

**TOWN OF CAMBRIA TOWN BOARD**

**May 13, 2021**

The regular meeting of the Town of Cambria Town Board was held at 7:00 pm on the 13<sup>th</sup> day of May 2021 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  
Benjamin D. Musall, Councilman  
Randy M. Roberts, Councilman

**ALSO PRESENT:**

Tamara J. Cooper, Town Clerk  
Robert Roberson, Attorney  
Tim Walck, Wendel  
6 interested parties

Following salute to the flag, Supervisor Ellis opened the public hearing on the Proposed Amendments to the Town of Cambria Comprehensive Plan.

The Town Clerk read the following notice:

**TOWN OF CAMBRIA  
NOTICE 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 13<sup>th</sup> day of May, 2021 at 7:00 p.m. to hear and consider the adoption of certain amendments proposed to be made to the Town of Cambria Comprehensive Plan, to wit:

1. Mapping - all mapping is updated
2. Demographic Trends - data  
- observations p. 13-19  
p. 22
3. Existing Conditions - charts and figures updated  
to reflect changes since the existing Plan was  
adopted p. 23-26
4. Goals and Objectives - updated to reflect issues  
created by large solar projects and issues  
regarding impacts on Agriculture p. 27-29
5. Recommendations - updated to address issues  
relating large scale - solar projects and related  
Agricultural issues p. 31 (para. 7)  
p 34 (para. G)  
p 35 (para. 5-c)
6. Vision Map - changed and updated p. 40, 41

Copies of the proposed 2021 Comprehensive Plan with the amendments and updates incorporated on file in the Office of the Town Clerk at the above address where it is available for inspection/copying during regular office hours. All interested parties will be heard. COVID-19 rules apply - 6 foot separation, masks, etc. Seating limited. Comments, questions and opinions may be emailed to the Town Clerk's Office up to 10:00 a.m. on May 13, 2021. ([townclerk@townofcambria.com](mailto:townclerk@townofcambria.com))

Tim Walck, Wendel, gave a brief summary of the proposed amendments.

Supervisor Ellis opened the comment portion of the Public Hearing.

As there were no comments and no emails were received from the public prior to the meeting, the Supervisor closed the Public Hearing.

Supervisor Ellis opened the public hearing to consider the purchase of a new Komatsu WA-380 8-wheel loader 3V 2021 Model.

The Town Clerk read the following notice:

**TOWN OF CAMBRIA  
NOTICE OF PUBLIC HEARING  
To Consider the Purchase of new Komatsu  
WA-380 8-Wheel Loader 3V 2021 Model**

**PLEASE TAKE NOTICE** that the Town Board of the Town of Cambria, Niagara County, State of New York will meet at the Town Hall, 4160 Upper Mountain Road, Sanborn, New York 14132, on the 13<sup>th</sup> day of May, 2021 at 7:00 p.m. for the purpose of conducting a Public Hearing to hear and consider the purchase of a new Komatsu WA-380 8-Wheel Loader 3V 2021 Model at the estimated cost of \$225,000.00 and authorizing the issuance of \$225,000.00 serial bond and to provide for the financing thereof, at which time and place the Town Board will hear all persons interested.

Supervisor Ellis spoke briefly on the reason for the Bond Resolution and opened the public hearing for public comment.

As there were no comments the Supervisor closed the Public Hearing.

7:12 pm Supervisor Ellis called the regular meeting to order. 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 the Town Board meetings of April 8, 2021 regular meeting and April 28, 2021 Special Meeting.**

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

**-Motion Carried-**

**APPROVAL OF VOUCHERS**

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

**May 13, 2021**

<b>FUND</b>	<b>CLAIM</b>	<b>AMOUNT</b>
Cemetery	3-4	\$241.42
Drainage	2	\$1,448.75
General	155-214	\$69,323.86
Highway	44-65	\$25,429.64
Refuse	4	\$32,622.32

Sewer Operating	13-15	\$1,904.28
Trust & Agency	7-8	\$34,190.25
Water Operating	54-71	\$17,995.78

**Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam it was resolved that the abstract of audited vouchers dated May 13, 2021 be approved as read by the Town Clerk.**

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

**-Motion Carried-**

**PUBLIC INFORMATION MEETING  
MS4 DRAFT ANNUAL REPORT/STORMWATER MANAGEMENT PLAN**

Tim Walck, Wendel, gave a brief presentation with regard to the Stormwater Management Program which included the 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 report is available for review on the Town of Cambria website and in the Town Clerk's office.

