

September 12, 2013

The regular meeting of the Town of Cambria Town Board was held at 8:00 pm on the 12<sup>th</sup> day of September 2013 at the Town Hall, 4160 Upper Mountain Road, Town of Cambria, New York

**BOARD MEMBERS PRESENT:**

Wright H. Ellis, Supervisor  
Matthew P. Foe, Councilman  
Joseph Ohol, Councilman  
Randy M. Roberts, Councilman

**ALSO PRESENT:**

Jon T. MacSwan, Highway Superintendent  
Tamara J. Cooper, Deputy Town Clerk I  
Robert Roberson, Attorney  
Randy Roeseler, Wendel  
Thomas Reynolds, Wendel  
David Godfrey, Niagara County Legislator  
13 interested individuals

**ABSENT:**

Robert E. Blackman, Councilman

Following salute to the flag, Supervisor Ellis opened the public hearing.

**PUBLIC HEARING – TO AMEND THE TOWN’S VOLUNTEER FIREMAN’S SERVICE AWARD PROGRAM**

The Clerk read the following Notice of Public Hearing:

**PLEASE TAKE NOTICE** that the Town Board of the Town of Cambria will hold a Public Hearing at the Town Hall, 4160 Upper Mountain Road, Sanborn, New York on the 12<sup>th</sup> day of September, 2013 at 8:00 p.m. with regard to the amendment of the Town’s Volunteer Fireman’s Service Award Program for eligible volunteer firemen in Pekin Volunteer Fire Company, Inc. and Cambria Volunteer Fire Company, Inc. with an annual estimated cost of Forty-five Thousand Dollars (\$45,000.00), based upon existing number of firefighters, including an estimated administration cost of One Thousand Six Hundred Dollars (\$1,600.00) by increasing the annual contribution for firefighters from Five Hundred Fifty Dollars (\$550.00) to Six Hundred Fifty Dollars (\$650.00).

Supervisor Ellis gave a brief history of the Service Award Program, indicating SAP was established in 1991 by a vote of citizens of the Town of Cambria, effective in 1992. It started out as a defined contribution plan and the original amount was set at \$480.00 per year for each fireman that qualified with a minimum of 50 points through their participation in fire company activities. In 2005 voters again approved an increase from \$480.00 a year to \$550.00 a year. In 2012, the issue of increasing the contributions arose again during budget discussions; however, it was too late to place the proposition on the ballot. This year during summer discussions with the fire companies the request was made again, and in time to send it to the Board of Elections. This will mean an increase in budget for the Fire Protection District and this may have an impact on the amount of money that will be available for Firematics.

**Roger Schreader Sr., Cambria Fire Company  
5175 Upper Mountain Road**

Mr. Schreader indicated he felt the increase is justified. He stated that when the program first started the interest rates were higher and the retiree’s money grew and nearly doubled after approximately ten years. Over the years the interest rates have decreased so much that any returns have been diminished. He indicated the increase in the Service Award Program to \$650.00/yr. with 50 points is a worthwhile as it is incentive to retain members with longevity.

As there was no one else present desiring to be heard, Supervisor Ellis closed the public hearing and called the regular meeting to order.

Town Board members took action upon the following matters:

**APPROVAL OF MINUTES**

**Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts, it was resolved to approve the Minutes of August 8, 2013.**

**Ayes: Ellis, Foe, Ohol, Roberts**

**-Motion Carried-**

the following claims were presented for payment:

Capital Project AFB Remediation	Claims	11-12	\$ 238,743.26
Capital Project Town Park	Claim	7	\$ 6,658.00
Cemetery	Claim	11	\$ 161.15
Drainage	Claims	18-19	\$ 257.46
General Fund	Claims	371-422	\$ 35,503.18
Highway Fund	Claims	133-151	\$ 24,547.56
Recreation	Claims	78-83	\$ 2,402.66
Refuse	Claim	8	\$ 33,127.58
Sewer Operating	Claim	31-34	\$ 992.69
Trust Agency Fund	Claims	39-41	\$ 11,142.43
Water Operating Fund	Claims	150-163	\$ 5,650.22

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

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

Supervisor Ellis indicated there were two additional vouchers to be approved:

**Niagara Construction –**

Repair of the roof on cemetery storage building; removal and replacement of rotted material added an additional cost of \$450.00 that was not in the original approval for work. Total cost will be \$1,950.00.

**CertoPro of WNY-**

The painting on the Historical Building was completed on Sunday, September 9, 2013, in the amount of \$8,900.00, which was the bid price.

