

TOWN OF CAMBRIA TOWN BOARD

NOVEMBER 10, 2005

The regular meeting of the Town of Cambria Town Board was held at 8:00 PM on the 10th day of November 2005 at the Town Hall, 4160 Upper Mountain Road, Town of Cambria, New York

BOARD MEMBERS PRESENT:

Wright H. Ellis, Supervisor
Robert E. Blackman, Councilman
George J. Bush, Councilman
Matthew P. Foe, Councilman

ALSO PRESENT:

Jon T. MacSwan, Highway Superintendent
Amel S. Jowdy, Water/Sewer Superintendent
Lou Ann Murawski, Town Clerk
Edwin J. Shoemaker, Attorney
19 Interested individuals

Following salute to the flag, Supervisor Ellis called the meeting to order. Board members took action upon the following matters:

PUBLIC HEARING – 2006 PRELIMINARY BUDGET

The Clerk read the following Notice of Public Hearing:

The Town Board of the Town of Cambria will conduct public hearings on the matters referred to herein at the Town Hall, 4160 Upper Mountain Road, Town of Cambria, NY on the 10th day of November 2005 at 8:00 PM. Said public hearings shall be as follows:

1. Any objections to the 2006 Assessment Roll for the following Districts:

	Amount to be Raised by Taxes
Cambria Water District	\$411,322.00
Cambria Fire District	\$336,801.00
Cambria Refuse District & Garbage District	\$369,399.00
Cambria Sewer District No. 1	\$208,869.00
Cambria Drainage District	\$ 20,500.00

All persons interested shall be heard at the public hearing to be held by the Town Board as aforesaid relative to assessments and amounts to be raised in said districts.

2. Fire Contracts. The Town Board of the Town of Cambria will consider allocations as follows and authorization to enter into contracts with fire companies protecting areas of said Town for fire protection. The fire companies and amounts to be allocated for the year 2006 are as follows:

Cambria Volunteer Fire Company	\$117,800
Cambria Volunteer Fire Company Ambulance Service	\$29,400.00
Pekin Fire Company	\$117,800
Pekin EMS Contract	\$22,300.00
Sanborn Fire Company	\$1.00

With an additional allocation of \$35,000 for the Service Award Program.

2. The Town Board will conduct a public hearing on the 2006 Preliminary Budget. A copy of the 2006 Preliminary budget is available at the office of the Town Clerk, 4160 Upper Mountain Road, Town of Cambria, NY, where it may be inspected by any interested person during regular office hours. The proposed salaries of the elected officials are hereby specified:

Supervisor	\$18,200.00
Councilman	\$ 4,800.00 each
Justice	\$15,150.00 each
Town Clerk	\$30,600.00
Tax Collector	\$ 4,800.00
Highway Superintendent	\$46,350.00

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

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APPROVAL OF 2006 ASSESSMENT ROLL

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to approve the 2006 Assessment Roll and the amounts to be raised by taxes.

Ayes: Blackman, Bush, Ellis, Foe -Motion Carried-

APPROVAL OF VOUCHERS FOR ELECTION OFFICIALS

Upon a motion duly made by Councilman Foe and seconded by Councilman Blackman, it was resolved to authorize payment to the election inspectors, custodians and machine inspectors for services rendered during the 2005 Primary and General elections.

Ayes: Blackman, Bush, Ellis, Foe -Motion Carried-

FORMER BUSINESS

Town Hall Expansion – Landscaping has been completed; the emergency generator has been tested but they are still working on the support for the 7distribution panel.

Housekeeping – Mr. Jowdy indicated there has been disposition of a lot of brass and the scrap copper has been cut up; shelving has been installed and the water meters removed from the floor area.

NATURE TRAIL GRANT – LEAD AGENCY DESIGNATION

Upon a motion duly made by Councilman Blackman and seconded by Councilman Bush, it was resolved to designate the Town Board as Lead Agent for the Nature Trail Project and to further authorize the coordinated review process.

Ayes: Blackman, Bush, Ellis, Foe -Motion Carried

Supervisor Ellis indicated the Engineers are preparing the required boundary map and other required documentation..

