

TOWN OF CAMBRIA TOWN BOARD

DECEMBER 14, 2006

The regular meeting of the
Town of Cambria Town Board held at
8:00 PM on the 14th day of December
2006 at the Town Hall, 4160 Upper
Mountain Road, Town of Cambria, NY

BOARD MEMBERS PRESENT:

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

ALSO PRESENT:

Jon T. MacSwan, Highway Superintendent
Lou Ann Murawski, Town Clerk
Edwin J. Shoemaker, Attorney
Eight interested individuals

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

APPROVAL OF MINUTES

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Foe, it was resolved that the Minutes of the Town Board meeting of November 9, 2006 be approved as presented.

Ayes: Blackman, Bush, Ellis, Foe, Kroening

-Motion Carried-

APPROVAL OF VOUCHERS

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

Cemetery Fund	Claim	19	\$ 209.27
Drainage Fund	Claim	40	\$ 60.00
General Fund	Claims 539 – 605		\$ 79,266.65
Highway Fund	Claims 230 – 249		\$ 52,436.65
Recreation Fund	Claims 57 – 62		\$ 1,675.00
Refuse Fund	Claims 22- 23		\$ 31,214.37
Sewer Operating	Claims 81 – 87		\$ 6,686.02
Trust Agency Fund	Claims 41 – 49		\$ 7,973.14
Water Construction Fund	Claims 18 – 21		\$110,803.14
Water Operating Fund	Claims 208 – 229		\$ 28,132.08

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Foe, it was resolved to approve the abstract of audited vouchers as presented.

Ayes: Blackman, Bush, Ellis, Foe, Kroening

-Motion Carried-

FORMER BUSINESS

- **Small Cities Grant-Cambria Fair Village Waterline Project** – Supervisor Ellis indicated a representative from the Governor's Office for Small Cities toured the project site and reviewed administrative and financial documents on November 30th. The project will be closed out in the spring, following completion of the landscaping restoration.
- **Willow Creek Patio Homes Subdivision** – Supervisor Ellis reported the Engineer for Willow Creek is working on reports to NYSDEC addressing the floodplain issues. The matter is expected to be addressed at the January meeting.

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- **Nature Trail Grant** – Supervisor Ellis indicated the Town Engineers continue to work with NYSDEC and the New York State Office of Parks, Recreation and Historic Preservation, reviewing plans and specifications and responding to their questions.

CONCERNS OF CITIZENS

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

TOWN CLERK REPORTS

The Town Clerk reported as follows:

- Building Inspector's Report – November 2006 Total Receipts \$680
Total estimated value of construction \$175,500.00
- Niagara County SPCA Report – November 2006 Total Animal Contacts: 20
- Flu Shots – To be administered by the Niagara County Health Department at the Town Hall on December 18th from 9 am – Noon. \$25.00 fee if no insurance. Supervisor Ellis indicated the Town will pay for those employees who are not covered by insurance.
- Petition was received containing 175 signatures in support of a stoplight at the intersection of Lockport Road and Townline Road. Mr. MacSwan indicated he would contact Mike Tracey from Niagara County Public Works regarding the matter.

Upon a motion duly made by Councilman Blackman and seconded by Councilwoman Kroening, it was resolved that the petition be referred to Niagara County Department of Public Works for their consideration and further referral to the NYS Department of Public Works, pending review by Jon MacSwan, Highway Superintendent.

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

HIGHWAY SUPERINTENDENT REPORTS

The Highway Superintendent reported on the following:

- Guardrails have been installed on Raymond, Baer and Shunpike Roads; this expenditure will be from the 2007 budget. Mr. MacSwan indicated that half of the cost for Raymond Road will be paid by the Town of Wheatfield.
- GPS Unit for Phase I of the GIS implementation has been delivered and is at the office of Wendel Duchscherer for inspection and programming. Mr. MacSwan indicated he felt the GIS implementation will prove to be a good investment offering efficiency and quality control.
- Procurement form for purchase of hoist for garage was submitted with the recommendation to accept the proposal submitted by Garage Equipment Supply in the amount of \$3,101. The cost of the hoist to be split between the Highway and Water Departments.

Upon a motion duly made by Councilman Foe and seconded by Councilwoman Kroening, it was resolved to accept the proposal submitted in the amount of \$3,101 from Garage Equipment Supply for the purchase of a hydraulic car lift.

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

- Sewer Extension on Route 31 – Mr. MacSwan reported the project is 50% complete.

