes.ö

2. by adding the following paragraph to Section VIII as paragraph 2-g:

ög. To recover costs incurred by the Town/District in the processing of unpaid water bills for collection by the County, there shall be added to the amount of such unpaid bill the sum of \$100.00 for each property. The Town Board may by Resolution, change the amount of said fee from time to time as a Town Board may deem appropriate.ö

3. by striking from Section VIII paragraph 2-e the words:

öAll delinquent charges shall be a lien against the property.ö

This amendment will be effective immediately upon adoption.

All citizens and persons in interest may be heard at the public hearing to be held as aforesaid.

PLEASE TAKE NOTICE that the Town Board of the Town of Cambria will conduct a Public Hearing at the Cambria Town Hall, 4160 Upper Mountain Road, Sanborn, New York 14132, on the 12th day of March, 2015 at 7:00 p.m. to hear and consider amendment to the Rules and Regulations of the Town's Sewer Ordinance as follows:

1. by adding the following paragraph to Section II at paragraph 11.6:

öSEWER CHARGES SHALL BE A LIEN UPON THE REAL PROPERTY upon which or in connection with which the sewer had been used.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam, it was resolved to amend the Cambria Water District Ordinance, establishing the administrative fee of \$100.00 to recover the costs incurred by the Town/District in the processing of unpaid water bills for collection by the County.

Roll call taken:

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

NEW / UNUSED TRACTOR AND MOWING IMPLEMENTS BID

Supervisor Ellis reported (5) bids were received for the bid opening on March 10, 2015 at 10am. The lowest bid did not meet the bid specifications as advertised therefore the second lowest bid will be accepted.

Upon a motion duly made by Councilman Foe and seconded by Councilman Ohol, it was resolved to reject the low bid from Z & M Ag & Turf of Oakfield, NY of \$64,744.53 as it does not meet the advertised bid specifications and accept the second lowest bid from Bentley Brothers of Albion, NY \$69,000.00 for one new/unused tractor mowing implements 96" rear mower on the Terrain King KSM60 rotary side mower.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

FINANCIAL ACCOUNTING AUDIT

Supervisor Ellis reported the Town accountants from Lumsden and McCormick, LLP, were at the Town Hall from February 23rd - 27th to conduct the 2014 audit. They are in the process of providing financial information to the Supervisor's office for the Annual Update Document (AUD) to be submitted to the State Comptroller by March 31.

TOWN CLERK REPORTS

The Town Clerk reported receipt of the following:

- Town Clerk Report February: Total Receipts: \$35,198.51
- Building Inspector Report February : Total fees collected: \$ 2,128.50
Total estimated value of construction: \$980,000.00
- Pekin Fire Company:

Requesting addition to active roster:

Karla Anderson 5306 Upper Mountain Road, Lockport, to their active roster pending receipt of her physical.

Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts, it was resolved to add Karla Anderson 5306 Upper Mountain Road, Lockport, to their active roster pending receipt of her physical.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

HIGHWAY SUPERINTENDENT REPORTS

The Highway Superintendent, Jon MacSwan, reported as follows:

- It has been a taxing winter, they are doing okay with salt; need to order 300 ton to keep their price; man hours are close, they have been plowing just about every weekend.
- Mr. MacSwan indicated the Highway Department would like to purchase the old Water truck (2004). The transaction will be for \$1.00 and any money received for the sale of the (3) highway trucks would be split equally between the Water and Sewer Districts.

Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam, it was resolved to transfer the 2004 blue Chevy pickup truck from the Water District to the Highway Department VIN # 6372 for \$1.00 and other good and valuable considerations.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Ohol, it was resolved to declare as surplus and authorize to auction the 1991 extended cab Chevy pickup truck VIN # 2857, the 1995 blue Chevy utility truck VIN # 9887 and the 1998 red Chevy extended cab pickup truck VIN # 7660; proceeds from the sales will be split equally between the Water District and Sewer District.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

- Mr. MacSwan reported they are still waiting to recover the money owed to the Town from the November storm.
- Supervisor Ellis referenced the vehicle use policy indicating the need to align the numbering of the trucks and the lettering on the new truck.

WATER/SEWER

No reports presented.

TOWN POLICY/PROCEDURES REVIEW COMMITTEE

No reports presented.

ATTORNEY REPORTS

No reports presented.

Supervisor Ellis mentioned an article in the Buffalo News March 9 about recycling in Niagara County has increased, referring to 2014 figures and the Town of Cambria is up to 17.6% which is higher than it has been before in terms of the percentage of recycling. This is due to the larger recycling bins available.