**Upon a motion duly made by Councilman Foe and seconded by Councilman Ohol, it was resolved to approve the voucher for Niagara Construction in the amount of \$1,950.00 and voucher for CertoPro Painters of WNY in the amount of \$8,900.00.**

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

**FIREMAN’S SERVICE AWARD PROGRAM INCREASE**

**Upon a motion duly made by Councilman Ohol and seconded by Councilman Foe, it was resolved to approve the submittal of proposition to increase the contribution to the Fireman’s Service Award Program to the Board of Elections to be included on the ballot on Tuesday, November 5, 2013.**

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

**RESIDENTIAL ELECTRONIC WASTE RECYCLING**

Supervisor Ellis announced that the Town of Cambria is now up and running as an electronic waste recycling drop off for residents. The disposal bins have arrived in the Highway Department. Please check in with the Highway Clerk- Monday through Friday 9:30 am to 3:00 pm. Councilman Foe suggested some Saturday hours. Supervisor Ellis indicated he would like to see how it goes before any decision is made on additional hours.

**FORMER LOCKPORT AFB**

Randy Roeseler, Wendel, gave a brief update of the project, indicating that the area and quantities of soils requiring remediation differed from that anticipated in original work plan. During the actual soil excavation, the extent of remediation grew from that indicated by drilled subsurface sampling. A new work plan has been prepared to address these findings and the cost is \$21,700.00. Additionally, Amy Fisk of Niagara County reviewed the site with representatives of USEPA and they desire that the driveway and parking area pavement be removed. A Change Order to the construction contract is an additional amount of \$21,247.14.

Mr. Roeseler is requesting Town Board authorization of the construction contract change order in the amount of \$21,247.14, which also includes project completion date adjustment from September 9<sup>th</sup> to September 27<sup>th</sup>, and additional engineering fees in the amount of \$21,700.00 to cover the cost of unexpected findings.



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an Ohol and seconded by Councilman Foe, it was resolved to Change Order No. 1 in the amount of \$21,247.14 which September 9<sup>th</sup> to September 27<sup>th</sup>.

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

Upon a motion duly made by Councilman Foe and seconded by Councilman Ohol, it was resolved to approve the proposal from Wendel for additional design services in the amount of \$21,700.00 (Engineering During Construction - \$9,000.00 / Resident Observation Services - \$11,500.00 / Topographic Survey - \$1,200.00)

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

**COMPREHENSIVE PLAN UPDATE ADVISORY COMMITTEE**

Supervisor Ellis indicated that a Comprehensive Plan Public Open House is scheduled for September 24, 2013, at the Community Room. The doors open at 6 pm and presentation is at 7 pm.

**TOWN CLERK REPORTS**

The Town Clerk reported receipt of the following:

- Building Inspector's Report of August 2013 of Total Receipts: \$680.00; Total estimated value of construction: \$78,400.00.
- Town Clerk Monthly Report of August 2013 of Total Receipts: \$52,186.09.
- Letter from Cambria Fire Company requesting the addition of a new member Bryan Held, 5160 Upper Mountain Road, Lockport- physical paperwork received August 2, 2013.

Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts, it was resolved to accept, Bryan Held, 5160 Upper Mountain Road Lockport, NY 14094, as a member of the Cambria Volunteer Fire Company.

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

- Letter of resignation from Gabrielle Literman, Alternate Member of the Recreation Committee, due to change in residency.

Upon a motion duly made by Councilman Foe and seconded by Councilman Ohol, it was resolved to accept the resignation of Gabrielle Literman from the Recreation Committee due to change in residency.

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

**HIGHWAY SUPERINTENDENT REPORTS**

The Highway Superintendent reported as follows:

- Eagle Scout Project of Veterans Memorial at the Town Park is complete for this year.
- Chipper is still out.
- Paving is almost complete.
- Preparing roads for the winter.
- Ditching almost complete of 2 left on petitions.

**TOWN POLICY AND PROCEDURES REVIEW COMMITTEE**

Councilman Foe indicated that the Committee had previously discussed the possibility of an ordinance or local law regarding PODS, self-storage units. However, with some guidance from the Building Inspector, the committee has decided against any regulation at this time. Final recommendations will be submitted to the Planning, Zoning and Town Boards for review. Councilman Foe anticipates action being taken in November or December.



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No reports.

**RECREATION COMMITTEE**

Councilman Roberts, Recreation Liaison reported:

**Baseball** - The boys Midget A team, ages 16-20, won the championship series. Cambria has been very well represented this season.

**Recreation Committee** - Recommendation to the Town Board that the Summer Recreation Site at Pekin be closed and consolidated with Cambria at the Town Hall.

**Soccer Program** - The soccer program is underway at the Town Park. Councilman Roberts indicated that the program that is designed for ages 2-5, is going very well.

