

TOWN OF CAMBRIA TOWN BOARD

MAY 12, 2011

At a regular meeting of the Town of Cambria Town Board held at 8:00 pm on the 12th day of May 2011 at the Town Hall, 4160 Upper Mountain Road, Town of Cambria, NY

BOARD MEMBERS PRESENT:

Wright H. Ellis, Supervisor
Robert E. Blackman, Councilman
George J. Bush, Councilman
Joseph Ohol, Councilman
Randy M. Roberts, Councilman

ALSO PRESENT:

Steven Kroening, Deputy Highway Supt.
Lou Ann Murawski, Town Clerk
Robert Roberson, Attorney
Tim Walck, Wendel Duchscherer
Approximately 17 interested individuals

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

STORMWATER MANAGEMENT- MS4 DRAFT ANNUAL REPORT/MANAGEMENT PLAN

Tim Walck, Wendel Duchscherer, gave a brief presentation relative to the minimum control measures required for stormwater management. He indicated 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 annual report is required to be filed with NYSDEC by June 1st. He indicated the Town of Cambria is a member of the WNY Stormwater coalition comprised of 39 municipalities, working together to educate the public on stormwater management. The Town's stormwater management plan was revised to comply with the latest DEC permit requirements. Residents are encouraged to view the report on the Town's website and address any questions to Supervisor Ellis or the office of Wendel Duchscherer.

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 Ohol and seconded by Councilman Blackman, it was resolved to approve the Minutes of the Town Board meeting of April 14, 2011.

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

APPROVAL OF VOUCHERS

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

Cemetery Fund	Claims 4 – 6	\$ 433.08
Drainage Fund	Claim 8	\$ 260.00
General Fund	Claims 190 – 238	\$54,926.64
Highway Fund	Claims 95 – 120	\$26,196.04
Recreation Fund	Claims 2 - 3	\$ 440.00
Refuse Fund	Claim 2	\$31,227.49
Sewer Operating	Claims 26 – 30	\$ 1,203.82
Trust Agency Fund	Claims 20 - 21	\$ 4,888.56
Water Construction Fund	Claim 3	\$ 59.76
Water Operating Fund	Claims 50 – 75	\$15,727.90

Upon a motion duly made by Councilman Bush and seconded by Councilman Roberts, it was resolved to approve the abstract of audited vouchers as presented.

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

APPROVAL OF ADDITIONAL VOUCHERS

Supervisor Ellis requested authorization for payment of two additional vouchers not included on the abstract of audited vouchers: Highway Fund (5130.02) portion payable to MTE (Moffett Turf Equipment) in the amount of \$847.70 towards the purchase of a grinder and accessories and General Fund (7140.02) in the amount of \$2,022.00 for portion towards the grinder and the purchase of a marker for the baseball fields.

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to approve payment to MTE (Moffett Turf Equipment) from the following funds:

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General Fund (7140.02) in the amount of \$2,022.00 and Highway Fund (5130.02) in the amount of \$847.70.

Ayes: Blackman, Bush, Ellis, Ohol, Roberts

-Motion Carried-

STORMWATER MANAGEMENT PLAN/MS4 DRAFT ANNUAL REPORT

Upon a motion duly made by Councilman Ohol and seconded by Councilman Roberts, it was resolved to approve the Draft Annual Stormwater Management Plan Report for the period ending March 9, 2011.

Ayes: Blackman, Bush, Ellis, Ohol, Roberts

-Motion Carried-

Upon a motion duly made by Councilman Blackman and seconded by Councilman Bush, it was resolved to approve the Revised Stormwater Management Plan for 2011.

Ayes: Blackman, Bush, Ellis, Ohol, Roberts

-Motion Carried-

NIAGARA COUNTY SHOVEL READY PROJECT – LOCKPORT/COMSTOCK ROADS

Supervisor Ellis reported on the scoping meeting held last evening. He indicated there were four interested citizens in attendance at the meeting, as well as members of the Planning Board. A meeting has been scheduled with the property owners for completion of an archeology survey, sampling and analysis.

TIME WARNER FRANCHISE AGREEMENT

Attorney Roberson reported he was advised by Time Warner that he will have an opportunity to meet with their representatives within the next two weeks.

LOCKPORT/COMSTOCK ROAD WATERLINE EXTENSION – PROPOSAL FROM WENDEL

A proposal from Wendel Duchscherer for services during construction of the Lockport/Comstock Road Waterline Extension was presented:

Engineering During Construction	\$ 8,700 Lump Sum
Resident Observation Services	\$34,000 Time and Material Basis

Upon a motion duly made by Councilman Bush and seconded by Councilman Ohol, it was resolved to approve the proposal submitted by Wendel Duchscherer for services during construction of the Lockport/Comstock Road Waterline Extension: Engineering During Construction \$8,700 Lump Sum; Resident Observation Services: Time and Material Basis, not to exceed \$34,000.00.