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- Purchase of Bicentennial decals for town trucks – Mr. MacSwan presented the Board with a sample of decals depicting the Bicentennial logo, as proposed by the Bicentennial Committee. He indicated the flag will contain 17 stars and will be the United States flag as it was in 1808. The cost for 50 decals will be approximately \$200.

Upon a motion duly made by Councilman Bush and seconded by Councilman Foe, it was resolved to approve the logo for the Town of Cambria 2008 Bicentennial (17 stars) and further authorizing the purchase of vinyl decals for display on town vehicles.

Ayes: Blackman, Bush, Ellis, Foe, Kroening

-Motion Carried-

SNOW AND ICE CONTRACT – NIAGARA COUNTY ROADWAYS

The following resolution was read by Supervisor Ellis:

WHEREAS, under Section 135-a of the Highway Law, the Town Board is empowered to enter into written contracts with the Commissioner of Public Works acting as County Superintendent of Highways for the removal of snow and the sanding and treatment of pavement for ice control purposes, for one (1) year; and

WHEREAS, such contracts have been negotiated by the Town Superintendent of Highways at the actual cost incurred by the Town per mile for removal of snow from County roads, and the control of ice at the actual cost incurred by the Town; therefore, be it, and it hereby is

RESOLVED, that the Town Highway Superintendent of the Town of Cambria be empowered as an agent of the Town Board to enter into the attached Ice Control and Snow Removal Contracts with the Commissioner of Public Works acting as County Superintendent of Highways for a period of one (1) year.

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Foe, it was resolved to adopt the foregoing resolution.

Ayes: Blackman, Bush, Ellis, Foe, Kroening

-Motion Carried-

CAMBRIA HOUSING AUTHORITY – SNOW REMOVAL SERVICES

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Bush, it was resolved to authorize the Town Supervisor to enter into an agreement with the Cambria Housing Authority providing snow removal services for the 2006-2007 season at the complex located at 5835 Unicorn Drive for the sum of \$500.00 payable by the Cambria Housing Authority to the Town of Cambria.

Ayes: Blackman, Bush, Ellis, Foe, Kroening

-Motion Carried-

WATER/SEWER DEPARTMENT REPORTS

- Procurement form for Multi-Gas Detector was submitted with recommendation of purchase from DiVal Safety Equipment in the amount of \$1,720.00.

Upon a motion duly made by Councilman Bush and seconded by Councilwoman Kroening, it was resolved to accept the proposal from DiVal Safety Equipment in the amount of \$1,720 for the purchase of a multi-gas detector unit.

Ayes: Blackman, Bush, Ellis, Foe, Kroening

-Motion Carried-

- Procurement form for the purchase of water meters/remote meter readers was submitted. As the purchase cost will exceed \$10,000, formal bidding is required.

Upon a motion duly made by Councilman Foe and seconded by Councilwoman Kroening, it was resolved to authorize the Town Engineers to develop bid specifications for the AMR water meter reading system for review at the Town Board meeting to be held January 11th.

Ayes: Blackman, Bush, Ellis, Foe, Kroening

-Motion Carried-

ENCUMBER FUNDS FROM 2006 WATER DISTRICT FUND

Upon a motion duly made by Councilman Bush and seconded by Councilwoman Kroening, it was resolved to encumber \$30,000 from 2006 Water District Fund SW8340.04 for the purchase of AMR water meter reading system.

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

Councilman Bush indicated he was very impressed with Randy Shoop and the conscientious manner in which he applied his knowledge to research and compile data for the required information for the meter reading system.

ONE TON TRUCK – AUTHORIZE PREPARATION OF BID SPECIFICATIONS

Upon a motion duly made by Councilman Foe and seconded by Councilman Blackman, it was resolved to authorize the Highway Superintendent to prepare bid specifications for a one ton truck for presentation at the January 11th Town Board meeting.

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

ANNUAL RE-ASSESSMENT

Upon a motion duly made by Councilman Foe and seconded by Councilman Bush, it was resolved to continue with the annual assessment procedure and enter into a new six year plan to be developed by the Town Assessor and submitted to the New York State Office of Real Property Services to maintain 100% market value and to further qualify the Town of Cambria for reimbursement of \$5.00 per parcel.

