

TOWN OF CAMBRIA TOWN BOARD

NOVEMBER 9, 2006

The regular meeting of the Town of Cambria Town Board was held at 8:00 PM on the 9<sup>th</sup> day of November 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  
15 interested individuals  
Bill Wolcott, Union Sun & Journal

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

**PUBLIC HEARING – 2007 PRELIMINARY BUDGET, 2007 ASSESSMENT ROLL, FIRE PROTECTION CONTRACTS**

The Clerk read the following public hearing notice:

PLEASE TAKE NOTICE that 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 9<sup>th</sup> day of November 2006 at 8:00 PM. Said public hearing shall be as follows:

- 1. Any objections to the 2007 Assessment Roll for the following Districts:

Amount to be Raised by Taxes:

Cambria Water District.....	\$398,645.00
Cambria Fire District.....	\$351,001.00
Cambria Refuse & Garbage District.....	\$387,504.00
Cambria Sewer District No. 1.....	\$243,350.00
Cambria Drainage District.....	\$ 23,400.00

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 2007 are as follows:

Cambria Volunteer Fire Company	\$122,600.00
Cambria Volunteer Fire Company Ambulance Service	\$ 30,600.00
Pekin Fire Company	\$122,600.00
Pekin EMS Contract	\$ 23,200.00
Sanborn Fire Company	\$ 1.00

With an additional allocation of \$35,000.00 for the Service Award Program.

- 3. The Town Board will conduct a public hearing on the 2007 Preliminary Budget. A copy of the 2007 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	\$18,750.00
Councilman	\$ 4,950.00 each
Justice	\$15,605.00 each
Town Clerk	\$31,525.00
Tax Collector	\$ 5,000.00
Highway Superintendent	\$47,750.00

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

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Lou Ann Murawski, Town Clerk

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Supervisor Ellis indicated the 2007 budget provides for appropriations totaling \$4,326,191.00. He explained the appropriations in each fund as follows:

General Fund	Reduced approximately \$30,000, resulting in 2.27% decrease
Cemetery Fund	Increased by \$10,000
Highway Fund	Increased by \$47,900
Drainage District	Increased by \$ 3,000
Fire Protection	Increased by \$15,700, an increase of 4.65%
Refuse	Increased by \$7.00 for each household
Sewer Operating	Decreased by \$12,550, a decrease of 3.06%
Water Operating	Decreased by \$492,000 (2006 included appropriations for Small Cities Grant)

Supervisor Ellis indicated there will be an increase in the sewer tax rate for those who have sewers available to them. He indicated there have been a few small sewer projects completed in recent years which has tapped into the reserves, which the Board desires to build up. For those who have sewers available to them, they will see an overall reduction in the tax rate of \$.15 per \$1,000. For the average home assessed at \$110,700, the tax bill will be reduced by \$17.20. Those that do not have sewers available to them will see an overall reduction of approximately \$.25 per \$1,000; the average household will see a reduction of \$28.30.

The public hearing was opened. There was no one present desiring to be heard. The hearing was closed.

**APPROVAL OF MINUTES**

Upon a motion duly made by Councilman Bush and seconded by Councilwoman Kroening, it was resolved to approve the Minutes of Town Board meetings held on October 5, October 12 and October 26, 2006.

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:

CDBG Trust	Claim 3	\$74,938.03
Cemetery Fund	Claim 18	\$ 10.75
Drainage Fund	Claim 39	\$ 1,135.00
General Fund	Claims 495 – 538	\$25,433.58
Highway Fund	Claims 211 – 229	\$31,708.60
Refuse Fund	Claims 20 – 21	\$30,125.53
Sewer Construction	Claim 5	\$ 442.50
Sewer Operating	Claims 76 – 80	\$ 308.72
Water Construction	Claim 17	\$11,521.45
Water Operating	Claims 190 – 207	\$54,866.48

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

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

**BUDGET – 2007**

Upon a motion duly made by Councilman Foe and seconded by Councilwoman Kroening, it was resolved to approve the 2007 Preliminary Budget as the 2007 Adopted Budget.

