

TOWN OF CAMBRIA TOWN BOARD

February 9, 2023

The regular meeting of the Town of Cambria Town Board was held at 7:00 pm on the 9th day of February 2023 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:

Paula N. Jones, Deputy Town Clerk
Jon MacSwan, Highway Superintendent
Robert Roberson, Attorney
Tim Walck, Wendel
11 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 Roberts, it was resolved to approve the minutes of the Town Board meetings of January 12, 2023 work; January 12, 2023 regular.

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:

February 9, 2023	CLAIM NUMBERS	ACCOUNT
Cemetery	1-2	\$1,010.90
Drainage	2	\$ 4,500.00
General	28-95	\$212,554.63
Highway	5-22	\$55,180.75
Refuse	1	\$37,119.23
Sewer Construction	1	\$659.04
Sewer Operating	3-7	\$5,359.60
Trust & Agency	2-5	\$568,843.00
Water Operating	6-26	\$14,189.97

Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Foe it was resolved that the abstract of audited vouchers dated February 9, 2023 be approved as read by the Town Clerk.

Ayes: Ellis, Foe, Hurtgam, Musall, Roberts

-Motion Carried-

2023 PERSONNEL POLICY

Supervisor Ellis announced some changes to the personnel policy for 2023 particularly affecting the full-time salaried employees and additional compensation parameters for part time employees.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Foe, it was resolved to approve the 2023 Personnel Policy and benefits schedule.

Ayes: Ellis, Foe, Hurtgam, Musall, Roberts

-Motion Carried-

FAIR VILLAGE SEWER REPLACEMENT

Tim Walck, Wendel reported the field survey is done; the design can begin next week; the next step is to submit for review to the County Health Department, then a 202b public hearing can be scheduled.

REZONING REQUEST-4074 RIDGE ROAD

Supervisor Ellis reported the Town is in receipt of a request and application from Rodney Rohring to rezone premises commonly known as 4074 Ridge Road in the Town of Cambria from B-1 to A-R. This zoning application will follow the Town Comprehensive Plan and provides the Town Board with the opportunity to correct previous spot zoning.

Upon a motion duly made by Councilman Foe and seconded by Councilman Musall, it was resolved to accept the application from Rodney Rohring and forward it to the Planning Board for review and recommendation.

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 ROBERTS voting AYE

The Resolution was thereupon declared duly adopted.

TOWN CLERK REPORTS

The Town Clerk reported receipt of the following:

- Town Clerk Report January: Total Receipts: \$ 32,696.19
- Building Inspector Report January: Total fees collected: \$ 4,726.45
Estimated value of construction: \$ 201,060.00
- We are in receipt of a request for waiver of the 30-day municipality notification from Big Shots Bar and Grill, LLC located at 3997 Lower Mountain Road, Lockport, NY; the Building Inspector was involved to ensure there will not be any live music outdoors.

Upon a motion duly made by Councilman Musall and seconded by Councilman Hurtgam, it was resolved to approve the 30-day waiver for Big Shots Bar and Grill, LLC located at 3997 Lower Mountain Road, Town of Cambria pending receipt of letter stating there will be no outdoor music.

Ayes: Ellis, Foe, Hurtgam, Musall, Roberts

-Motion Carried-

HIGHWAY SUPERINTENDENT REPORTS

Jon MacSwan, Highway Superintendent, reported as follows:

- Presented the Agreement for the Expenditures of Highway Monies to include Human Road, Green Road, Raymond Road and Cambria Road and requested approval in the amount of \$595,010.00 for 36.6 miles of Town roads.

Upon a motion duly made by Councilman Foe and seconded by Councilman Roberts, it was resolved approve the Agreement for the Expenditures of Highway monies for general repairs in the amount of \$595,010.00 of approximately 36.6 miles of Town highways specifically Human Road, Green Road, Raymond Road and Cambria Road.

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 ROBERTS voting AYE

The Resolution was thereupon declared duly adopted.