As there were no questions or comments from the public, Supervisor Ellis closed the informational meeting.

**OLD BUSINESS**

- **Comprehensive Plan Update**

Supervisor Ellis reported there were no public comments or questions and requested that the Town Board direct Wendel to prepare the Negative Declaration under SEQR and grant the authority to make the correct format changes to the document and to prepare the resolution for approval at the June Town Board meeting.

**Upon a motion duly made by Councilman Roberts and seconded by Councilman Musall it was resolved direct Wendel to prepare the Negative Declaration under SEQR and grant the authority to make the correct format changes to the document and to prepare the resolution for approval at the June Town Board meeting.**

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

**-Motion Carried-**

- **Equipment Purchase**

**BOND RESOLUTION DATED MAY 13, 2021**

**A RESOLUTION AUTHORIZING THE PURCHASE OF A NEW KOMATSU WA-380 8-WHEEL LOADER 3V 2021 MODEL AT THE ESTIMATED COST OF \$225,000.00 AND AUTHORIZING THE ISSUANCE OF \$225,000.00 SERIAL BONDS OF SAID TOWN TO PAY THE COST THEREOF**

**WHEREAS**, it is desired to authorize the purchase of a new Komatsu WA-380 8-Wheel Loader 3V 2021 Model at the estimated cost of \$225,000.00 and authorizing the issuance of \$225,000.00 serial bond and to provide for the financing thereof in accordance with the aforesaid order;

**NOW, THEREFORE, BE IT RESOLVED**, by the Town Board of the Town of Cambria, Niagara County, New York, as follows:

Section 1. The Town of Cambria hereby authorized the purchase of highway equipment, at an estimated cost of \$225,000.00 and authorizing the issuance of \$225,000.00 serial bonds, in and for the Town of Cambria, Niagara County, New York, as more fully described in the aforesaid proceedings, is hereby authorized.

Section 2. The maximum estimated cost of such specific object or purpose is \$225,000.00 and the plan for the financing thereof is by the issuance of the serial bonds of said Town hereby authorized to be issued pursuant to the provisions of the Local Finance Law, together with payment from the Highway Fund budgetary appropriation. Further details pertaining to the said bonds will be prescribed in a further resolution or resolutions of this Town Board.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will not exceed five years.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the serial bonds herein authorized, including renewals of such notes, is hereby delegated to the Supervisor, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Supervisor, consistent with the provisions of the Local Finance Law.

Section 5. The faith and credit of said Town of Cambria, Niagara County, New York, are hereby irrevocably pledged to the payment of the principal of and interest on such obligations as the same respectively become due and payable. There shall be annually apportioned and assessed upon the several lots and parcels of land within said Town of Cambria which the Town shall determine and specify to be especially benefitted by the improvement, an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said Town shall be subject to the levy of ad valorem taxes without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds as the same shall become due.

Section 6. The validity of such bonds and bond anticipation notes may be contested only if:

1. Such obligations are authorized for an object or purpose for which said Town is not authorized to expend money, or
2. The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
3. Such obligations are not authorized in violation of the provisions of the Constitution.

Section 7. Upon this resolution taking effect, the same shall be published in full in the Union Sun & Journal, the official newspaper, together with a notice of the Town Clerk, in substantially the form provided in Section 81.00 of the Local Finance Law.

**Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Musall it was resolved to adopt the Bond Resolution authorizing the purchase of a new KomatsuWA-380 8 wheel loader 3V 2021 Model at the estimated cost of \$225,000.00 and authorizing the issuance of \$225, 000.00 serial bonds of said Town**

The question of the resolution was put to a vote on roll call which resulted as follows:

**WRIGHT H. ELLIS voting AYE**  
**MATTHEW P. FOE voting AYE**  
**JEFFREY S. HURTGAM voting AYE**  
**BENJAMIN D. MUSALL voting AYE**  
**RANDY ROBERTS voting AYE**

The resolution was thereupon declared duly adopted.

