

TOWN OF CAMBRIA TOWN BOARD

MAY 10, 2012

The regular meeting of the Town of Cambria Town Board was held on the 10th day of May 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 Engineers
Approximately 10 interested individuals

Following salute to the flag, Supervisor Ellis opened the public information session relating to:

2011 STORMWATER MANAGEMENT- MS4 DRAFT ANNUAL REPORT/MANAGEMENT PLAN

Jaime Davidson, Wendel Duchscherer, gave a brief presentation with regard to the Stormwater Management Program. Ms. Davidson indicated that the draft annual report addresses six factors affecting stormwater management: public education and outreach, public participation and involvement; illicit detection/discharge, construction control measures, post-construction control measures and stormwater pollution prevention "good housekeeping". The Town submits the annual report, which is required to be filed with NYSDEC by June 1st. This report is available for review on the Town of Cambria website.

As there were no questions or comments from the public, Supervisor Ellis closed the informational meeting and called the regular meeting to order. Board members took action upon the following matters:

APPROVAL OF MINUTES

Upon a motion duly made by Councilman Roberts and seconded by Councilman Ohol, it was resolved to approve the Minutes of the Town Board meeting of April 12, 2012.

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	2-5	\$	5,293.58
Cemetery	Claim	1	\$	400.00
Drainage	Claims	11-14	\$	1,154.80
General	Claims	164-210	\$	40,301.14
Highway	Claims	101-123	\$	22,302.60
Recreation	Claims	7-8	\$	1,577.05
Refuse	Claim	6	\$	32,404.84
Sewer Operating	Claims	24-29	\$	490.16
Trust Agency	Claims	21-24	\$	11,151.60
Water Operating	Claims	77-97	\$	10,867.03

Upon a motion duly made by Councilman Foe and seconded by Councilman Blackman, it was resolved to approve the abstract of audited vouchers as read by the Town Clerk.

Ayes: Blackman, Ellis, Foe, Ohol, Roberts

-Motion Carried-

APPROVAL OF ADDITIONAL VOUCHERS

Supervisor Ellis requested authorization for payment of an additional voucher not included on the abstract of audited vouchers: Standard Security Life Insurance Company for the Fire Service Award Program. The 2011 Service Award Program Contribution is \$30,678.42 and the 2011 Service Fee is \$1,505.00 for a total amount of \$32,183.42.

Upon a motion duly made by Councilman Ohol and seconded by Councilman Foe, it was resolved to approve payment to Standard Security Life Insurance Company in the amount of \$32,183.42, pending review of the Supervisor.

Ayes: Blackman, Ellis, Foe, Ohol, Roberts

-Motion Carried-

STORMWATER MANAGEMENT PLAN/MS4 DRAFT ANNUAL REPORT

Upon a motion duly made by Councilman Blackman and seconded by Councilman Foe, it was resolved to approve the MS4 Draft Annual Stormwater Management Plan Report for the period from March 10, 2011-March 9, 2012.

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

Upon a motion duly made by Councilman Roberts and seconded by Councilman Ohol, it was resolved to approve the Stormwater Management Plan dated May 2011 for the year 2012 with no change.

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

CROWN CASTLE LEASE AGREEMENT

Attorney Roberson indicated he had nothing to report at this time.

Councilman Ohol questioned the \$500 renewal fee for the cell tower listed on the Building Inspector's Report. Supervisor Ellis explained that Crown Castle owns the tower and AT&T is the tenant who has an antenna at that location. The \$500 fee is the renewal fee paid by Crown Castle's tenant. He also indicated that Unison wants to buy out the lease and Crown Castle wants to extend the lease agreement to 25 years. A comparison will be made as to what Unison and Crown Castle are offering and then a determination will be made as to which option is best for the Town.

BROWNFIELDS GRANT/PHASE II ENVIRONMENTAL AUDIT

Randy Roeseler, Wendel Engineers, indicated that the plans and specs for the demolition work are complete. Authorization will be requested at the June Town Board meeting to advertise to receive bids. The work for this project will begin around Labor Day and be completed by the end of the year.

With regard to securing the bomb shelter location, Mr. Roeseler indicated that quotes were solicited under the Town of Cambria's Procurement Policy. Four quotes were submitted and the lowest quote was received from Advanced Demolition Services located in Tonawanda in the amount of \$23,040. The bids ranged from the low bid to \$137,675. Mr. Roeseler is recommending the Town Board award the bid to Advanced Demolition in the amount of \$23,040 conditioned on the review and approval by the Town Attorney.