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

REFUSE/RECYCLING CONTRACT EXTENSION – MODERN CORPORATION

Attorney Shoemaker indicated Modern Corporation has submitted a request to exercise the second one-year renewal option on their contract for Refuse and Recycling services. Their proposal reflects a 4.5% increase based on the change in the Consumer Price Index. The new rates, effective January 1, 2007 through December 31, 2007 would be as follows:

Contract K-1	Collection of MSW & Recycling	\$ 98.73 per unit per year
Contract K-2	Recycling of Tires	\$189.09 per ton
Contract K-3	Disposal of Large Items	\$ 48.62 per ton

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Blackman, it was resolved to approve the renewal agreement with Modern Corporation for refuse and recycling collection as proposed.

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

ASSOCIATION OF TOWNS MEETING – AUTHORIZE OFFICIALS TO ATTEND

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Bush, it was resolved to authorize Town officers/officials to attend the annual Association of Towns meeting to be held in New York City from February 18 – 21, 2007, and to further limit per diem expense at \$50.00.

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

2006 FINANCIAL CLOSEOUT PROCEDURE

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to authorize the Town Supervisor to encumber funds, pay bills and make line item transfers as necessary to close out accounts for 2006.

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

UNIFORM CONTRACT

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Blackman, it was resolved to authorize the Town Supervisor and Highway Superintendent to negotiate and execute the contract with Unifirst for supplying uniforms (same quantities as currently) for the Highway, Water and Sewer Departments.

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

PROPANE FUEL CONTRACT

Upon a motion duly made by Councilman Bush and seconded by Councilwoman Kroening, it was resolved to authorize a one year extension to December 31, 2007 of the contract with Wendt's Propane for the town's supply of propane fuel as per their proposal dated December 14, 2006 at a contract price of \$1.4353 per gallon.

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

NIAGARA COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN

The following resolution was presented for the Board's consideration:

RESOLUTION

ADOPTION OF NIAGARA COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN

WHEREAS, Niagara County, with the assistance from Ecology & Environment, Inc., has gathered information and prepared the Niagara County Multi-jurisdictional Hazard Mitigation Plan; and

WHEREAS, the Niagara County Multi-jurisdictional Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Town of Cambria has afforded the citizens an opportunity to comment and provide input in the Plan and the actions set forth in the Plan; and

WHEREAS, the Town of Cambria has reviewed the Plan and affirms that the Plan will be updated no less than every five years;

NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Cambria that the Niagara County Multi-jurisdictional Hazard Mitigation Plan be adopted as this jurisdiction's Natural and Manmade Hazard Mitigation Plan; and further resolves to execute the actions in the Plan.

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to approve the aforesaid resolution adopting the Niagara County Multi-Jurisdictional Hazard Mitigation Plan.

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

APPOINTMENT OF BASEBALL DIRECTOR

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Foe, it was resolved to appoint David Austin, 5458 Comstock Road, as Baseball Director for the 2007 season.

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

BICENTENNIAL COMMITTEE – ALLOCATION OF FUNDS

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Bush, it was resolved to provide the Bicentennial Committee with an allocation of up to \$3,000 for the purchase of various promotional items for the 2008 Bicentennial.

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

WENDEL DUCHSCHERER – PROPOSAL FOR DEVELOPMENT OF TOWN STANDARD SPECIFICATIONS AND REVIEW PIP LAW

A proposal, dated December 12, 2006, was received from Wendel Duchscherer for the development of Standard Specifications and Review PIP Law. The scope of work as outlined in their proposal would be provided for a lump sum fee of \$8,000.00.

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to accept the proposal of Wendel Duchscherer as outlined in their letter dated December 12, 2006 for the fee of \$8,000.00.

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

ADDITIONAL MATTERS

Supervisor Ellis indicated the Town Board issued a statement on November 27, 2006 supporting the AES Somerset LLC in their efforts to obtain the NYPA grant for a 680 megawatt IGCC plant in the Town of Somerset. Said statement is on file with the Town Clerk.

EXECUTIVE SESSION

Upon a motion duly made by Councilman Foe and seconded by Councilwoman Kroening, it was resolved to enter executive session to discuss personnel matters and union negotiations.

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

THERE WAS NO FORMAL ACTION TAKEN DURING EXECUTIVE SESSION

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

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

RE-CONVENE REGULAR MEETING

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Blackman, it was resolved to re-convene the regular meeting.

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

ADJOURNMENT

The meeting was adjourned by motion made by Councilman Foe and seconded by Councilman Bush. Time: 9:40 PM

Respectfully submitted,

Lou Ann Murawski
Town Clerk