Councilman Roberts introduced Rich Crosley, 3249 Lockport Road, who is the President of the NWAA; a Youth Program in Niagara County. Mr. Crosley explained that their soccer program has expanded over the past few years and they are in need of more playing area. Participants are throughout Niagara County. Mr. Crosley expressed an interest in renting soccer fields at the Town Park would like to Town Board to consider authorizing field rental from mid-April to October.

Mr. Roberson, Attorney, suggested to Mr. Crosley that he submit a letter to the Town including pertinent information regarding his request to rent the soccer fields and assurance that he holds the proper insurance.

**CONCERNS OF CITIZENS**

Supervisor Ellis welcomed Amber Printup, Starpoint student present to fulfill a government class requirement.

County Legislator, David Godfrey, reported as follows:

- Niagara Falls Air Base - Meeting on the 18<sup>th</sup> in Washington for the first briefing on first finding report. Looking for opportunities to work with UB super computer and Calspan.
- Lake Levels - Congressman Collins and Assemblywoman Corwin came to Wilson to look at the harbor. Shipping Companies sent letters to the International Joint Commission indicating they should re-do the plan for 2014 regarding lake levels.
- Rural Broadband - Consultant should be in Niagara County by the end of the month.
- Narrow Banding ó Eastern towers are ready to go. Western towers still in progress.
- Sheriff Week ó September 15-21<sup>st</sup> this is a week to recognize the Sheriff and staff.

**SURPLUS EQUIPMENT DECLARATION**

Supervisor Ellis presented to the Town Board a prepared list of miscellaneous office furniture to be declared as surplus, as indicated by the following inventory numbers: 195, 245, 273, 339, 378, 379, 338, & 460.

**Upon a motion duly made by Councilman Roberts and seconded by Councilman Ohol, it was resolved to declare the miscellaneous office equipment as surplus, as per listing dated 8/19/2013.**

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

**2014 BUDGET PROCESS**

**FIRE COMPANY BUDGET MEETING**

Budget meeting with Pekin and Cambria Fire companies  
September 17, 2013, 7 pm Community Room

**PRESENTATION OF TENTATIVE BUDGET**

Tentative Budget to be presented to the Town Board by the Town Clerk  
October 3, 2013, at the Town Hall at 11:00 am.

#### BUDGET

Budget will be held on November 7, 2013, at 8:00 pm.

#### CHANGE-NOVEMBER TOWN BOARD MEETING

November 14, 2013, Town Board meeting will be changed to November 7, 2013.

#### BOARD OF ASSESSMENT REVIEW

Supervisor Ellis indicated that Janelle Kroening, Town Assessor, is requesting Sean Kelly, 4232 Cambria-Wilson Road, Lockport, be re-appointed to the Board of Assessment Review.

**Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts, it was resolved to re-appoint Sean Kelly, 4232 Cambria-Wilson Road, Lockport, to the Board of Assessment Review Board, term to expire 9/30/2018.**

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

#### ASSESSOR RE-APPOINTMENT

Supervisor Ellis indicated that the Town Board met with Janelle Kroening, Assessor, and discussed what has been accomplished throughout her term and where she sees the Town going in the future with assessments and property values.

**Upon a motion duly made by Councilman Roberts and seconded by Councilman Ohol, it was resolved to re-appoint Janelle Kroening, 4222 Upper Mountain Road, Sanborn, to the Town of Cambria as Sole Assessor, term to expire 9/30/2019.**

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

#### CAMBRIA FAIR VILLAGE SANITARY SEWER REHABILITATION-ENGINEERING PROPOSAL

Randy Roeseler, Wendel, submitted a proposal for rehabilitation of sewer segments located within the Fair Village area. Request is to install cured, in place pipe and bring those sections up to new standards rather than delay rehabilitation by using temporary root treatment. The manhole entering the pump station requires an epoxy coating. Total estimated projected cost is \$49,000.00. Mr. Roeseler is requesting the Board to authorize bids to be received for October so work can be completed by the end of the year to be eligible for \$20,000.00 of reimbursement funds from the Niagara County Sewer District.

Proposed fee for the Scope of Work- Engineering Services \$8500.00 (lump sum)  
Resident Observation- \$2,500.00 (time and expense)  
Total: \$11,000.00

**Upon a motion duly made by Councilman Foe and seconded by Councilman Ohol, it was resolved to accept Wendel Engineers proposal of \$11,000.00, to prepare bid specifications to be available on 9/19/2013, sealed bid opening scheduled for October 3, 2013, 10:00 am for Cambria Fair Village.**

Ayes: Ellis, Foe, 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 Roberts. Time: 9:00 pm.

Respectfully submitted,

Tamara J. Cooper, Deputy Town Clerk I