

TOWN OF CAMBRIA TOWN BOARD

MARCH 9, 2006

The regular meeting of the Town of Cambria Town Board was held at 8:00 PM on the 9th day of March 2006 at the Town Hall, 4160 Upper Mountain Rd., 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:

Amel S. Jowdy, Water/Sewer Superintendent
Jon T. MacSwan, Highway Superintendent
Lou Ann Murawski, Town Clerk
Thomas Brandt, Attorney
Bill Wolcott, Union Sun & Journal
Approximately 16 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 Bush and seconded by Councilman Blackman, it was resolved to approve the Minutes of the Town Board meeting held on February 9, 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:

Drainage Fund	Claims 8 – 10	\$ 1,477.08
General Fund	Claims 83 – 135	\$ 52,450.01
Highway Fund	Claims 37 – 58	\$ 38,001.04
Refuse Fund	Claims 3 – 4	\$ 26,812.36
Sewer Operating	Claims 11 – 20	\$246,933.87
Trust Agency Fund	Claims 2 – 12	\$292,277.54
Water Construction Fund	Claims 4 – 5	\$ 5,035.10
Water Operating Fund	Claims 24 – 42	\$ 8,046.83

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-

WILLOW CREEK PATIO HOME SUBDIVISION

Mr. Kenneth Zollitsch, Planning Associate, Greenman-Pedersen, Inc. presented plans for a 65-lot subdivision proposed to be located on 18.5 acres on Saunders Settlement Road near Shenk Road.

Jon MacSwan, Highway Superintendent, expressed concerns relating to drainage and the width of the radius to the entrance of the development.

Amel Jowdy, Water/Sewer Superintendent, indicated the original submitted proposal called for the roadways/improvements to be privately owned.

Mr. Zollitsch indicated the proposal has changed-the roadways would be dedicated to the Town and the water/sewer lines would be public lines. The road right-of-way would be 66' wide.

Donald Lane, Deputy Building Inspector, expressed concerns regarding ingress/egress for adequate fire protection. He also indicated his concerns relating to variances, which would be required for sheds/garages.

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Supervisor Ellis indicated that, since there will be a significant change to the property, a long Environmental Assessment Form may be required to be completed under SEQRA regulations. This matter will be addressed by the Planning Board.

SMALL CITIES GRANT – CAMBRIA FAIR VILLAGE WATERLINE PROJECT

Supervisor Ellis indicated approvals have been received by NYS Agriculture and Markets and the milestone schedule has been submitted by Wendel Duchscherer. The project should be going out to bid approximately April 18th.

NATURE TRAIL GRANT

Supervisor Ellis indicated the required documents for completion of the SEQR review and the project boundary map have been submitted.

COURT ROOM SECURITY

Board members received a qualifications summary from the Town Justices relating to the Court Room security position, which included a minimum of five years experience as a Police Officer. Supervisor Ellis indicated he felt Police or Law Enforcement work experience should be required but he doesn't feel it is necessary to include a minimum of five years experience for the position.

Upon a motion duly made by Councilman Foe and seconded by Councilman Blackman, it was resolved to direct the Town Clerk to advertise for the Town of Cambria Court security officer position and to include Police/law enforcement work experience as a minimum requirement.

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

Supervisor Ellis appointed Councilman Bush, Councilwoman Kroening, Justice Peters and Justice Jowdy as a committee to review applications, conduct interviews and make recommendations to the Town Board as to the appointment of a candidate to the court officer security position.

CONCERNS OF CITIZENS

Mr. Howard Morgan, President of Cambria Volunteer Fire Company, indicated that the house numbers have been delivered to the Fire Hall. They will be meeting with the Pekin Fire Company and the Boy Scouts who have made application to assist with the project as part of their Eagle Scout Project. They anticipate placing the house numbers beginning in April and will continue through the summer months.

Mr. Morgan requested the Board to consider appointing a Fire Board to meet quarterly. The Board would be comprised of two members from each of the Fire Companies, two Town Board members and Mr. McPhee, the Plan Administrator for the Service Award Program.

Mr. Morgan also requested the Board to re-consider the May 1st date as the final cut off for members who join to be eligible to earn points.

Supervisor Ellis indicated that, when the program was first initiated, the May 1st date was the date requested by the Fire Companies because they felt if a member joined at the end of the year, it would not allow the member adequate time to earn the points; they would be pushing too hard and too fast. The Fire Company recommended May 1st as the deadline as they felt eight months was a reasonable time to allow for the required training. He also stated that during their budget deliberations the Fire Companies are always given an opportunity to review and express any concerns relating to the Service Award program, which is the appropriate time to suggest any changes.