- **Cambria 2020 MS4 Draft Annual Report**

## **STORMWATER MANAGEMENT PLAN; MS4 ANNUAL REPORT**

**Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam, it was resolved to approve the MS4 Draft Annual Report for 2020 to authorize Supervisor Ellis to sign the document no later than May 28, 2021 and forward it to the DEC.**

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

**-Motion Carried-**

## **TOWN CLERK REPORTS**

The Town Clerk reported receipt of the following:

- Town Clerk Report April: Total Receipts: \$44,502.18
- Building Inspector Report April: Total fees collected: \$ 2,545.10  
Total estimated value of construction: \$393,000.00
- Received the Annual Financial Report filed by the Town Supervisor for the fiscal year ending December 31, 2021. The report is available in the Town Clerk's office for inspection by any interested person.

## **HIGHWAY SUPERINTENDENT REPORTS**

The Highway Superintendent, Jon MacSwan, reported as follows:

- Paved Meahl Road-finishing driveways Monday.
- Milling on the 24<sup>th</sup> and 25<sup>th</sup> -Tyler, Shenk and Joanne.
- Brush pick up will resume next week.

Town Park

- Working on diamonds for the Town Park.
- Added more monument trees- sycamore and evergreen.
- Chip sealing the main driveway; will be closed half a day.
- Trouble with people using pavilions at the park without renting them.

## **WATER SEWER REPORTS**

No reports.

## **ATTORNEY REPORTS**

Mr. Roberson indicated that the Cambria Housing Authority is out of business, has sold its property and has paid all its debts. The Housing Authority Board has authorized the corporation to be dissolved and now has to apply to the Supreme Court by petition. This can be done either by the Town or by the Housing Authority. Mr. Roberson is requesting the Town Board to pass a resolution authorizing the Supervisor to have prepared a petition to the Supreme Court of Niagara County dissolving the Cambria Housing Authority and for the Supervisor to sign the same. They will proceed with the process until an order from the court has been received.

**Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam, it was resolved to adopt the resolution proposed by the Town Attorney regarding the dissolution of the Cambria Housing Authority.**

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

**-Motion Carried-**

Supervisor Ellis reported on the following:

**BEAR RIDGE SOLAR PROJECT**

The Town is in contact with them and trying to find out where they stand with the application.

**CONCERNS OF CITIZENS**

**Sharon Tazner- Subbera Rd.**

- Acknowledged the new trees and the maintenance in the park and commended Mr. MacSwan.
- Wednesday, June 2<sup>nd</sup> the Opposition to Solar Group will meet at the Cambria Fire Hall at 6:30 pm and opened the invite to all. (up to 50 attendees but will check)
- Ms. Tazner thanked everyone who participated in the two fundraisers the group had over the winter. (Pelicano Meats and Wagoner Farms)
- The Opposition to Solar group maintains a relationship with the Town and is working with the Board to maintain the rural character of Cambria. They believe an industrial solar project belongs in an industrial area.

**NEW BUSINESS**

**TOWN PARK REGULATIONS**

**TOWN OF CAMBRIA  
TOWN PARK RULES AND REGULATIONS  
REVISED AND ADOPTED: 5/13/2021**

**ARTICLE I**

**Purpose and Intent.**

As used in this Article, reference to land described as the “Town Park” shall mean the real property acquired by the Town of Cambria by deed recorded December 30, 1999, recorded in the Niagara County Clerk’s office in Liber 2987, Pages 341, 342 and 343 and being further described by Tax Map No. 106.00-1-30.12

In enacting this article, the Town of Cambria Town Board supports the following statutory purposes for creating and maintaining park areas which includes, among others: public health, pleasure, recreation, athletics and amusement. Park purposes shall include any incidental uses attendant to maintaining and operating the park including, but not limited to, maintenance garages, limited commercial uses such as a snack bar and any other similar use which shall be approved by the Town Board.

The Town of Cambria encourages the use and enjoyment of the Town Park by the public to promote and enhance the well being of each individual. The use of the Town Park by the public may also, if not controlled, endanger the safety of others and may deny them opportunity of enjoying the park. Therefore, to enhance and promote the safety and enjoyment of each individual, the following rules and regulations are established to govern the conduct of the public.

**SECTION 100.01 HOURS OF OPERATION**

The Town Park shall be open from dawn to dusk, unless otherwise posted.