SMALL CITIES GRANT – TOWN OF CAMBRIA WATER LINE PROJECT – SEQR

The following resolution was presented:

WHEREAS the Cambria Town Board is in the planning phases of the Town of Cambria Fair Village Waterline Project (construction of 5,900+/- lineal feet of 8-inch and 12-inch waterline),

WHEREAS, pursuant to Part 617b NYCRR Article 8 of the Environmental Conservation Law, SEQR, the Cambria Town Board should “as early as possible in an Agency’s formation of an action it proposes to undertake”, begin the SEQR process,

WHEREAS, the Cambria Town Board has classified the action as an Unlisted Action under SEQR,

WHEREAS, the Governor’s Office for Small Cities requires a coordinated review under the terms of the grant application,

THEREFORE, BE IT RESOLVED, that the Cambria Town Board being the most local agency with permitting/funding authority wishes to declare Lead Agency and conduct a coordinated review, and

BE IT FURTHER RESOLVED, that the Cambria Town Board authorizes Wendel Duchscherer Architects & Engineers, PC to conduct a coordinated review pursuant to SEQR and further authorizes Lou Ann Murawski, Town Clerk to coordinate the required mailings and notifications.

The question of adoption of the foregoing resolution was duly put to a vote, which resulted as follows:

Ayes: Blackman, Bush, Ellis, Foe -Motion Carried-

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SMALL CITIES GRANT – TOWN OF CAMBRIA WATERLINE PROJECT – NEPA CERTIFYING OFFICER

The following resolution was presented:

WHEREAS, the Cambria Town Board is in the planning phases of the Town of Cambria Fair Village Waterline Project (construction of 5,900 +/- lineal feet of 8-inch and 12-inch waterline),

WHEREAS, the Town of Cambria has received a grant from the Governors Office for Small Cities;

WHEREAS, pursuant to requirements of the National Environmental Policy Act (NEPA) a Certifying Officer must be designated to assure that compliance with all environmental requirements has been completed, and

THEREFORE BE IT RESOLVED, that the Town of Cambria Town Board designate Wright H. Ellis, Supervisor as the National Environmental Policy Act Certifying Officer and authorize him to complete the Designation of Certifying Officer Form (Exhibit 2-1).

Upon a motion duly made by Councilman Foe and seconded by Councilman Bush, it was resolved to approve the aforesaid resolution, “NEPA Certifying Officer”.

Ayes: Blackman, Bush, Ellis, Foe

-Motion Carried-

SMALL CITIES GRANT – TOWN OF CAMBRIA WATERLINE PROJECT – NEPA ACTIVITY DETERMINATION

The following resolution was presented:

WHEREAS, the Cambria Town Board is in the planning phases of the Town of Cambria Fair Village Waterline Project (construction of 5,900 +/- lineal feet of 8-inch and 12-inch waterline),

WHEREAS, the Town of Cambria has received a grant from the Governors Office for Small Cities,

WHEREAS, pursuant to requirements of the Governors Office for Small Cities, the National Environmental Policy Act of 1969 must be followed,

WHEREAS, the procedural requirements of 24 CFR Part 58 must be met and an Environmental Review Record must be established,

WHEREAS, per the activities described in 24 CFR Part 58.35 (a), the proposed project can be designated as a “Categorically Excluded” activity and require compliance with 24 CFR 58.5 and 58.6, and

THEREFORE BE IT RESOLVED, that the Cambria Town Board authorizes the National Environmental Policy Act Certifying Officer to complete:

1. The NEPA classification Checklist (Form 2-4)
2. The Certification of NEPA Classification Form (Form 2-3)

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to approve the aforesaid resolution, “NEPA Activity Determination”

Ayes: Blackman, Bush, Ellis, Foe

-Motion Carried-

SMALL CITIES GRANT – TOWN OF CAMBRIA WATERLINE PROJECT – LABOR STANDARDS COMPLIANCE OFFICER

The following resolution was presented:

WHEREAS the Town of Cambria Town Board is in the planning phases of the Town of Cambria Fair Village Waterline Project (construction of 5,900 +/- lineal feet of 8-inch and 12-inch waterline),

WHEREAS, the Town of Cambria has received a grant from the Governors Office for Small Cities,

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WHEREAS, pursuant to requirements of the Governors Office for Small Cities, the Town of Cambria is required to comply with Article 8 of the New York State Labor Law, and/or Federal Labor Standards as required by the Davis-Bacon Act;

WHEREAS, a Labor Standards Compliance Officer must be designated to assure that compliance with all appropriate labor standard regulations, and

THEREFORE BE IT RESOLVED, that the Town of Cambria Town Board designate Wright H. Ellis, Supervisor as the Labor Standards Compliance Officer.

