

TOWN OF CAMBRIA TOWN BOARD

April 12, 2018

The regular meeting of the Town of Cambria Town Board was held at 7:00 pm on the 12<sup>th</sup> day of April 2018 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  
Joseph Ohol, Councilman

**ALSO PRESENT:**

Tamara J. Cooper, Town Clerk  
Jon MacSwan, Highway Superintendent  
Robert Roberson, Attorney  
5 interested individuals

Following salute to the flag, Supervisor Ellis opened the public hearing on the proposed Local Law No. 1 of 2018-Regulating Peddler, Vendor, Solicitor and Mobile Food Truck Permits in the Town of Cambria.

**NOTICE OF PUBLIC HEARING  
Town of Cambria  
Proposed Local Law No. 1 - 2018**

**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 12<sup>th</sup> day of April, 2018 at 7:00 p.m. to hear and consider the adoption of Local Law No. 1 - 2018 Regulating Peddler, Vender, Solicitor, and Mobile Food Vehicle Permits on Town premises in the Town of Cambria.

Summary of the provisions of proposed Local Law:

Definitions:

Peddler, Vender, Solicitor Permits

I. Application for permit; fee, forms

II. Terms

III. Exemptions

Mobile Food Vehicle (MFV)

IV. Application for permit;

1. Business name

2. Owner / Operator name, address, phone number

3. Type of food to be sold

4. Provide valid County Department of Health Permit or Certificate

V. Types of Permits; fees

Town Park and Town Hall Concerts

Private Party per Occasion

Seasonal Permit (park season)

MFV Form Application

Revocation of Permit

VI. Penalties for offenses

Copies of proposed Local Law No. 1 - 2018 are on file in the Office of the Town Clerk located at the Town Hall, 4160 Upper Mountain Road, Sanborn, New York, 14132 and may be obtained or viewed during regular business hours.

All citizens and parties in interest will be heard at the Public Hearing to be held as aforesaid.

BY ORDER OF THE TOWN BOARD

There were several members of the public with comments.

Vince Salerno, 4898 Upper Mt. Rd., concerns about how the local law would affect the Cambria Volunteer Fire Company's vendor fair fundraiser, they have one coming up in June and another in the fall.

Dave Edbauer, 4715 Plank Rd., concerned this is too strict, asked if the Town is trying to raise money?

Erik Gustafson, 4515 Baer Rd., the fee is too hefty, feels there are too many restrictions, the winery invites people, caterers to their business to sell things and do not charge them to do so.

Chris Pettit, Cambria Volunteer Fire Company, asked if this would affect the vendors coming into sell equipment at their convention.

Maryann Cogdill, 4653 Baer Rd., wants clarification because she is not a mobile food truck but sells her BBQ pork sandwiches at the winery, she is a caterer.

Christine Kensington, Cambria Volunteer Fire Company, she is the chairman of the vendor fairs, said if the vendors have to pay fees it will be more difficult to get vendors to attend, vendors already pay to have a table at the fair, which is a fundraiser for the fire company.



**Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts, it was resolved to declare millings from Townline Road as surplus.**

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

**-Motion Carried-**

#### **WATER/SEWER DEPARTMENTS**

Mr. MacSwan reported there were four new water services installed within the Town.

#### **ATTORNEY REPORTS**

No reports.

Supervisor Ellis reported the following:

- Recycling report from Modern for the month of March is up to 22%, the Town has gone up 8% since the recycling carts went into use.
- In receipt of a letter from the State Comptroller acknowledging receipt of the Town's corrective action plan to the report of examination.
- The annual water quality report has been addressed in the Town newsletter and copies are available through a link online.

#### **CONCERNS OF CITIZENS**

- Jon Pressley, Cambria Volunteer Fire Company updated the Town Board on the number of calls, 116 year to date so far. Asked the Town Board to consider finding a new place to get the firefighter physicals, they take too long to get results back and new standards were introduced in 2016, doesn't believe they are being followed; spoke to Wendelville and they use Millard Fillmore Hospital, costs are lower.
- Supervisor Ellis recognized a few students in attendance from Starpoint for their government class.
- David Edbauer inquired about the moratorium, asked about the Town Board members' stance on the matters, asked about the committee that will be set up and asked if the recordings of the meetings will be on the website. Supervisor Ellis responded accordingly to his concerns.