Ayes: Blackman, Bush, Ellis, Ohol, Roberts

-Motion Carried-

SANITARY SEWER EVALUATION

Supervisor Ellis reported the field work was completed last Friday, with a final report to be submitted within a few weeks. The examination involves three sewer lines at the former Lockport Air Force Base, two supporting the Senior Citizen housing and the third for the Niagara Professional Park which is being built on Route 31.

NIAGARA COUNTY WATER DISTRICT TRANSMISSION MAIN PROJECT – TOWN OF CAMBRIA PORTION

Supervisor Ellis indicated the meter pit would be installed on Lockport Road which would allow a direct feed from the transmission line to serve both the Town of Pendleton and the Town of Cambria. A pre-construction meeting is scheduled for May 18th to be attended by Mike Metzger, Metzger Engineering, representing the Town and Water Foreman, Randy Shoop.

TOWN CLERK REPORTS

The Town Clerk reported receipt of the following:

- Building Inspector's Report –April 2011

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Total Receipts	\$915.00	
Total estimated value of construction		\$431,700

- Town Clerk's Report, April 2011
Total Receipts \$80,521.72
- Letter from Cambria Volunteer Fire Company requesting to add the name of Bradley Henry, 4206 Lower Mountain Rd., Lockport, NY to the roster of active members

Upon a motion duly made by Councilman Bush and seconded by Councilman Roberts, it was resolved to add the name of Bradley Henry, 4206 Lower Mountain Rd., Lockport, NY to the roster of active members of the Cambria Volunteer Fire Co., Inc.

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

HIGHWAY/WATER DEPARTMENT REPORTS

Steven Kroening, Deputy Highway Superintendent, reported as follows:

- The patch on Blackman Road has been fixed
- Raymond Road is being prepared for a topcoat
- Highway crews have been handling the immense amount of brush from the recent wind storm; One damaged tree in Mt. View Cemetery will have to be removed
- Repair of two service leaks have been completed on Route 104, as well as the fire hydrant on Upper Mountain Road

ATTORNEY REPORTS

Attorney Roberson indicated that he has reviewed the Crown Castle Lease agreement and will have recommendations to discuss with the Town Board, as well as a report on the status of the Time Warner Cable Franchise.

CONCERNS OF CITIZENS

Supervisor Ellis acknowledged the presence of several Scouts from Troop 8 working on their "Citizenship in the Community" badge.

Robert Elstrodt, 4942 Shawnee Road, expressed his concern about the flooding conditions in his yard which he feels are attributed to an undersized culvert that runs under Shawnee Rd.

Following a brief discussion, Supervisor Ellis indicated the Drainage Committee will take a look at the situation and will contact the State as to their findings.

Niagara County Legislator David Godfrey expressed his congratulations to Bradley Henry, a Cambria Scout, who is being promoted to the rank of Eagle Scout.

Mr. Godfrey also expressed his congratulations to the Town Board for their hard work in securing Brownfield Funds to clean up the former Lockport Air Force Base.

With regard to the Narrow Banding Project which is required to be in effect by the end of 2012, Mr. Godfrey reported that a vendor should be selected within the next two weeks.

Mr. Godfrey indicated that the Niagara County Legislature recently adopted a resolution opposing an amendment to the Homeland Security Act of 2002 to limit the number of urban area security initiative grants awarded. He explained that the purpose of the Act is to increase the share of federal homeland security funds received by New York City and its metropolitan area to the detriment of other areas across the country. He explained that the Buffalo-Niagara area includes vulnerable infrastructure critical to national security including the Niagara Power Project, the Niagara Falls Air Reserve Station, along with four international borders. He encouraged the Town Board to adopt a similar resolution opposing the amendment.

Upon a motion duly made by Councilman Bush and seconded by Councilman Ohol, it was resolved that the Town Board support the resolution adopted by the Niagara County Legislature opposing an amendment to the Homeland Security Act of 2002 to limit the number of urban area security initiative grants awarded.

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

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NORTHEAST CUMMINS – MAINTENANCE AGREEMENT RENEWALS

Planned Maintenance Agreements for the Generators were presented for approval.

Supervisor Ellis indicated the generators were installed two years ago and they performed very well during the power outage during the recent windstorm.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Bush, it was resolved that the Planned Maintenance Agreement Renewals with Cummins Northeast be approved in the following amounts: Generator located at 4160 Upper Mountain Road: \$772.05; Water Pump Station Generator: \$779.79.

