

**TOWN OF CAMBRIA TOWN BOARD
May 14, 2020**

The regular meeting of the Town of Cambria Town Board was held pursuant to Governor Cuomo's Executive Order 202.1, temporarily modifying the Open Meetings Law due to the COVID-19 pandemic and in the interest of public safety. Town Board members met via teleconference at 7:00 pm on the 14th day of May 2020.

Supervisor Ellis made the following statement:

This meeting of the Town of Cambria Town Board is being held via teleconference pursuant to Governor Cuomo's Executive Order 202.1 of March 12, 2020, which temporarily modified the Open Meetings Law due to the COVID-19 pandemic and is in the interest of public safety. Board members please identify yourselves when speaking. All votes will be taken by Roll Call.

Town Clerk called roll call/attendance:

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-not active participant
Tim Walck, Wendel
2-3 interested parties

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 Roberts and seconded by Councilman Hurtgam, it was resolved to approve the minutes of the regular Town Board meeting of April 9, 2020.

The question of the approval of the April 9, 2020 Town Board minutes was duly 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 motion was thereupon declared duly adopted.

APPROVAL OF VOUCHERS

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

May 14, 2020

Drainage	7 & 8	\$1,327.50
General	176-215	\$72,087.13
Highway	53-69	\$25,974.07

Refuse	7 & 8	\$30,992.89
Sewer Operating	17-20	\$3,689.04
Water Construction	6	\$1,607.52
Water Operating	79-97	\$12,698.99

Upon a motion duly made by Councilman Musall and seconded by Councilman Foe it was resolved that the abstract of audited vouchers dated May 14, 2020, be approved as read by the Town Clerk.

The question of the approval of the May 14, 2020, abstract of audited vouchers was duly 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 motion was thereupon declared duly adopted.

SAUNDERS SETTLEMENT ROAD WATERLINE REPLACEMENT

Tim Walck-Wendel reported the following:

Wendel is in receipt of the DOT Work Permit for the Saunders Settlement Road Waterline Replacement. The Highway Superintendent will be receiving a call from 4th Generation concerning road closure of Baer Road for May 26th. They plan on having a surveyor on site doing stake out on May 19th and 20th and mobilizing materials and equipment to the site on May 21st and May 22nd. There will be project activity starting next week. There is also a letter drafted that is to be sent to the residents regarding the construction.

TOWN CLERK REPORTS

The Town Clerk reported receipt of the following:

- Town Clerk Report April : Total Receipts: \$24,774.87
- Building Inspector Report April: Total fees collected: \$ 811.00
 Total estimated value of construction: \$39,700.00

HIGHWAY SUPERINTENDENT REPORTS

Councilman Foe reported the following:

- Milling will take place on Marjorie Drive on May 18th and on Andrews Road on May 19th. There may be some traffic issues.
- Brush will continue through June and will cease during July and August.
- The Highway Garage as well as the Town Hall had three bid proposals each for repair work. Sealing and block repair for the Highway Garage - the low bidder was Dream Team Construction; low bid for Town Hall was Chimney Sweep Plus. This will be covered later to include dollar amounts.

WATER SEWER REPORTS

No reports.

Supervisor Ellis reported as follows:

BEAR RIDGE SOLAR PROJECT

It has been relatively quiet right now. The Town is having discussions with legal counsel and the engineer and some other people on the next steps. The Article 23 which changes the process has been approved as part of the NYS Budget. It is now referred to as Article 94c. We are waiting for Albany to flush out the details of how it will be implemented. They think Cypress Creek is waiting for some of that to see whether they want to stay with Article 10, which is in the stipulation phase, or go to the Article 94c.

CERTIFICATE FOR FINAL STATE EQUALIZATION RATE

The Town received the final equalization rate for the 2020 Assessment Roll and for the Town of Cambria that will be 89.0 %. Since we did the last revaluation, the Equalization Rate had stayed at 100% for two to three years and has been steadily dropping since then. This is an area of concern.

NEW BUSINESS

COPY MACHINE LEASE

Supervisor Ellis indicated that the current lease on the Town Hall's copy machine is expiring on the 25th of May. The Town Board was provided with the details of the other proposals from three other vendors beside Toshiba who holds the current contract. Only one of the three proposals was comparable to the unit the Town Hall currently has so those were eliminated. Comparisons were made between Toshiba and Konica Minolta and found that the updated Toshiba eStudio 5516ACT would be a better choice. Supervisor Ellis recommends to the Town Board that the Town renews the lease with Toshiba. This will be the third five year lease with them.

Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts it was resolved to approve the lease proposal with Toshiba for a Toshiba eStudio 5516ACT for 63 months at \$183.14 per month with yearly escalator of 5% which applies to the cost of copies and authorize the Supervisor to sign the lease.

The question of the approval of the lease proposal with Toshiba was duly 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 motion was thereupon declared duly adopted.

