

Approved

TOWN OF CAMBRIA TOWN BOARD

September 8, 2022

The regular meeting of the Town of Cambria Town Board was held at 7:00 pm on the 8th day of September 2022 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-absent

ALSO PRESENT:

Tamara J. Cooper, Town Clerk
Robert Roberson, Attorney
Tim Walck, Wendel
Jon MacSwan, Highway Superintendent
12 Interested individuals

Following salute to the flag, Supervisor Ellis called the 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 Hurtgam, it was resolved to approve the minutes of the work and regular Town Board meetings of August 11, 2022.

Ayes: Ellis, Foe, Hurtgam, Musall

-Motion Carried-

APPROVAL OF VOUCHERS

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

September 8, 2022		
FUND	CLAIM NUMBERS	AMOUNT
Cemetery	13-14	\$225.00
General	395-439	\$68,189.85
Highway	137-155	\$18,565.78
Refuse	9-12	\$47,464.47
Sewer Const.	2-3	\$5,268.27
Sewer Op	33-34	\$2,022.81
Trust & Agency	14	\$253,599.00
Water Operating	136-148	\$8,523.73

Upon a motion duly made by Councilman Musall and seconded by Councilman Foe it was resolved that the abstract of audited vouchers dated September 8, 2022 be approved as read by the Town Clerk.

Ayes: Ellis, Foe, Hurtgam, Musall

-Motion Carried-

NIMAC-Presented by Mike Zimmerman, NIMAC-Vice Chairman

Mr. Zimmerman thanked the Town Board for the opportunity to speak to them about the Air Base and NIMAC. The NIMAC Mission is to support the growth and prosperity of the Niagara Falls Air Reserve Station and its personnel, creating a positive economic impact on the western New York Community. They serve as an advocate on behalf of the NFARS and community; as a liaison in order to keep the lines of communication open; and they strategize with subject matter expert volunteers. NIMAC's achievements and ability to cost-effectively generate multi-million dollar economic benefits for the region are clear criterion for continued support.

MORATORIUM SOLAR ENERGY PROJECT INSTALLATION

Supervisor Ellis indicated that the solar law is being worked on and should be ready to have a public hearing for the November Town Board meeting.

CDBG FUNDING APPLICATION

Supervisor Ellis reported that the application for the CDBG Funding is complete and he is waiting for a decision which is due today or tomorrow.

REZONING APPLICATION – NIAGARA COUNTY PROPERTY

Supervisor Ellis reported that the application has another appearance before the Planning Board for the DEGIS.

TOWN PARK SECURITY CAMERA SYSTEM

Councilman Foe reported he is still waiting for another vendor to submit a quote for security cameras at the Town Park and anticipates having something for the October meeting.

COMSTOCK RAILROAD/ME AHL RD SANITARY SEWER EXTENSIONS

Tim Walck, Wendel, reported that the Town of Cambria Sewer District is proposing improvements to the sewer system along Comstock Rd. and Meahl Rd. Approximately 180 LF of 8-inch PVC gravity sewer is proposed along Comstock Rd., and approximately 230 LF of 8-inch PVC gravity sewer is proposed along Meahl Rd. The proposed sewer service lines will be 4-inch diameter services. These lines will serve one single family home, each currently under construction.

Supervisor Ellis added that because the sewer line on Meahl Rd. has to be extended laterally it constitutes an improvement to the sewer district rather than only a house hook up.

Mr. Roberson, Attorney, advised the Town Board to set a Public Hearing for October 13, 2022, at 7:00 pm-on the Comstock Rd. and Meahl Rd. Sewer-Line Extension.