Councilman Foe inquired as to when Mr. Roeseler expected the contract to be completed after the Board's approval. It was indicated that the work should be completed in approximately eight weeks.

Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts, it was resolved to accept the proposal of Advanced Demolition Services, 61 Fillmore Ave., Tonawanda NY, in the amount of \$23,040 pending approval by the Town Attorney and review by the County to make certain this will be grant eligible.

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

FAIR VILLAGE SANITARY SEWER TV AND FLUSH

Randy Roeseler, Wendel Engineers, indicated that he met with Jon MacSwan, Highway Superintendent and Randy Shoop, Water Foreman. He indicated the Town will be able to do spot repairs to the sewer lines and an estimate will be prepared for the Town Board with regard to lining the pipes.

REPORTS:

TOWN CLERK

The Town Clerk reported receipt of the following:

- Building Inspector's Report: Total Receipts: \$2,475.00
 Total Estimated value of construction: \$427,400.00
- Town Clerk's Monthly Report: Total Receipts: \$78,309.67
- Letter from Pekin Fire Company to include the addition of three new members, Hillary Polley, 5066 Grove Street, Sanborn; Kristen Curcione, 3010 Upper Mt Rd, Sanborn; Timothy Curcione 3010 Upper Mt Rd, Sanborn to the active roster.

Upon a motion duly made by Councilman Foe, seconded by Councilman Blackman, it was resolved to approve the addition of Hillary Polley, 5066 Grove Street, Sanborn; Kristen Curcione, 3010 Upper Mt Rd, Sanborn; and Timothy Curcione 3010 Upper Mt Rd, Sanborn to the Pekin Fire Company roster of active members, pending receipt of required medical forms.

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

HIGHWAY SUPERINTENDENT REPORTS

Jon MacSwan, Highway Superintendent, reported as follows:

- Shunpike Rd. has been recycled.
- Carney Dr. will be paved after drainage work is completed.
- Playground equipment has been received for the Town Park and the recycled rubber will be purchased from Modern Disposal Services.
- The chipper is out and they are currently caught up.

RECREATION

Randy Roberts, Recreation Liaison, reported as follows:

- With regard to the creation of a soccer program, Sally Marotta-Reed has an appointment with a gentleman who has been involved with soccer for several years. She is hoping to gain some information to get a program started.
- Next year the Committee would like to implement background checks on all coaches.
- The Committee is requesting the Town Board approve the diamond rental fees.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Blackman, it was resolved to approve the baseball diamond fee schedule for non-Cambria recreational organizations, tournament and diamond use as follows:

Recreation Director	\$100.00 per day		
Use of Baseball/Softball Diamonds –Tournaments	\$25.00 per game		
Non-Profit Diamond Use	\$50.00 per game	Multiple Games (3 or more)	\$40.00 per game
For Profit Diamond Use	\$75.00 per game	Multiple Games (3 or more)	\$50.00 per game
Field Maintenance PREP (materials extra)			
Grounds worker to prep all Tournament Games		\$25.00 per game	

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

- The baseball program is in possession of several aluminum bats that are no longer allowed in the league. The Recreation Committee is requesting that the bats be taken in for scrap metal and the money received be credited back into the baseball program.

Upon a motion duly made by Councilman Foe, seconded by Councilman Roberts, it was resolved to declare as surplus approximately 30 aluminum baseball bats.

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

Sally Marotta-Reed, Day Program Director reported as follows:

- Health Department Inspections for both summer Recreation Sites have been completed.
- Training classes will be scheduled for the summer employees before the program begins.
- A meeting has been scheduled with Terry Sullivan from Sportsplex in North Tonawanda regarding the creation of a soccer program, funding and tournaments.

TOWN POLICIES AND PROCEDURES REVIEW COMMITTEE

Councilman Foe reported that he and Councilman Roberts have been working with the Planning and Zoning Board in order to identify problem areas and then update some of the Town’s regulations. He indicated that both boards have been very open to this process. The Planning Board will be working on Solar Regulations, the Comprehensive Plan, Mobile Home Regulations, the Escarpment District, Standby Generators and Woodburning Stoves. The Zoning Board will address Cell Towers and Sheds.

BOCES WATER PUMP STATION AGREEMENT

Mr. Roberson asked that this be tabled until the June meeting. The draft has been submitted to the Attorney for BOCES and he has not yet responded.