#### **TOWN JUSTICE OFFICERS/COURT SECURITY**

*Action Tabled pending further investigation*

#### **WATER DISTRICT LABORER POSITION**

**Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts, it was resolved request the Supervisor to submit application to Niagara County Civil Service to establish a full time Laborer D/L position in the Water Department.**

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

**-Motion Carried-**

#### **STORMWATER ANNUAL REPORT (SAR)**

The MSF Annual Report will be ready for next month's Town Board meeting. At that time Wendel would like to present the report to the public for public comment. They are asking for the Town Board to set up a Public Information Meeting for May 10, 2018, 7PM to review any changes that have been made from last year.

#### **PROCUREMENT POLICIES**

The Highway Superintendent presented a procurement purchase for a pressure washer and quotes from paving contractors; the estimates will for paving will be passed onto other Towns that will piggyback off of our estimates.

Supervisor Ellis stated the Highway/Water/Sewer will be splitting the purchase of the washer from Haun Welding Supply; they will receive a \$500.00 trade-in for the old unit and waive the \$100.00 service fee that has incurred so far.

**Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Foe, it was resolved to approve the procurement from Haun Welding Supply in the amount of \$4,769.00 for a Karcher pressure washer.**

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

**-Motion Carried-**

The Highway Superintendent requested the Town Board approve all of the paving estimates, that way if one is not available he can go to the next one in line.

**Upon a motion duly made by Councilman Ohol and seconded by Councilman Roberts, it was resolved to approve the estimates of Mark Cerrone, Inc., American Paving Excavating, Ken Young Paving, Inc. and Villager Construction Inc.**

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

**-Motion Carried-**

**EAGLE SCOUT PROCLAMATIONS**

Supervisor Ellis announced there are two Eagle Scout Proclamation; James A. Sacco III completed his Eagle project at Hillside Cemetery where he repaired twenty (20) tombstones by uncovering and resetting them, and attained his Eagle Scout on January 20, 2018. Nicholas Patel attained his Eagle Scout on January 13, 2018 by collecting toiletries and other items for Blessing Bags for the homeless and donated the items to the Community Missions in Niagara Falls, NY.

James A. Sacco III

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

*Whereas, in 2006, James A. Sacco III joined Cambria Cub Scout Pack 8; and*

*Whereas, James earned his Arrow of Light 2013, and crossed over to Cambria Boy Scout Troop 8; and*

*Whereas, James has earned 25 merit badges, was elected to the Order of the Arrow in 2013, earned the Ad Alteri Dei award and served his Troop as Patrol Leader and Senior Patrol Leader; and*

*Whereas, James has exemplified leadership qualities, organizational skills and strength of character while completing his Eagle Scout Project for the Cambria Hillside Cemetery where he repaired twenty tombstones by uncovering, repairing and resetting the stones ; and*

*Whereas, as a member of Troop 8, James, through his hard work and personal commitment, attained the rank of Eagle Scout on January 20, 2018, the highest and most prestigious rank offered by the Boy Scout Program; 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 April 12, 2018.*

Nicholas Patel

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

*Whereas, in 2006, Nicholas Samir Patel joined Cambria Cub Scout Pack 8; and*

*Whereas, Nicholas earned his Arrow of Light 2011, and crossed over to Cambria Boy Scout Troop 8; and*

*Whereas, Nicolas has earned 28 merit badges, was elected to the Order of the Arrow in 2015, earned the Ad Alteri Dei and Pope Pius XII Awards and served his Troop as Quarter Master, Patrol Leader and Assistant Senior Patrol Leader; and*

*Whereas, Nicolas has exemplified leadership qualities, organizational skills and strength of character while completing his Eagle Scout Project by collecting toiletries and other items for Blessing Bags for the homeless. Items were donated to the Community Missions in Niagara Falls; and*

*Whereas, as a member of Troop 8, Nicholas, through his hard work and personal commitment, attained the rank of Eagle Scout on January 13, 2018, the highest and most prestigious rank offered by the Boy Scout Program; 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 April 12, 2018.*

**Upon a motion duly made by Councilman Ohol and seconded by Councilman Hurtgam it was resolved to approve the two Eagle Scout proclamations for James A. Sacco III and Nicholas Patel.**

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

**-Motion Carried-**

**ADJOURNMENT**

The meeting was adjourned by motion made by Councilman Foe and seconded by Councilman Hurtgam.  
Time: 7:50 pm

Respectfully submitted,

Tamara J. Cooper, Town Clerk