WHEREAS, the Town Board of the Town of Cambria, Niagara County, New York, has had under consideration the installation of additional facilities for the Town of Cambria Sewer District of said Town; and

WHEREAS, said Town Board has duly caused a map, plan and estimate of cost for additional facilities to be prepared and submitted by Wendel - Duchscherer, Architects and Engineers, duly licensed by the State of New York; and

WHEREAS, pursuant to Article 8 of the Environmental Conservation Law and the regulations adopted pursuant thereto by the Department of Environmental Conservation of the State (collectively, the "SEQR Act"), the Town Board constitutes a "State Agency"; and

WHEREAS, the action under consideration by the Town Board (the "Action")

consists of the installation of approximately 180 linear feet of 8 inch PVC sewer line along Comstock Road and approximately 230 linear feet of 8 inch PVC sewer line along Meahl Road, at an estimated maximum cost of \$20,000.00 and the financing of same through currently available funds, and

WHEREAS, to aid the Town Board in determining whether the Action may have a significant effect upon the environment, the Town has prepared and submitted a Short Environmental Assessment Form (the "Questionnaire") with respect to the Facility, a copy of which is attached hereto as Exhibit A; and

WHEREAS, the Questionnaire has been reviewed by the Town Board; and

WHEREAS, it is now desired to call a Public Hearing on said map and plan and estimate of cost pursuant to Section 202-b of the Town Law;

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

Section 1. A meeting of the Town Board of the Town of Cambria, Niagara County, New York, shall be held at the Town Hall, 4160 Upper Mountain Rd, Cambria, New York, on the 13th day of October, 2022 at 7:00 p.m. for the purpose of conducting a Public Hearing on the map, plan and estimate of cost referred to in the preambles hereof, at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same.

Section 2. The Town Clerk is hereby authorized and directed to cause a Notice of Public Hearing to be published in the Union Sun & Journal and posted in the manner provided by law, which notice shall be in substantially the following form, to wit:

TOWN OF CAMBRIA SEWER DISTRICT

**Notice of Public Hearing
Comstock Road and Meahl Road Sewer-Line Extensions**

PLEASE TAKE NOTICE that the Town Board of the Town of Cambria, Niagara County, New York, will meet at the Town Hall, 4160 Upper Mountain Road, Sanborn, New York, on the 13th day of October, 2022 at 7:00 p.m. for the purpose of conducting a Public Hearing on a certain map and plan and estimate of cost relating to the proposed installation of approximately 180 linear feet of 8 inch PVC sewer line along Comstock Road and approximately 230 linear feet of 8 inch PVC sewer line along Meahl Road (as shown on map and plan prepared by Wendel-Duchscherer, Architect and Engineers) in and for the Town of Cambria Sewer District of said Town at an estimated maximum cost of \$20,000.00 and environmental consideration in connection therewith under SEQRA, at which time and place said Town Board will hear all persons interested in the subject matter thereof concerning the same. A copy of said map and plan and estimate of cost is on file in the office of the Town Clerk where the same may be examined by interested persons during regular business hours.

Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Foe it was resolved to schedule a public hearing on October 13, 2022, at 7:00 pm-for the Comstock Rd. and Meahl Rd. Sewer-Line Extension Project.

The question of the adoption of the forgoing Resolution was put to a roll call vote, 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 M. ROBERTS absent

The Resolution was thereupon declared duly adopted.

**RESOLUTION OF THE TOWN OF CAMBRIA TOWN BOARD
NEGATIVE DECLARATION COMSTOCK AND MEAHL ROADS
SANITARY SEWER LINE EXTENSIONS TOWN OF CAMBRIA SEWER DISTRICT**

Whereas, the Town of Cambria Sewer District will be undertaking the construction of approximately 180 linear feet of 8-inch diameter sanitary sewer line on Comstock Road and approximately 230 linear feet of 8-inch sanitary sewer line on Meahl Road; and

Whereas, the construction of these improvements are subject to the New York State Environmental Quality Review Act (SEQRA); and

Whereas, the proposed project has been determined to be an Unlisted action under SEQR, and a Short EAF has been completed for the project; and

Whereas, the Short EAF Part 1 was utilized by the Town of Cambria Town Board to complete the Short EAF Part 2, and evaluate potential impacts in the Short EAF Part 3; and

Whereas, the Town of Cambria Town Board determined that the proposed project will not result in any potentially moderate or large adverse environmental impacts; and

Now, Therefore, Be It Resolved, that the Town Cambria Town Board hereby determines that the proposed project, construction approximately 180 linear feet of 8-inch diameter sanitary sewer on Comstock Road and approximately 230 linear feet of 8-inch sanitary sewer line on Meahl Road will not have significant adverse impact on the environment and therefore issues a Negative Declaration; and

Be It Further Resolved, the Town of Cambria Town Board authorizes the Supervisor to sign the Short EAF which, along with the attached materials, will act as the Negative Declaration.

Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam it was resolved to adopt the resolution for negative declaration Comstock and Meahl Roads sanitary sewer line extensions Town of Cambria Sewer District, as read by the Attorney.

The question of the adoption of the forgoing Resolution was put to a roll call vote, 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 M. ROBERTS absent

The Resolution was thereupon declared duly adopted

TOWN CLERK REPORTS

The Town Clerk reported receipt of the following:

- | | | | |
|-------------------------------------|-----------------------|----|------------|
| • Town Clerk Report August: | Total Receipts: | \$ | 75,433.17 |
| • Building Inspector Report August: | Total fees collected: | \$ | 2,247.85 |
| Estimated value of construction: | | \$ | 281,840.00 |

Tamara J. Cooper, the Town Clerk, explained that in 2011 NYS relinquished responsibility for dog licenses and mandated the Towns take over this process without providing any funding to help defer the cost. Dog license fees have not increased since 2011, however the cost to run the program has. With the increase in the cost to maintain items like tags, licenses, letters, dog control, paper and enumeration, it is necessary to increase the fees. Licensing is not a money maker for the Town and the money that is collected from licensing goes right back into the dog control budget in order to keep it running.

Ms. Cooper is requesting the increase in fees now so it can be placed in the Fall Newsletter to inform the residents ahead of time. The increases will take effect January 1, 2023. In addition to the increased license fees, she would like to institute a late fee for anyone who is more than 30 days late licensing their dog. This is becoming a problem.

Old Fees: Unspayed/Unneutered License: \$18.00 (\$15 to the Town \$3 to the State)
2023 New Fees: UnSpayed/Unneutered License: \$20.00 (\$17 to the Town \$3 to the State)

Old Fees: Spayed/Neutered License: \$11.00 (\$10 to the Town \$1 to the State)
2023 New Fees: Spayed/Neutered License: \$15.00 (\$14 to the Town \$1 to the Sate)

Late Fee after 30 days: \$10.00

Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Foe it was resolved to approve new dog licensing fees for 2023. \$15.00 for spayed/neutered dogs and \$20.00 for unspayed/unneutered dogs in addition to a \$10.00 late fee for licenses not renewed after 30 days.

Ayes: Ellis, Foe, Hurtgam, Musall -Motion Carried-

Ms. Cooper is also requesting the following Line Item Transfers:

\$300.00 from *1410.01 Personnel* to *3510.04 Dog Control* in order to purchase postcards to conduct a dog enumeration in 2022.

\$400.00 from *1410.01 Personnel* to *1410.02 Equipment* in order to purchase three seating chairs for her office. This item was in the 2022 budget.

Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Musall it was resolved to approve line item transfers between accounts within the Town Clerk Budget. 1410.01 Personnel to 3510.04 Dog Control in the amount of \$300.00; 1410.01 Personnel to 1410.02 Equipment in the amount of \$400.00.

Ayes: Ellis, Foe, Hurtgam, Musall -Motion Carried-

HIGHWAY SUPERINTENDENT REPORTS

Jon MacSwan, Highway Superintendent, reported as follows:

- Paving complete and road repair almost done for the season.
- Behind on brush pick-up it will start next week.
- Tire drop off will be October 29th from 8:00 am to 12:00 pm truck/passenger tires only-no large ag tires will be accepted. There will also be an electronic drop off at the same time, and woodchip pick up.
- There has been a shortage of paint so waiting to stripe roads
- Ag plastics will take place in November (7th – 11th) confirmed time and date will be in the fall newsletter.

WATER SEWER REPORTS

Jon MacSwan, Highway Superintendent, reported as follows

- 1 hydrant repair on Rt. 104 and Baer Rd.