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

**APPROVAL OF FIRE PROTECTION CONTRACTS**

Upon a motion duly made by Councilman Foe and seconded by Councilwoman Kroening, it was resolved to approve the Fire Protection Contracts in the amounts as set forth in the notice of public hearing and to further authorize the Town Supervisor to enter into said contracts.

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

**2007 ASSESSMENT ROLL**

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Blackman, it was resolved to approve the 2007 Assessment Roll for the Special Districts and to further approve the amount to be raised by taxes in those districts.

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

**FORMER BUSINESS**

Supervisor Ellis updated the Board with regards to the following projects:

- **Cambria Fair Village Waterline Project** – The contract punch list will be completed this fall; restoration and fine grading will be done in the spring. On November 30<sup>th</sup>, the Program Administrator from the Governor's Office for Small Cities will be available to monitor the program for regulatory compliance.
- **Nature Trail Grant** – Memo from Daryl Jones, Wendel Duchscherer, indicating the drawings are nearly complete and ready for review; the only issue remaining is determining what the town will be doing vs. the contractor. Jon MacSwan indicated he has spoken to Daryl Jones regarding the matter. Councilman Bush suggested our grant writer be contacted relative to applying for Phase II of the project.
- **Diller Road Sewer** – The final letter has been received from Ag/Mkts. determining the project will not have an adverse affect on farming operations.

Upon a motion duly made by Councilman Foe and seconded by Councilwoman Kroening, it was resolved to authorize work on the Diller Road Sewer Extension commencing spring 2007.

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

- **Willow Creek Subdivision** – The SEQRA review is continuing. A letter was received from NYSDEC outlining concerns, particularly the western boundary of the project site which includes a portion of the Bergholtz Creek floodplain, which will be addressed by the developer's engineer. The matter will be presented at the December meeting.

**CONCERNS OF CITIZENS**

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

**TOWN CLERK REPORTS**

The Town Clerk reported as follows:

- Correspondence from Empire State Development Corporation advising that the Town of Cambria's recent grant application under the Restore NY Community Initiative was not approved for funding.
- Niagara County SPCA Report – October 2006 – Total Animal Contacts: 41
- Building Inspector's Report – August 2006 – Receipts: \$1,235.00  
Total estimated value of construction cost: \$150,250.00  
September 2006 – Receipts: \$1,275.00  
Total estimated value of construction cost: \$197,800.00  
October 2006 – Receipts: \$655.00  
Total estimated value of construction cost: \$260,100.00
- Veterans Day Ceremony – to be held Saturday, November 11<sup>th</sup> at 11:00 am. An outside ceremony will take place. Appreciation was expressed to Thomas Reed, DT Tent rentals for providing the tent for the event.

**HIGHWAY SUPERINTENDENT REPORTS**

The Highway Superintendent reported as follows:

- Drain Tile has been installed in the area along the road in front of the Town Hall, which should rectify the problem with standing water
- Purchase of GPS device for GIS Implementation – Procurement form was presented indicating quote from Waypoint Technology Group (NYS bid) in the amount of \$4,805.00.

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Foe, it was resolved to authorize the purchase of "GeoXT" G.P. S. device, stand alone system at a cost of \$4,805.00 through Waypoint Technology Group.

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

- Guard Rails for Baer Road, Shunpike and Raymond Road. The cost for the guard rails on Raymond Road will be split with the Town of Wheatfield.

HIGHWAY SUPERINTENDENT REPORTS (continued)

- Glass block repairs to the Municipal Building – Mr. MacSwan indicated money is budgeted for 2007 but feels it is necessary to immediately proceed with the repairs to prevent further, more extensive damage. Supervisor Ellis indicated \$15,000 has been budgeted; however, we need to have three proposals in accordance with the Procurement Policy.

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Blackman, it was resolved to authorize the Town Supervisor to proceed with the necessary repairs to the glass block windows in the Municipal Building at a cost not to exceed \$15,000, in accordance with the procurement policy (Highway Superintendent to obtain three proposals).

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

OVER 65 REAL PROPERTY TAX EXEMPTION

Supervisor Ellis indicated Niagara County has increased their income limits for those eligible for the Over 65 real property tax exemption. The Assessor has recommended the Town adopt a similar schedule, indicating the overall impact on the tax levy should not be very significant.