TOWN CLERK REPORTS

The Town Clerk reported as follows:

- Niagara County SPCA Report for month of February: 27 Animal Contacts
- Appointment of Dog Enumerator to conduct dog census throughout the Town at a rate of \$2.25 per each dog enumerated

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DOG ENUMERATOR

Upon a motion duly made by Councilman Foe and seconded by Councilman Blackman, it was resolved to authorize the Town Clerk to appoint Dog Enumerators as necessary to complete a Town-wide dog enumeration at a pay rate of \$2.25 for each dog enumerated.

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

- Constable Training – The Town Clerk recommended that Town Constable Richard Dalton be authorized to attend the mandated firearm/weapons training to be held in Ransomville, NY on April 29th sponsored through the Peace Officers Training Academy.

Upon a motion duly made by Councilman Foe and seconded by Councilwoman Kroening, it was resolved that Richard Dalton be authorized to attend the firearms/weapons training to be held in Ransomville, NY on April 29th at a cost of \$420.00 plus the required ammunition.

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

- Letter from Niagara County SPCA – The Clerk indicated the Niagara County SPCA has forwarded a letter to Sheriff Department personnel clarifying the contractual agreement between the Town of Cambria and the SPCA relating to after hour calls. Prior to the SPCA responding to a call, it is necessary to contact either the Town Clerk or Town Supervisor for authorization to respond to the call.

HIGHWAY SUPERINTENDENT REPORTS

Jon MacSwan, Highway Superintendent, reported as follows:

- Drainage meeting report: They are ready to start the CSX project which will include the ditches from Comstock Road to Subbera Road.
- Fox Fence has removed the old fence along the perimeter of the Town Hall property.
- Glass Block Repair at Municipal Building – Buffalo Glass has examined the job and has indicated there is a problem with the steel header above the glass block. They are recommending the beam be sandblasted and painted. He will obtain an estimate for the next Board meeting.
- Old Salt Building – Mr. MacSwan requested Board authorization to raze the building under the supervision of the two Fire Companies.

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Foe, it was resolved to declare the old Salt Shed as surplus and authorize the disposal by burning under the supervision of the Cambria and Pekin Fire Companies.

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

- Hoist Repair – Mr. MacSwan indicated the repair of the front lift cylinder is estimated at \$3,000; they would also like to test the rear cylinder. They will have to consider the cost of repair versus the cost of replacement of the hoist.
- Chipper Exchange – Mr. MacSwan requested authorization to exchange the chipper for a new chipper which is on State bid at the price of \$34,030.00. The Town would pay Morbark, Inc. the sum of \$34,030.00 with the agreement that we will be receiving payment from L.. C. Whitford in the amount of \$32,670.00 for the trade in of our Chipper.

Upon a motion duly made by Councilman Foe and seconded by Councilman Blackman, it was resolved to authorize the exchange of the 2004 Morbark Chipper for a new Chipper at the state bid price of \$34,030.00, which would be paid to Morbark, Inc. with the understanding that the sum of \$32,670.00 would be paid by L. C. Whitford to the Town of Cambria in exchange for our 2004 Morbark Chipper.

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

- Tractor for Cemetery – Mr. MacSwan requested authorization to look into the cost for the purchase of a front wheel drive tractor with a bucket which could be used for mowing the cemetery. He indicated he did check into using CHIPS money for the equipment.

WATER/SEWER SUPERINTENDENT REPORTS

Mr. Jowdy reported as follows:

- Furnace – Old Town Hall – Mr. Jowdy indicated the furnace installation at the old Town Hall has been completed.
- Proposals for Copy Machine – three options were presented to the Board for the leasing of a copy machine from Xerox

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Blackman, it was resolved to authorize the Supervisor to enter into a three year lease with Xerox for a black/white copier at a cost of \$265.97 per month.

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

- OSHA Training – Mr. Jowdy presented the quote received from NCCC for 15 hours of OSHA refresher training at a cost of \$2,830.14. Onsite Health Solutions has quoted a price of \$1,050.00 for annual physicals for 11 employees. Councilman Foe indicated he understood the County's Self-Insurance Plan was offering training at the end of the month.

Upon a motion duly made by Councilman Bush and seconded by Councilman Foe, it was resolved to authorize Onsite Health Solutions to provide annual physicals for eleven employees at a cost of \$1,050.00 and to further authorize the Highway and Water/Sewer Superintendent to decide as to which organization (choosing from NCCC, Niagara County Mutual Self Insurance Plan and On Site Health Solutions)offers the most cost effective training.