CONCERNS OF CITIZENS

No one desired to be heard.

SANBORN MEADOWS APARTMENT COMPLEX

Supervisor Ellis reported Sanborn Meadows Apartment Complex has requested a change in the planned development to convert an existing recreation room into an apartment.

Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts, it was resolved to accept and forward the request from Sanborn Meadows Apartment Complex to convert an existing recreation room into an apartment to the Town of Cambria Planning Board for review and make recommendations to the Town Board.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

MOUNT VIEW CEMETERY LOT RESALE

Supervisor Ellis indicated a request has been received from Mr. David Harms, the owner of (4) plots in Mt. View Cemetery. Mr. Harms would like to sell two of those plots and first must offer them to the Board to purchase back. The original purchase price was \$250.00 each; with 4% simple interest per annum for a total of \$900.00 for Section B Lot #73 plots 3 & 4.

Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam, it was resolved to pay Mr. David Harms \$900.00 representing principle and 4% simple interest per annum for grave sites #3 & 4 in Section B Lot 73 at the Mount View Cemetery.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

YOUTH PROGRAMS/TOWN PARK COMMITTEE

Supervisor Ellis reported a new committee for Youth Programs/Town Park will be established. Members of the new committee are:

George Bush, Chairman, Sally Marotta-Reed, Recreation Director, Rodney Hogg, Baseball Director, John W. Phillips, Thomas H. Seefeldt, Susan R. Wendt, Raymond L. Schulz, Margaret Mayer and Tamara Cooper

The appointments are all one year terms with the chairman being compensated \$35/meeting and all other members \$30/meeting. The Recreation Director and Baseball Director will not be paid for these meetings as they are already paid by their regular salary.

Upon a motion duly made by Councilman Ohol and seconded by Councilman Hurtgam, it was resolved to establish the Youth Program/Town Park Committee consisting of: George Bush, Chairman, Sally Marotta-Reed, Recreation Director, Rodney Hogg, Baseball Director, John W. Phillips, Thomas H. Seefeldt, Susan R. Wendt, Raymond L. Schulz, Margaret Mayer and Tamara Cooper to one year terms and to be compensated \$35/meeting for chairman, \$30/meeting members, the Day Program Director & Baseball Director to be paid by their regular salary.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

RECREATION CONTRACTS WITH FIRE COMPANIES

The Recreation contracts with the fire companies are from April 1, 2015 ó September 30, 2015. The contract with Pekin Fire Company is for (4) baseball diamonds for \$1,600.00 and the contract with Cambria Fire Company is for (2) baseball diamonds for \$800.00.

Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts, it was resolved to approve the two recreation contracts and authorize the Supervisor to sign the contracts with Pekin Fire Company for (4) baseball diamonds for \$1,600.00 and the contract with Cambria Fire Company for (2) baseball diamonds for \$800.00.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

RECREATION FEE SCHEDULE

The Town Park Baseball Diamond rental fees will be raised by \$5.00, this will affect (7) categories in the fee schedule.

Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Roberts, it was resolved to approve the increase of \$5.00 for each of the (7) Town Park Baseball Diamond rental fees.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

ADDITIONAL MATTERS

Supervisor Ellis reported the census has been submitted from the fire companies for the Fireman Service Award Program, Cambria Volunteer Fire Company has 35 members qualify and Pekin Fire Company has 23 members qualify for the year 2014.

Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam, it was resolved to approve the 2014 census for the Pekin Fire Company with 23 eligible members and the Cambria Volunteer Fire Company with 35 eligible members for a total of 58 members eligible for the Fireman’s Service Award Program.

Ayes: Ellis, Foe, Hurtgam, Ohol, Roberts

-Motion Carried-

Councilman Ohol inquired about the new member approved earlier in the meeting for Pekin Fire Company, asked if they are receiving points already? Supervisor Ellis explained only members that have earned points through the year can qualify for the Service Award Program.

Mr. David Godfrey, Niagara County Legislator reported to the Town Board the restraining order has been lifted, the disks will be mounted onto the tower and then the system will be tested. The Smart School proposition that passed last November isn’t funded, it’s reimbursement funds, they are still working on the process, and no applications are ready yet. Niagara is the chosen location for a new border patrol regional center, once funds are available.

ADJOURNMENT

The meeting was adjourned by motion made by Councilman Foe and seconded by Councilman Ohol.
Time: 7:40 pm

Respectfully submitted,

Paula N. Jones
Deputy Town Clerk