Upon a motion duly made by Councilman Foe and seconded by Councilman Bush, it was resolved that the annual income and exemption percentage as provided in Local Law No. 2, 1996, a Local Law providing for Real Property Exemptions for those Aged 65 and Older, shall be modified as follows:

	ANNUAL INCOME	EXEMPTION PERCENT
Less than	\$18,025	50%
From:	\$18,025 to \$19,024.99	45%
	\$19,025 to \$20,024.99	40%
	\$20,025 to \$21,024.00	35%
	\$21,025 to \$21,924.99	30%
	\$21,925 to \$22,824.99	25%
	\$22,825 to \$23,724.99	20%
	\$23,725 to \$24,624.99	15%
	\$24,625 to \$25,524.99	10%

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

RE-ORGANIZATION EMERGENCY MANAGEMENT TASK FORCE

Supervisor Ellis explained the Emergency Management Task Force was set up in April 2006 by resolution of the Town Board. Due to the death of one member and the retirement of another member, he recommended the following changes:

James R. Kolkmeier	Chairman
William J. Amacher	
James J. Huntz	
Vincent Salerno	
Michael Johannes	Orleans-Niagara BOCES
Jon T. MacSwan	Highway Superintendent
Wright H. Ellis	Supervisor
Heather Blasius	Recording Secretary

All other provisions of the April 13, 2006 Town Board resolution shall remain in effect.

Upon a motion duly made by Councilman Blackman and seconded by Councilwoman Kroening, it was resolved to approve the members of the Emergency Management Task Force as recommended with all other provisions of the April 13, 2006 resolution remaining in effect.

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

BUILDING INSPECTOR TRAINING CONFERENCE

Upon a motion duly made by Councilman Bush and seconded by Councilman Foe, it was resolved to authorize the attendance of Clifford Burch and Donald Lane at the Niagara Frontier Building Officials' Annual Conference to be held in Amherst, NY from January 29 – 31, 2007.

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

**BUDGET FUND TRANSFERS**

The following line item budget transfers dated November 6, 2006 were presented to the Board:

**General Fund      Debits:**

\$1,000 from Assessor Clerk Account 1355.011  
\$3,000 from Assessor Clerk Account 1355.02  
\$2,400 from Building Maintenance – Personal Services Account 1620.01  
\$7,750 from Contingent Account 1990.04  
\$2,000 from Highway Equipment Account 5010.02  
\$ 100 from Garage, Contractual Account 5132.04

**Credits:**

\$7,500 Town Board Contractual Account 1010.04  
\$4,000 Assessor Contractual Account 1355.04  
\$2,400 Maintenance Person Account 1620.011  
\$2,000 Highway Clerk Account 5010.011  
\$ 100 Garage Equipment Account 5132.02  
\$ 250 Social Services (CHA) Account 6010.04

Upon a motion duly made by Councilman Foe and seconded by Councilwoman Kroening, it was resolved that the line item fund transfers as specified in memo dated November 6, 2006 totaling \$16,250 be approved.

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

**RECREATION – USE OF STARPOINT FACILITIES**

Supervisor Ellis indicated he received a late request from the Recreation Committee to apply for use of the Starpoint Fricano Gymnasium for baseball, softball and tee-ball clinics during January and February. There were several unanswered questions relative to liability; however, they would like to make application as soon as possible as the available slots for the gymnasium are quickly being filled.

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Blackman, it was resolved to authorize the Town Supervisor to enter into a contract with Starpoint Central School District for use of the Fricano Building Gymnasium for baseball, softball and tee-ball clinics, pending receipt of necessary information from the Recreation Committee.

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

**ADDITIONAL MATTERS**

Supervisor Ellis read letters of appreciation from the Town of Pendleton Highway Superintendent and Water/Sewer Superintendent to the Town of Cambria Highway Department and Water/Sewer Department for their help during the recent October storm.

**ADJOURNMENT**

As there was no further business, the meeting was adjourned by motion made by Councilman Foe and seconded by Councilwoman Kroening. Time: 8:35 PM

Respectfully submitted,

Lou Ann Murawski  
Town Clerk