Mr. MacSwan would like to put an automatic flushing system on the hydrants on the dead ends. It helps prevent sediment and bacteria build up, etc. and they have a timer. He is requesting the Town Board make Lock City sole source for this system. This unit is \$5,500.00 and would also like Town Board approval to try one to see how it works.

Supervisor Ellis said that if the Town is satisfied with the automatic flushing system, they will look into three more that will be purchased out of the ARPA Funding.

Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam it was resolved to approve the request of the Highway Superintendent to purchase an automatic flushing system for hydrants from Lock City (sole source) for the dead ends in the amount of \$5,500.00.

Ayes: Ellis, Foe, Hurtgam, Musall

-Motion Carried-

Supervisor Ellis reported as follows:

BEAR RIDGE SOLAR PROJECT

Supervisor Ellis reported that the Town is in a waiting mode with the Bear Ridge Solar Project. The application was deemed complete and waiting for the draft permit and public response. The Town has a scheduled discussion with Cypress Creek on September 16th at 10:00 am

2023 BUDGET

The Town is starting its budget process and has the department head requests. The presentation of the tentative budget to the Town Board will be on October 3, at 11:00 am at the Town Hall.

Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Foe it was resolved to schedule the presentation of the tentative budget to the Town Board on October 3, at 11:00 am at the Town Hall.

Ayes: Ellis, Foe, Hurtgam, Musall

-Motion Carried-

CONCERNS OF CITIZENS

Joanne Torreano-Upper Mountain Road

Ms. Torreano said she likes the pickle ball courts at the Town Park and would like to know if there will be fencing put around them.

Supervisor Ellis said the Board would discuss it, but it isn't in the plan. The Town is contemplating putting another court behind the Town Hall and that is currently fenced.

Sharon Tasner-Subbera Rd.

Speaking on behalf of the Cambria Opposition to Industrial Solar, Ms. Tasner mentioned the group is hosting a spaghetti dinner on October 22, 2022, at the Cambria Fire Company, from 4:00 pm to 6:30 pm. Tickets are \$12.00 presale and \$15.00 at the door.

David Godfrey, Legislator

Reported on the following:

Battery Storage

The County sent out an invitation for Government Officials only on September 15. In this session Dawn Timm, Environmental Coordinator, will be going through the local law in detail with some follow up activities. Jonathan Schultz, Fire Coordinator, will also be there to present his concerns about the risks associated with the panels themselves.

Ms. Tasner asked if someone from their group could have a representative present and Mr. Godfrey asked her to provide a name.

County Run Ambulance

An EMS Director was hired. There are three ambulances on order, two years out. Next fall they are looking to interview staff; 8 paramedics and 5-6 EMT's and management.

Purple Heart

The approval for the Purple Heart Monument is official and he is hoping to have a ribbon cutting ceremony next Memorial Day.

NEW BUSINESS

PERSONNEL

Supervisor Ellis would like authorization from the Town Board to contact civil service to create a position of Principal Clerk and to appoint Elizabeth Kline to that position effective October 1, 2022-no change in salary.

Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam it was resolved to authorize the Supervisor to contact civil service to create a position of Principal Clerk and to appoint Elizabeth Kline to that position effective October 1, 2022-no change in salary.

Ayes: Ellis, Foe, Hurtgam, Musall

-Motion Carried-

PROCUREMENT POLICY PURCHASE

2022-14 General

Shop lights

Shop lights were shorting out and needed to be replaced

EMERGENCY REPLACEMENT – fire hazard – lights were reinstalled by Town Electrician.

220W LED lights in the amount of \$3,811.00.

Upon a motion duly made by Councilman Foe and seconded by Councilman Musall it was resolved to approve the purchase of new shop lights in the amount of \$3,811.00 to replace lights in the shop.

Ayes: Ellis, Foe, Hurtgam, Musall

-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: 7:44 pm

Ayes: Ellis, Foe, Hurtgam, Musall

-Motion Carried-

Respectfully submitted,

Tamara J. Cooper, Town Clerk