CAMBRIA 2019 MS4 DRAFT ANNUAL REPORT

Tim Walck, Wendel, reported that each year the Town as a MS4 is required to submit an annual report to the DEC as part of their MS4 SPDES Permit. Wendel works with Wright (Supervisor) and Jon (Highway Superintendent) to prepare this report each year. This summarizes the Town's activities related to the six minimum control measures that are required by the permit, and they are: public education and outreach, public participation and involvement; illicit detection/discharge and elimination; construction control measures; post-construction control measures and pollution prevention & good housekeeping. The Town is doing a good job keeping up on those.

May 14, 2020

That report was posted on the Town website today and will remain there for a couple weeks. It is due to DEC by the beginning of June. The Supervisor will be asking for authorization from the Town Board to sign that report so that Wendel can submit it by the deadline to the DEC.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam it was resolved to approve the Cambria 2019 MS4 Draft Annual Report and further authorize the Supervisor to sign the compliance certification.

The question of the approval of the Cambria 2019 MS4 Draft Annual Report and authorizing the Supervisor to sign the compliance certification was duly 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 motion was thereupon declared duly adopted.

PROCUREMENT POLICY PURCHASES

Councilman Foe reported:

The Highway Superintendent is in receipt of three proposals for block repair and sealing of the Town Hall and Municipal Garage.

2020-10
GENERAL
Town Hall

Chimney Sweep Plus- \$6,500.00
Henwood Construction-\$6,700.00
Dream Team Construction-\$13,225.00

The low proposal was from Chimney Sweep Plus in the amount of \$6,500.00

Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts, it was resolved to approve the proposal from Chimney Sweep Plus in the amount of \$6,500.00 for repairing and sealing the Town Hall.

The question of the approval of the proposal from Chimney Sweep Plus in the amount of \$6,500.00 for repairing and sealing the Town Hall was duly 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 motion was thereupon declared duly adopted.

May 14, 2020

2020-09

GENERAL

Municipal Garage-extensive loosening of mortar and some of the block had shifted, repairs were more substantial.

Dream Team Construction-\$20,400.00 (two coats \$29,400.00)

Henwood Construction-\$21,000.00

Chimney Sweep Plus- \$27,500.00

The low proposal was from Dream Team Construction in the amount of \$20,400.00

Upon a motion duly made by Councilman Roberts and seconded by Councilman Musall, it was resolved to approve the proposal from Dream Team Construction in the amount of \$20,400.00, for repairing and sealing the Town Hall.

The question of the approval of the proposal from Dream Team Construction in the amount of \$20,400.00, for repairing and sealing the Municipal Garage was duly 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 motion was thereupon declared duly adopted.

Supervisor stated that it is interesting to think, considering the age of the two buildings they are holding up pretty well. The Town Hall was built in 1976 and the Garage was in 1987.

EMERGENCY EXTENSION

Supervisor Ellis reported that he had a weekly conference call with the county, towns, villages and cities, Department of Health and the Emergency Coordinator. The WNY Region includes Niagara, Erie, Chautauqua, Cattaraugus and Allegany. We were showing some good progress in some areas but there are seven metrics that have to be met and we had achieved five out of seven but today we slipped back to four.

There is now a change in how soon you can be eligible, as soon as all seven are checked off, then you can enter Phase I of the Restore Program. It is still two weeks between phases. We will be continuing in this vein of Pause NY, although the state is not calling it that.

We have a State of Emergency Declaration which expires on Monday, and because of the situation that we are in for the next few weeks, Supervisor Ellis is requesting a motion to authorize the Town Supervisor to extend the State of Emergency an additional 30 days until 12:00 am June 17, 2020, or until rescinded by a subsequent order, and further to authorize closure of the Town Hall to the public in this Emergency Declaration.

Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam, it was resolved to authorize the Town Supervisor to extend the State of Emergency an additional 30 days until 12:00 am June 17, 2020, or until rescinded by a subsequent order, and further to authorize closure of the Town Hall to the public in this Emergency Declaration.

The question of the authorizing the Town Supervisor to extend the State of Emergency an additional 30 days until 12:00 am June 17, 2020, or until rescinded by a subsequent order, and further to authorize closure of the Town Hall to the public in this Emergency Declaration, was duly 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

May 14, 2020

The motion was thereupon declared duly adopted.

Supervisor Ellis reported that he spent some of the day over in the Town of Wheatfield. He was looking at the things they are trying to do to allow proper distancing and proper protection for the public as well as workers in the Town Hall. Some of these things included using Plexiglass shields at desk or in a doorway or window way. There were some other things to control access like someone posted at the door with a sign in sheet, etc. He will be consulting with the Board as we move along.

As there was no further business:

ADJOURNMENT

The meeting was adjourned by motion made by Councilman Roberts and seconded by Councilman Musall.

Time: 7:28 pm

The question of the approval to adjourn was duly 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 motion was thereupon declared duly adopted.

Respectfully submitted,

Tamara J. Cooper, Town Clerk