**SECTION 100.02 PERMITS, CONDITIONS, FEES**

- A. Permits for the use of any designated picnic, athletic area or facility may be granted by the Town Park Director or by such other person designated by the Town Board. Permits and applications shall be available at the Town Clerk’s office and reservations may be made up to six months in advance for the current year. All fees are non-refundable.

- B. Any person, firm or corporation issued a permit assumes all liability and responsibility for any activity conducted under the authority of the permit or any actions resulting from activities authorized by the permit. The permit may not be transferred.
- C. The request for the permit must be accompanied by the permit fees, if any, and by any other documents which may be required as a condition of the permit, such as a certificate of insurance and a copy of not-for-profit (501) c status, if applicable.
- D. In any case where the permit holder or employee shall have been found to have violated a condition of the permit, the permittee or person attending who has violated shall be held liable for any damages or loss suffered by the Town.
- E. No person shall interfere with any person or party occupying a picnic area under the authority of the permit.
- F. The Town Board shall set a schedule of fees, attached hereto as Schedule A, which may be amended by resolution, from time to time, upon recommendation of the Park Director. If the request for a permit has been denied, the Town will notify the applicant of its reasons for the denial. Permit fees will be returned to the applicant. A permit may be denied for any of the following reasons:
  - (1) Another activity or use has been previously scheduled for the same time.
  - (2) The proposed activity or use cannot be accommodated with safety for all park patrons or may result in damage to the park, athletic field or facility or otherwise endanger Town property or the public order.
  - (3) Conditions of the permit have not been met by the applicant or there has been past abuse or violation of this article.
  - (4) The proposed activity or use would require the Town to expend additional funds to provide for supervisory, maintenance or law enforcement personnel, equipment or services.
  - (5) In the judgment of the Park Director, the use is not in the best interests of the Town or its residents.

#### **SECTION 100.03 RESTRICTED ACTIVITIES**

- A. Advertising.** No person shall post, paint, affix, distribute, hand out, deliver, place or leave about any bill, billboard, placard, ticket, handbill, circular or advertisement, display and flag, banner, transparency, target, sign, placard or any other matter for advertising purposes on any structure, tree or rock at any place within the Town Park.
- B. Solicitation of alms or contributions.** No person shall solicit or request contributions for any purpose without direct permission from the Park Director.
- C. Sales of merchandise.** No person shall sell, or offer for sale, any merchandise except under a written agreement with the Park Director, and then, only at the place and time designated and upon terms approved by the Town Board.
- D. Meetings, exhibitions and parades.** No person, without a written permit by the Park Director or Town Supervisor, shall erect any structure, tent, stand or platform; or perform any ceremony, conduct any form of entertainment, performance or motion picture for commercial or non-commercial purpose(s) without a permit.
- E. Parking.** No parking will be permitted except in designated areas; loading and unloading shall be accomplished in designated areas only.
- F. Noise.**

- a. No person shall play any radio, compact disc, tape player, any musical instrument, television, computer or other electronic device of any nature at any time at such a volume as to unreasonably disturb another person or to interfere with any other person or party.
- b. No person shall cause or permit any loud or disturbing talking, shouting, singing, music or other noise to be made of such intensity as to annoy or disturb another person or party or adjoining residents.

**G. Glass Containers.** Use of glass containers is prohibited.

**H. Littering.**

- a. No person shall deposit, dump, throw or place any refuse, earth, rubbish, dust or similar material in or upon any part of the park except in such receptacles as are provided. Pet owners shall be responsible for removing and properly disposing of fecal matter from park property. Pet “clean-up” stations are provided to encourage control of pet litter.
- b. No person shall, in any manner, place any sewage, garbage, trash, litter, debris, object or waste materials in any pond, waterway or creek within the Park or adjoining the park.

**I. Natural Features/Wildlife.**

- a. No person shall permit any animal owned by him or her, in his or her custody, or under his or her control or ownership to run at large in the Town Park. Dogs, when restrained by a leash, are allowed.
- b. No person shall ride, drive, lead or keep a horse within the Town Park. The Park Director may issue a waiver for horse-driven carriages for special event(s). The waiver will terminate at the conclusion of the event.
- c. No person shall kill, wound, trap, hunt, take, shoot, harass, remove or have in his or her possession any animal, bird, bird’s nest or squirrel’s nest, or remove the eggs or young of any such bird or animal within the Town Park.
- d. No person shall remove or cut firewood, regardless of whether the tree or wood is dead, fallen, diseased, or otherwise, from the Town Park.
- e. The Nature Trail is located in an environmentally sensitive and protected area. Particular care must be exercised when exploring the Nature Trail to respect all plant and animal life.