Upon a motion duly made by Councilman Bush and seconded by Councilman Foe, it was resolved that the aforesaid resolution, "Labor Standards Compliance Officer" be approved.

Ayes: Blackman, Bush, Ellis, Foe -Motion Carried-

PUBLIC HEARING SCHEDULED – WATERLINE IMPROVEMENTS

The following resolution was offered by Councilman Bush, who moved its adoption, and seconded by Councilman Foe, to wit:

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 Water 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 4,500 lineal feet of 12-inch diameter watermain along Unicorn Drive and Eagle Drive, which will connect to an existing 14-inch diameter watermain on Shawnee Road and an existing 8-inch diameter watermain on Diller Road together with approximately 1,300 lineal feet of 8-inch diameter main serving the single-family units along Fairview Drive, which will replace existing 6-inch diameter main, at an estimated maximum cost of \$433,333.00 and the financing of same through the issuance of bonds; 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 Full Environmental Assessment Form (the "Form") with respect to the facility, a copy of which is attached hereto as Exhibit A; and

WHEREAS, the form 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 8th day of December, 2005 at 8:00 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:

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 8th day of December, 2005 at 8:00 p.m. for the purpose of conducting a Public Hearing on certain maps and plans and estimates of cost relating to the proposed installation of approximately 4,500 lineal

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feet of 12-inch diameter watermain along Unicorn Drive and Eagle Drive, which will connect to an existing 14-inch diameter watermain on Shawnee Road and an existing 8-inch diameter watermain on Diller Road together with approximately 1,300 lineal feet of 8-inch diameter main serving the single-family units along Fairview Drive, which will replace existing 6-inch diameter main, (shown on said map and plan prepared by Wendel Duchscherer, Architect and Engineers) in and for the Town of Cambria Water District of said Town at an estimated maximum cost of \$433,333.00 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. Copies of said maps and plans and estimates of cost are on file in the office of the Town Clerk where the same may be examined by interested persons during regular business hours.

By Order of the Town Board of the Town of Cambria

Section 3. This Resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

Wright H. Ellis voting AYE
Robert E. Blackman voting AYE
George J. Bush voting AYE
Matthew P. Foe voting AYE

The Resolution was thereupon declared duly adopted.

CONCERNS OF CITIZENS

There was no one present desiring to be heard on any particular matter.

TOWN CLERK REPORTS

The Clerk reported receipt of the following:

-Niagara County SPCA Report - October 2005-Total Animal Contacts: 47

-Building Inspector Report – October 2005 – Total Receipts: \$1,360.00
Total estimated value of construction: \$272,994.00

-Letter from Loanne McCollum Family thanking the Town Board for the plaque in remembrance of Robert McCollum's years of service to the Town of Cambria

-Note of appreciation from Robyn & Michael Emery for the use of the Town Gazebo for their wedding ceremony

-Request of Town Clerk to attend District 10 joint meeting of Town Clerks to be held November 16th in West Seneca, NY and NYS Education Department State Archives Seminar on Microfilming of Records to be held November 15th in Orchard Park, New York.

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to authorize the Town Clerk to attend said meetings in West Seneca and Orchard Park, New York on November 15, 16, 2005.

Ayes: Blackman, Bush, Ellis, Foe

-Motion Carried-

-Contract with Biel's Information Technology Systems Corporation for Microfilming of Town Records

Upon a motion duly made by Councilman Foe and seconded by Councilman Blackman, it was resolved to authorize the Town Supervisor to enter into a contract with Biel's Information Technology Systems Corporation for microfilming of Town Records in accordance with the NYS Archives (Local Government Records Management Improvement Fund) grant award.

Ayes: Blackman, Bush, Ellis, Foe

-Motion Carried-

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-Letter of resignation from Edward M. Stefik from his position as a Planning Board member effective October 31, 2005.