- Requesting the Town Board to approve a resolution in support of closing Old Beebe Road regarding the intersection in Warren's Corners at 104 and 93. This will change the intersection so it will not be as dangerous, there have been a lot of accidents.

Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Musall, it was resolved to approve in conjecture with the plan of the New York State DOT realignment of NY Route 104 and NY Route 93 and Stone Road intersections the Town of Cambria supports the required closure of Old Beebe Road.

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 ROBERTS voting AYE

The Resolution was thereupon declared duly adopted.

WATER SEWER REPORTS

Supervisor Ellis stated the 2022 water recap has been submitted and copies distributed to the Town Board.

ATTORNEY REPORTS

No reports.

BEAR RIDGE SOLAR PROJECT

Supervisor Ellis stated there was an article in the newspaper regarding the oral arguments.

CONCERNS OF CITIZENS

John Soto, Baer Road expressed his continued concerns for Bull Creek regarding the industrial solar project.

Michael Eagan, Southway Drive informed the Town Board a CSX train is blowing the whistle around 2am for no reason, what are his options because it's very disruptive. Supervisor Ellis directed the Town Attorney to send CSX a letter on his behalf.

Supervisor Ellis recognized the four students in attendance for their participation in government class for school.

PROCUREMENT POLICY PURCHASES

2023-9 REFUSE

Replace recycle totes and parts for stock.

1. Rehrig Pacific Company (180 carts):	\$10,770.00
2. Cascade Engineering (180 carts/parts):	\$10,976.10
3. Cascade Engineering (54 carts/parts):	\$4,001.78

Councilman Foe noted the Town pays for the recycle and garbage carts, we do fix them or replace them if any are damaged, so please call if yours needs repair.

Upon a motion duly made by Councilman Foe and seconded by Councilman Musall, it was resolved to approve the purchase from Cascade Engineering for 54 recycle carts and replacement parts in the amount of \$4,001.78.

Ayes: Ellis, Foe, Hurtgam, Musall, Roberts

-Motion Carried-

2023-11 WATER

Update laptop used to collect water reading for billing.

1. Premcom – Dell Latitude 5430 Laptop (rugged):	\$2,795.00
2. Badger Meter – Panasonic CF-33 Toughbook Laptop	\$9,417.10
3. Badger Meter – Yuma 7 Tablet	\$5,043.50

Supervisor Ellis explained the original laptop did not meet the requirements necessary to run the program; Premcom is giving the Town credit for the first one, this will be the total bill.

Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Roberts, it was resolved to rescind the motion from the January 12, 2023 of procurement form 2023-2 Water and approve the purchase of 2023-11 Water in the amount of \$2,795.00.

Ayes: Ellis, Foe, Hurtgam, Musall, Roberts

-Motion Carried-

2023-12 HIGHWAY

Service body drawers for the 2022 F-350 sign truck. The Highway Superintendent stated this will be the last purchase for this new vehicle.

1. EZ Stack:	\$3,975.00
2. Niagara Truck Equipment:	\$3,875.00
3. Elite Truck	\$3,180.51

Upon a motion duly made by Councilman Foe and seconded by Councilman Hurtgam, it was resolved to accept the proposal from Elite Truck in the amount of \$3,180.51 for service body drawers for the 2022 F-350.

Ayes: Ellis, Foe, Hurtgam, Musall, Roberts

-Motion Carried-

ADDITIONAL MATTERS

Councilman Roberts announced the Gazebo concert series is returning this summer. The lineup will be July 9th McHenry and Baz, July 16th Baggs Jazz Project, August 6th Screaming Pineapples and August 13th 90 West. They will be held rain or shine from 6pm – 8pm.

ADJOURNMENT

As there was no further business, the meeting was adjourned by motion made by Councilman Musall and seconded by Councilman Foe. Time: 7:25 pm.

Ayes: Ellis, Foe, Hurtgam, Musall, Roberts

-Motion Carried-

Respectfully submitted,

Paula N. Jones, Deputy Town Clerk