**J. Camping.** No person shall camp in the park; however, the Park Director, upon approval by the Town Board, may waive this restriction for special events, upon conditions set forth in the permit. The waiver will terminate upon conclusion of the event.

**K. Location of Picnics.** No person shall hold a picnic in the park except in designated areas.

**L. Consumption of alcoholic beverages.** No person shall consume any alcoholic beverage or possess any open container of any alcoholic beverage in any vehicle parked on any roadway or parking lot. Alcoholic beverages are only permitted within the reserved shelter.

**M. Building of fires.** No person shall kindle, build or maintain or use any fire except at such times and places provided for such purpose. Fires shall be continuously under the care and direction of a competent person over the age of 18 years from the time kindled until they are extinguished.

**N. Explosives and fireworks.** No person shall bring into or possess in the Town Park any explosives or fireworks, including any substance having properties that may decompose suddenly or generate



sufficient heat, gas or pressure to produce a rapid flaming combustion. Exception: Fireworks display authorized and approved by the Town Board.

**O. Weapons.**

- a. No person shall use any firearm of any kind or description within the confines of the Town Park.
- b. No person shall possess or carry, unless authorized by New York State and federal gun laws, any instrument or weapon in which blank cartridges or ammunition may be used. No person shall take into the parks or have in his or her possession any rifle, shotgun, air gun, spring gun, paint gun, muzzle-loading gun or other instrument or weapon in which the propelling force is a spring air or CO2 capsule.
- c. No person shall use bows and arrows or crossbows of any kind or description within the confines of the park.

**P. Commercial Uses**

- a. No person shall engage in any commercial enterprise, including but not limited to, the offering of services, soliciting, selling or peddling liquids or edibles for human consumption or distribute circulars or hawk, peddle or vend any goods, ware or merchandise within the Town Park, except as provided by special permission of the Park Director.
- b. No person shall cut, carve, paint, mark, paste or fasten on any tree, fence, wall, building, monument or other object within the Town Park any bill, advertisement or inscription. Nor shall any person distribute, cast throw or place any handbill, pamphlet, circular, advertisement or notice of any kind within the Town Park except by special permission of the Park Director.

**SECTION 100.04 RECREATIONAL ACTIVITIES**

- A. Swimming, diving, wading.** No person shall swim, bathe, wade or dive in a park pond, lake or creek or walk upon the frozen surface thereof.
- B. Toy or model rockets, aircraft or boats.** No person shall use a toy or model rocket, aircraft, boat or floating device within the confines of the park or upon any pond, lake or waterway therein.
- C. Park trees, shrubs and structures.** No person shall climb any tree or pick any flowers or fruit or break, cut down, trample upon, remove or, in any manner, injure or deface any tree, shrub or any building fence or structure or any other property within the park.
- D. Skating, sleighing and coasting.** No person shall use any, skateboards or sled or use a sled on any surface, coast with vehicles on wheels or runners, except at such places within the park designated by the Park Director.
- E. All-terrain vehicles.** All-terrain vehicles or any motorized vehicles or similar type vehicles designated for operation primarily on off-highway trails and competitions are prohibited.
- F. Snowmobiles and skidoos.** Snowmobiles and skidoos or any such mechanized motor-driven sled or vehicles on runners are prohibited.
- G. Aviation.** No person, except in an emergency, shall bring, land or cause to descend within or upon the Park any airplane, flying machine, balloon, parachute, or other apparatus for aviation. The Town Park Director may waive this restriction for a special event. The waiver will lapse at the conclusion of the event.

**H. Golf.** The hitting of golf balls within the confines of the park is prohibited.

**I. Buildings/Property**

No person shall willfully mark, soil, deface, or injure in any way, or displace, remove or tamper with any park building, structure, restroom/washroom facility, table, bench, fireplace or other cooking facility, railing, paving or paving material, water line or other public utility or parts or appurtenances thereof or equipment thereon, park sign, notice or placard whether temporary or permanent, monument, stake, post or other boundary marker or other structure or equipment, facility or park property or appurtenance whatsoever, either real or personal.