CONCERNS OF THE CITIZENS:

There was no one present who wished to be heard.

COPY MACHINE LEASE AGREEMENT

Supervisor Ellis indicated that the Town Hall copy machine lease agreement is due for renewal and the staff is looking for an upgrade. Eleven quotes were received and the selection was narrowed down to three. Minolta and Toshiba permitted the office staff to use copiers in order to make a decision. The administrative staff recommends the Town enter into a 39 month lease with Toshiba for model #5540C. Although the machine is not the lowest price, it is more user friendly and booklets may be created on heavy card stock paper.

Upon a motion duly made by Councilman Foe, seconded by Councilman Blackman, it was resolved to enter into a lease agreement with Toshiba for model # 5540C copy machine, estimated yearly cost of \$4,205.97, with a monthly cost of \$306.96.

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

PROCUREMENT POLICY:

SEWER DEPARTMENT- Purchase of one (1) Grinder Pump-sole source purchase from Fluid Kinetics

One grinder pump will be purchased as a spare. Purchase price: \$2,328.00.

Upon a motion duly made by Councilman Roberts, seconded by Councilman Ohol, it was resolved to authorize a sole source purchase from Fluid Kinetics for one grinder pump in the amount of \$2,328.00.

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

TOWN PARK PAVILIONS - Purchase of three (3) pavilions for the Town Park

Supervisor Ellis reported that three quotes were received for the construction of pavilions at the Town Park. The low bid was received from GD Wendt Builders in the amount \$6,339.50 for each pavilion. The Town will order three for a total of \$19,018.50.

Upon a motion duly made by Councilman Ohol, seconded by Councilman Roberts, it was resolved to accept the low bid submitted by GD Wendt Builders for three pavilions to be constructed at the Town Park for the total amount of \$19,018.50. (\$6,339.50 ea.)

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

TOWN PARK RULES AND REGULATIONS

Tabled until the June meeting.

RECREATION COMMITTEE COMPOSITION

Supervisor Ellis indicated that at the April meeting, the Recreation Committee recommended that an additional member be appointed to serve on the Committee. The following proposal to establish an "Alternate Member" on the Recreation Committee was presented:

The Alternate Member will only serve when a permanent member will be absent or unable to participate on any matter before the Committee. An Alternate Member will be appointed by the Town Board for a term of one (1) year, with the term to expire on December 31 of each year after the date of appointment. The Chairperson of the Recreation Committee may designate the alternate to substitute for a permanent member when such member is unable to attend or participate on any matter before the Committee. When so designated, the alternate member shall possess all the powers and responsibilities of such permanent member of the Committee. Such designation shall be entered into the minutes of the meeting at which the substitution is made.

Upon a motion duly made by Councilman Foe and seconded by Councilman Blackman, it was resolved to adopt the proposal to create the position of Recreation Committee Alternate Member.

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

EXECUTIVE SESSION

Upon a motion duly made by Councilman Foe and seconded by Councilman Ohol, it was resolved to enter into executive session to review the union contract presented yesterday afternoon.

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

There was no formal action taken during the executive session.

Upon a motion duly made by Councilman Foe and seconded by Councilman Ohol, it was resolved to close the Executive session and re-convene the regular meeting.

APPROVAL OF CONTRACT – TEAMSTERS LOCAL 264

Upon a motion duly made by Councilman Ohol and seconded by Councilman Foe, it was resolved to approve the contract between the Town of Cambria and Teamsters Local 264, effective January 1, 2012 through December 31, 2014.

Ayes: Blackman, Ellis, Foe, Ohol, Roberts

-Motion Carried-

ADDITIONAL MATTERS

Councilman Blackman questioned the status of the Building Inspector position. Supervisor Ellis indicated James McCann, an independent contractor with whom the Town still has a valid contract, has agreed to provide his services in the interim until a qualified candidate can fill the position. He would primarily concentrate on code enforcement issues.

Councilman Ohol indicated he is aware of an individual who may be interested in applying for the position.

Councilman Foe suggested that the brush pile at the Municipal Building be chipped.

With regard to the Workplace Violence Prevention Program, Councilman Foe also suggested that a liaison be appointed and a meeting scheduled with employees to address issues. A brief discussion followed.

ADJOURNMENT

As there was no further business, the meeting was adjourned by motion made by Councilman Foe and seconded by Councilman Roberts. Time: 10:10 pm.

Respectfully submitted,

Lou Ann Murawski