Upon a motion duly made by Councilman Blackman and seconded by Councilman Bush, it was resolved to accept the resignation of Edward M. Stefik.

Ayes: Blackman, Bush, Ellis, Foe -Motion Carried-

APPOINTMENT OF THOMAS WILLETT – PLANNING BOARD MEMBER

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to appoint Thomas Willett to serve as a member of the Planning Board for the unexpired term of Edward Stefik until 12/31/09.

Ayes: Blackman, Bush, Ellis, Foe -Motion Carried-

-Veterans Day Ceremony – The Clerk extended an invitation to those present to the Town's Annual Veterans Day Ceremony to be held at the Town Hall at 11:00 AM on November 11th.

HIGHWAY SUPERINTENDENT REPORTS

Jon MacSwan reported as follows:

- Snow Fencing has been installed and the trucks are ready for winter
- Drainage – all the major ditch projects have been completed

WATER SUPERINTENDENT REPORTS

Amel Jowdy reported as follows:

-The cupboards have been installed at the Old Town Hall and the flagpole has been taken down and a new aluminum pole will be installed. Mr. Jowdy also indicated he is getting price quotes on replacement of the furnace.

-The flagpole at the Town Hall has been painted.

-A request was received from the Niagara County Water District for access of the Town's water system maps, which would enable the Town of Cambria to participate and have access to water atlas information on the Niagara County Water District's IMS site. The access would be provided by a password protected connection to the data server. Mr. Jowdy indicated he has contacted the Niagara County Health Department and they do not have a problem if the information is released to the Niagara County Water District.

Supervisor Ellis stated that the Town should have a written request from the County and we would then respond in writing.

Upon a motion duly made by Councilman Blackman and seconded by Councilman Bush, it was resolved to authorize Amel Jowdy, Water Superintendent, to release water distribution maps maintained by the Town's Water Department, which would enable the Town of Cambria to participate and have access to water atlas information on the Niagara County Water District's IMS site and directing the Town Clerk to send a letter to the Niagara County Water District.

Ayes: Blackman, Bush, Ellis, Foe -Motion Carried-

GRANT APPLICATION – REMOTE METER READERS

Mr. Jowdy indicated grant money is available through SARA funds for remote meter readers. The estimated cost to acquire the equipment and get the system running is approximately \$75,000.

Supervisor Ellis indicated he reviewed the draft, which still requires a lot of work; he would need adequate time to review the final draft. Bernie Rotella indicated the final narrative/grant application will be ready for review prior to November 18th.

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Upon a motion duly made by Councilman Foe and seconded by Councilman Bush, it was resolved to authorize the submission of the grant application to NYS Archives for water meter replacement program/remote readers in the amount of \$74,952 and to further authorize the Supervisor or Deputy Supervisor to sign the application.

Ayes: Blackman, Bush, Ellis, Foe -Motion Carried-

GRANT APPLICATION – GIS IMPLEMENTATION

Randy Roeseler, Wendel Duchscherer, indicated a needs assessment was prepared which was a prerequisite to the application process. He explained the grant application would be for the implementation of a pilot program under the direction of the Highway Department. It was indicated the proposed project also involves the Water and Sewer Departments; however, through the State Archives, the same Department cannot apply for a second grant.

A lengthy discussion ensued as to the training, maintenance, and expenses involved vs. the advantages to the Town in having a GIS system in place. Board members expressed concern as to the limited time frame in which to digest all the information contained in the needs assessment to meet the required grant application deadline. Supervisor Ellis recommended the Board not make application for the grant.

It was indicated that several towns throughout the County are moving forward with the implementation of a GIS system. Further discussion ensued.

Upon a motion duly made by Councilman Bush and seconded by Councilman Foe, it was resolved to authorize the filing of an application for a grant through the New York State Education Department State Archives for the implementation of a GIS Project for the Town of Cambria in the amount of \$28,850; said authorization based on achieving a consensus of the Town Board in a timely manner and to further authorize the Town Supervisor or Deputy Town Supervisor to sign the application.