**J. Gambling.** Gambling, lotteries and games of chance are prohibited.

**K. Conduct of games.** All games of any description must be conducted in a safe and orderly manner and no dangerous practices shall be allowed. No person shall play games for which the Town Board has required a permit or fixed a fee without first obtaining such permit or paying a fee.

**L. Metal detectors.** The use or operation of a metal detector or other mechanical device to locate buried or concealed metal shall be allowed only in designated areas.

**M. Bicycling.** No person shall operate a bicycle within the limits of the park unless (s)he shall wear a protective helmet, as required by New York State law.

**N. Inflatable objects.** Only permit holders are allowed to erect an inflatable object, which includes but is not limited to bounce houses and water slides, for a specific activity. The applicant must apply and receive a permit for the activity. The permit will expire at the conclusion of the event.

**O.** Minimum insurance requirements shall apply as approved by the Town Board and a certificate of insurance naming the Town of Cambria as an additional insured shall be submitted by the permit holder prior to approval and issuance of any such permit.

**P. Fishing.** All those individuals above the age of 16 must have a valid fishing license. Compliance with rules and regulations as promulgated by New York State Department of Environmental Conservation shall apply. Cleaning of fish in the pond/lake or surrounding areas as well as disposal of bait in the water is prohibited. Fishermen are to limit themselves to fishing from the shore, in designated areas.

**Q. Tents.** Those individuals requesting to erect a tent, as part of an activity within the confines of the park must first obtain a permit and receive approval from the Town Park Director or Town Supervisor. The permit will expire at the conclusion of the activity. Tents shall not exceed 12 feet by 17 feet and are restricted to areas within 100 feet of gazebos or shelters and 200 feet from residential property and soccer and baseball fields.

**R. Traffic.** No commercial vehicle(s) trailers or vendors will be allowed in the park or park approach except to make deliveries in the park or as otherwise authorized by the Park Director or upon terms set forth by the Town Board. No person shall use the park drives for the purpose of instructing another to drive or operate any vehicle, or for learning to drive or operate any vehicle. No person shall cause or permit a vehicle in tow of another vehicle to enter the park, except in case of a breakdown. In that case, a disabled vehicle may be towed to the exit.

Speed limit within the Town Park shall not exceed 15 mph unless otherwise posted.

**SECTION 100.05 VIOLATIONS**

**A.** In the event that a firm, person or corporation is found by the, Park Director or Town Supervisor to have violated this article or the directive or permits issued by the past Director or Committee, then the right of any such individual, firm or corporation to use the Town Park or any facility therein shall terminate.

- B. Any conduct which violates these rules and regulations may be prosecuted as a violation of the Public Order and Public Sensibilities provisions of the New York State Penal Law or as a violation of any other applicable provision of the New York State Penal Law.

**SCHEDULE "A"**

**FEE SCHEDULE**

**SHELTER RESERVATIONS**

**(Proof of residency required)**

SHELTER'S 1, 3, 4, 5

TOWN RESIDENTS - \$25.00 PER DAY/NON-RESIDENTS - \$50.00 PER DAY

SHELTER 2

TOWN RESIDENTS - \$50.00 PER DAY/NON-RESIDENTS - \$75.00 PER DAY

**Town Park Baseball Diamond Fees**

Per game – no materials except for one (1) game prep \$50.00 each

Maintenance between games \$75.00 each  
(groundskeeper needs to be there between games)

**Soccer Field**

Striping & nets \$50.00 each

Practice Field - contact Recreation Director for pricing information

**Memorial Tree and Plaque \$400.00**

**ADDITIONAL MATTERS**

**BOARD OF ASSESSMENT REVIEW**

**Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts, it was resolved to appoint Mark Fremont, 5004 Baer Road, Sanborn, to the Board of Assessment Review with a term to expire on September 30, 2023.**

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

**-Motion Carried-**

**ADJOURNMENT**

As there was no further business, the meeting was adjourned by motion made by Councilman Musall and seconded by Councilman Hurtgam. Time: 7:31 pm

Respectfully submitted,

Tamara J. Cooper, Town Clerk