Ayes: Blackman, Bush, Ellis, Ohol, Roberts

-Motion Carried-

EAGLE SCOUT PROCLAMATION – BRADLEY S. HENRY

The following Proclamation was presented:

Whereas, the Boy Scouts of America was founded on February 8, 1910, in the United States of America; and

Whereas, in September of 1999, Bradley S. Henry joined the Cub Scouts with Cambria Cub Scout Pack 8. In March of 2004, he earned the “Arrow of Light” award, the highest award in Cub Scouting and, at that same ceremony, he crossed over to Boy Scout Troop 8; and

Whereas, Bradley assumed increasingly responsible leadership positions as Patrol Leader, Assistant Senior Patrol Leader and Senior Patrol Leader; while earning 33 merit badges and in May of 2007 was elected to membership in the “Order of the Arrow”,

Whereas, through the years Bradley has advanced through the ranks and through his hard work and leadership qualities has, while a member of Boy Scout Troop 8, attained the rank of Eagle Scout, the highest and most prestigious rank offered by the Boy Scout Program; and

Whereas, the Scout motto is “Be Prepared”, and from the day that Bradley became a scout, he set about preparing to help other people; and

Whereas, the Scout Law sets goals and standards to live by, Bradley has demonstrated that he is trustworthy, loyal, helpful, friendly, courteous, kind, obedient, cheerful, thrifty, brave, clean and reverent; and

Whereas, Bradley has exemplified leadership qualities, organizational skills and strength of character while completing his unique and highly practical Eagle Scout Project which contributed to the enhancement of Bond Lake Park, benefiting the citizens of Niagara County; and

Whereas, the Scout Code helps the Scout grow into a better man and a better citizen; and

Whereas, Scouts believe it is their duty to love their country, to support its Constitution, to obey its laws, to respect its flag, and to defend it against all enemies; and

Whereas, character, participation and leadership are the basis of good citizenship; therefore be it

Resolved, the Town of Cambria is proud of your achievement, advancement to the rank of Eagle Scout, and shares with you in one of the greatest occasions, not merely of your career as a Scout, but of your whole life, and honors you this day by resolution of the Town Board on May 12, 2011.

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TOWN OF CAMBRIA, NEW YORK**

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to issue the Proclamation honoring Bradley Henry for his achievement as an Eagle Scout.

Ayes: Blackman, Bush, Ellis, Ohol, Roberts

-Motion Carried-

DANIELEWICZ LEASE AGREEMENT – RENTAL OF 30 ACRES (TOWN PARK PROPERTY)

Supervisor Ellis indicated the terms of the Lease Agreement between the Town of Cambria and Danielewicz Dairy Farm, Inc. dated January 1, 2005 would be amended as follows:

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Section 1. Term: Lease shall be extended to December 31, 2014

Section 3. The yearly rent shall be \$30.00/acre for the year 2011 and \$35.00/acre for the years 2012, 2013 and 2014, payable on the 1st of April of each year of the lease. The agreed upon acreage for the year 2011 is Thirty (30) acres.

Upon a motion duly made by Councilman Ohol and seconded by Councilman Blackman, it was resolved to authorize the amendment to the Lease Agreement with Danielewicz Dairy Farm, Inc.

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

RECOGNITION OF JOSEPH E. BASCHNAGEL, JR.

Supervisor Ellis stated that town resident, Joseph Baschnagel, Jr., Lower Mountain Road, was chosen as the winner of the Erie Canal Song Contest for his opus, "West to Buffalo". He stated that Mr. Baschnagel has been very active in the Community, particularly with the Cambria Scouts and has offered his services on several occasions performing with his bagpipes at our annual Veterans' Day ceremony. He recommended the Board recognize Mr. Baschnagel for his recent achievement.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Bush, it was resolved to recognize Joseph Baschnagel on his achievement as the winner of the Erie Canal song contest.

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

JUNE TOWN BOARD MEETING RE-SCHEDULED

Supervisor Ellis stated that the June Town Board meeting would be re-scheduled to June 16th at 8:00 pm.

Supervisor Ellis also announced his appointment of Joseph Ohol as temporary Deputy Supervisor from June 1 – 9, 2011 during his absence and the absence of Deputy Supervisor Bush.

ADDITIONAL MATTERS

Supervisor Ellis stated that the 2010 Census figures were recently released, which indicated the population of the Town of Cambria increased significantly more than other municipalities in Niagara County. Cambria ranked as the third fastest growing community in the County. With those results, the Town will receive a larger portion of the sales tax distribution in Niagara County, which will help our General Fund immensely and the Highway Fund to a lesser degree.

ADJOURNMENT

As there was no further business, the meeting was adjourned by motion made by Councilman Blackman and seconded by Councilman Bush. Time: 8:51 pm.

Respectfully submitted,

Lou Ann Murawski
Town Clerk