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

- Annual Water Report – Mr. Jowdy indicated the 2005 annual report has been provided to the Board members. He is available to answer any questions relative to the report. Supervisor Ellis indicated that some of the financial statements need to be reviewed to insure the figures are reconciled against the figures maintained by his office and the Town Clerk's office. He also noted the water loss amount has increased over 2004. Mr. Jowdy indicated there was a leak on Baer Road near the creek. The reported loss is the highest it has been in recent years.
- Shawnee Road Sewer – the resident has paid the tap in fee to connect to the sewer. Mr. Jowdy requested authorization to purchase 250' of 2" PVC pipe to extend the pressure sewer.

Upon a motion duly made by Councilman Bush and seconded by Councilwoman Kroening, it was resolved to authorize the Water/Sewer Superintendent to purchase 250' of 2" PVC pipe to extend the pressure sewer from Shawnee Road, across Route 31.

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

- Replacement of Wain Roy Backhoe System – Mr. Jowdy indicated Niagara Ford Tractor will only give \$500 on a trade. He indicated he checked into the auction service which now requires us to provide them with three pictures, after which time they will list our equipment on their site for two-three weeks and then let us know what the highest bid is. We would then decide if we wanted to accept the bid.

Board members agreed to pursue the auction route with a decision to be made at the April 13th meeting.

- National Judges' Association Meeting – Mr. Jowdy requested authorization to attend the National Judges Association Meeting to be held in Niagara Falls, NY from May 20-26, 2006.

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to authorize Justice Jowdy to attend the National Judges' Association meeting to be held in Niagara Falls, NY from May 20-26, 2006.

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

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ATTORNEY REPORTS

Attorney Brandt stated he felt the Board was acting appropriately in appointing a court security officer, indicating he has attended Town court over the years and there have been a few uncertain moments when things may have gotten out of hand.

GROUNDSKEEPER POSITION

Upon a motion duly made by Councilman Foe and seconded by Councilwoman Kroening, it was resolved to authorize the Town Clerk to advertise for the Groundskeeper position for the maintenance of the baseball diamonds during the baseball program season.

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

GPS TRACKING SYSTEM

Councilman Foe indicated they are checking into a GPS tracking system for town owned vehicles, indicating the Town has a vehicle use policy but no method to enforce compliance. With rising fuel costs, a tracking system will ensure that those authorized to use Town vehicles are using them appropriately.

DILLER ROAD SPEED LIMIT REDUCTION

Supervisor Ellis indicated the Town would be required to submit a new request for the speed limit reduction on Diller Road.

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Blackman, it was resolved that the Town Clerk be authorized to file the required TE 9a form, requesting the New York State Department of Transportation , pursuant to Section 1622.1 of the Vehicle and Traffic Law, to establish a lower maximum speed at which vehicles may proceed on Diller Road between Lockport Road and Saunders Settlement Road.

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

SERVICE AWARD PROGRAM

Supervisors Ellis indicated there are a total of 53 firemen eligible to participate in the Firemen's Service Award Program: 21 from Pekin and 32 from Cambria.

Upon a motion duly made by Councilman Foe and seconded by Councilwoman Kroening, it was resolved to approve the 2005 listing of members eligible to participate in the 2005 Defined Contribution Service Award Program, which includes a total of 53 firemen, 21 from Pekin Fire Company and 32 from Cambria Volunteer Fire Company.

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

ELIZABETH PRESSLEY – CAMBRIA VOLUNTEER FIRE COMPANY MEMBERSHIP

A letter dated March 8, 2006 was submitted by Howard Morgan relative to the membership of Elizabeth Pressley, requesting that the May 1st deadline be waived due to the error that occurred when the Fire Company did not request Town Board approval for her inclusion on the roster at the same time the Fire Company approved her membership.

Upon a motion duly made by Councilwoman Kroening and seconded by Councilman Foe, it was resolved to waive the May 1st membership deadline and authorize qualifying Elizabeth Pressley for the 2005 Service Award Program.

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

NIMS AWARENESS TRAINING

Supervisor Ellis indicated five representatives from Cambria were scheduled to attend the recent NIMS awareness training. Heather Blasius and William Amacher gave a brief report of the meeting.

ADJOURNMENT

The meeting was adjourned at 9:05 PM by motion made by Councilwoman Kroening and seconded by Councilman Blackman.

Respectfully submitted,