Ayes: Bush, Ellis, Foe Noes: Blackman -Motion Carried-

CAMBRIA VOLUNTEER FIRE COMPANY – ELIZABETH PRESSLEY MEMBERSHIP

A letter was received from the Cambria Volunteer Fire Company indicating that Elizabeth Pressley was voted as a member of the Fire Company on August 8, 2002 but, due to an oversight, her application was never presented to the Town to be included on the roster. A request that the Town consider adding her name to the roster retroactively which would permit her to accumulate points for 2005 was presented.

A brief discussion ensued relative to the matter. It was suggested that a waiver of liability be signed by Ms. Pressley to cover the period from May 1 through November 10, 2005. Howard Morgan indicated he would contact Ms. Pressley and work with the Attorney in preparing the required waiver form to make her membership retroactive.

Upon a motion duly made by Councilman Bush and seconded by Councilman Foe, it was resolved to approve the addition of Elizabeth Pressley as a member of the Cambria Volunteer Fire Company effective November 10, 2005.

Ayes: Blackman, Bush, Ellis, Foe -Motion Carried-

VAN DUSEN/GREEN ROAD CHLORINATION

Upon a motion duly made by Councilman Foe and seconded by Councilman Blackman, it was resolved to accept the proposal from Mar-Wal Construction Company, Depew, New York for the chlorination of Van Dusen and Green Roads at a cost of \$100/hr minimum charge of eight hours and \$100/hr at a minimum charge of eight hours for de-chlorination (\$1,600 total minimum charge).

Ayes: Blackman, Bush, Ellis, Foe -Motion Carried-

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PROPOSAL FROM U & S SERVICES – ANDOVER CONTROL FOR HEATING SYSTEM

A proposal was received from U & S Services (Andover Controls) for replacement of controls and necessary labor/equipment for the Town Hall heating system as outlined in their "Scope of Work" memo revised November 10, 2005 in the amount of \$13,690.00. The number of hot water pumps should reflect three.

Supervisor Ellis indicated the Andover Controls were installed in the new construction and, to ensure compatibility, it is desirable to have the same controls in the old building.

Upon a motion duly made by Councilman Foe and seconded By Councilman Blackman it was resolved to standardize the control system for the heating and cooling system at the Town Hall with Andover controls provided by U & S Services, Tonawanda, NY.

Ayes: Blackman, Bush, Ellis, Foe -Motion Carried-

Upon a motion duly made by Councilman Foe and seconded by Councilman Bush, it was resolved to accept the proposal of U & S Services as set forth and described in "Scope of Work" dated November 10, 2005 in the amount of \$13,690. Wendel Duchscherer will be assuming the balance above \$10,000.00.

Ayes: Blackman, Bush, Ellis, Foe -Motion Carried-

ADDITIONAL MATTERS

Supervisor Ellis indicated he received a telephone call from Randall Palmer from the Occupational Health Safety Abatement Board informing us that he would like to send the Town some money, referencing the Town of Cambria's application for funding dated 10/12/94. At that time, the Town had applied for \$3,080 which it cost us to replace our bio-system, CO2 gas detector. We should be receiving \$2,310, which will be deposited in the Sewer Fund under unanticipated revenue.

CONTRACT WITH WENDEL DUCHSHERER – CAMBRIA FAIR VILLAGE WATERLINE

Proposal dated November 8, 2005, was received from Wendel Duchscherer for engineering services for the Cambria Fair Village Waterline improvements. Their proposal would be on a time and expense basis not to exceed \$33,900.00 without further authorization from the Town.

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to accept the proposal from Wendel Duchscherer for engineering services for the Cambria Fair Village Waterline improvements on a time and expense basis not to exceed \$33,900 and to further authorize the Town Supervisor to sign the proposal.

Ayes: Blackman, Bush, Ellis, Foe -Motion Carried-

EXECUTIVE SESSION

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved that the Board enter into Executive Session to discuss personnel matters. Motion Unanimously carried.

There was no action taken during the executive session.

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to close the executive session. Motion unanimously carried

REGULAR MEETING RE-CONVENED

Upon a motion duly made by Councilman Foe and seconded by Councilman Bush, it was resolved to re-convene the regular meeting. Motion unanimously carried.

ADJOURNMENT

The meeting was adjourned by motion made by Councilman Bush and seconded by Councilman Foe. Time: 10:05 PM.

Respectfully submitted,

Lou Ann Murawski
Town Clerk