

TOWN OF CAMBRIA TOWN BOARD

DECEMBER 8, 2005

The regular meeting of the Town of Cambria Town Board was held at 8:00 PM on the 8th day of December 2005 at the Cambria Town Hall, 4160 Upper Mountain Rd., 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:

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

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

PUBLIC HEARING – TOWN OF CAMBRIA WATER LINE IMPROVEMENTS

The following Notice of Public Hearing was read by the Clerk:

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 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

Robert Klavoon, Wendel Duchscherer, explained the proposed project which involves the installation of approximately 4,500 lineal feet of watermain along Unicorn Drive and Eagle Drive. The Town received a Community Development Block Grant through the Governor's Office of Small Cities and Towns in the amount of \$367,233.00. Currently, the coordinated review under the SEQRA process is underway. He stated that no Board action is required this evening as it is necessary to wait until the 45-day period has expired which will be on January 12th, the next regular Town Board meeting.

Supervisor Ellis opened the hearing for public comment.

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

Supervisor Ellis indicated the Town will be assuming costs of approximately \$66,100 for the engineers, legal and administrative costs. He stated this was the third grant application made by the Town for this particular project.

The hearing was closed at 8:10 PM.

APPROVAL OF MINUTES

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved that the Minutes of the November 10, 2005 Town Board meeting be approved as presented.

Ayes: Blackman, Bush Ellis, Foe

-Motion Carried-

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APPROVAL OF VOUCHERS

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

Capital Projects Fund	Claim	35	\$ 931.61
Cemetery Fund	Claims	9 – 10	\$ 96.83
Drainage Fund	Claim	23	\$ 56.33
General Fund	Claims	551 – 625	\$51,977.71
Highway Fund	Claims	248 – 265	\$40,555.16
Recreation Fund	Claims	60 – 64	\$ 1,860.00
Refuse Fund	Claims	23 – 25	\$30,835.81
Sewer Operating Fund	Claims	114 – 122	\$ 5,216.33
Trust Agency Fund	Claims	38 – 52	\$ 9,347.56
Water Construction Fund	Claims	19 – 21	\$ 1,792.98
Water Operating Fund	Claims	239 – 254	\$25,580.94

Upon a motion duly made by Councilman Foe and seconded by Councilman Blackman, it was resolved that the abstract of audited claims be approved for payment as presented.

Ayes: Blackman, Bush, Ellis, Foe

-Motion Carried-

FORMER BUSINESS

HOUSEKEEPING AND INVENTORY PROGRAM

Jon MacSwan reported continued efforts in the cleaning of the buildings and sorting through scrap. His department has also been working on the equipment.

Supervisor Ellis stressed the necessity to update the RGIS inventory which was prepared in April 2004, indicating this should be an ongoing procedure to track the inventory of consumable materials.

NATURE TRAIL GRANT

Supervisor Ellis indicated we are still within the SEQRA review process; the required paperwork was forwarded on November 23rd. The matter will be further addressed at the January meeting.

SEWER SERVICE CONNECTION – FAIRVIEW DRIVE

Mr. Jowdy indicated that the request of request of Kelly Ventry and Kris Furman, 3924 Saunders Settlement Road, to tie into the sewer line on Fairview Drive has been withdrawn at this time.

SECURITY/FIRE ALARM SYSTEM

Board members had an opportunity to view the procurement form/proposals submitted for the security and fire alarm system to be installed at the Town Hall.

Supervisor Ellis recommended the Board accept the proposal submitted by Eastern States Sentinel Alarm Services, Inc., 5647 Seneca St., Buffalo, NY, for the installation of a security/fire alarm system at the Cambria Town Hall at the price of \$6,155.00, which includes option #1, installation of five fixed panic buttons at counters as per plans at a cost of \$200.00 and also includes the option to have the fire system connection to a security panel for 24 hr. central station monitoring with panel test every 24 hours at an additional annual fee of \$60.00.

Upon a motion duly made by Councilman Bush and seconded by Councilman Foe, it was resolved to accept the proposal of Eastern States Sentinel Alarm Services, Inc., 5647 Seneca St. Buffalo, NY for the installation of a security/fire alarm system at the Cambria Town Hall at the price of \$6,155.00 which includes option #1 at a cost of \$200.00 and also the option of have the fire system connection to a security panel for 24 hr. central station monitoring with panel test every 24 hours at an additional annual fee of \$60.00.

Ayes: Blackman, Bush, Ellis, Foe

-Motion Carried-

CONCERNS OF CITIZENS

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

RECOGNITION OF SUZANNE PUDE – CHRISTMAS TREE LIGHTING FESTIVITIES

Councilman Bush acknowledged the presence of Sue Pude in the audience and thanked her for her efforts in the successful Christmas Tree lighting festivities.

Upon a motion duly made by Councilman Bush and seconded by Councilman Foe, it was resolved to recognize the work of Suzanne Pude for her efforts in serving as Chairperson of the Christmas Tree Lighting Festivities.

Ayes: Blackman, Bush, Ellis, Foe

-Motion Carried-

TOWN CLERK REPORTS

The Town Clerk reported receipt of the following:

-Niagara County SPCA Report for the month of November – Total animal contacts: 28

-Building Inspector's Report – November 2005 Total receipts - \$535.00; Total estimated value of construction cost \$99,780.00.

-Letter of Appreciation from the members of the Cambria Historical Society for the new kitchen cabinets, which were recently installed.

-Letter from Gerald A. Machajewski expressing interest in any available position on the Planning Board or Zoning Board of Appeals.

-Letter from Maureen Walck expressing interest in being re-appointed to serve as a member of the Board of Assessment Review

Upon a motion duly made by Councilman Foe and seconded by Councilman Blackman, it was resolved to re-appoint Maureen Walck to the Board of Assessment Review for a five year term to expire on September 30, 2010.

Ayes: Blackman, Bush, Ellis, Foe

-Motion Carried-

APPOINTMENTS – VARIOUS BOARDS

Supervisor Ellis indicated he has been in contact with members of the various boards whose terms are expiring and they are interested in being re-appointed to their positions. The Chairman of the various Boards/committees have also concurred to re-appoint the current members. He stated it will be necessary to advertise for openings on the Board of Ethics and the Planning Board alternate position.

HIGHWAY SUPERINTENDENT REPORTS

-Monthly Safety meeting- Jon MacSwan indicated they have conducted their monthly safety meeting; he would like to see a Safety Incentive Program instituted for 2006.

-Drainage Meeting – It was indicated there is still one resident on Andrews Road who will not sign an easement for the required drainage work; however, he will continue to approach the owners.

-Flood Maps – Jon MacSwan indicated he attended a meeting with DEC and FEMA regarding the designation of flood zones for the preparation of the new Flood Boundary Maps. A contractor will be sent to each town to work on the maps.

-Meeting with Railroad has been scheduled. Mr. MacSwan indicated his Department has taken pictures of the conditions of the culverts on Comstock Road and the accumulation of debris which will be addressed at the upcoming meeting with the railroad.

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-Unicorn Apartments – Snow Plowing – With regards to plowing the Unicorn Apartments, Mr. MacSwan indicated he is concerned about the liability, indicating it is tough to get the residents to park on one side of the parking lot. He indicated the plowing can be time consuming depending on the amount of snow and equipment required – sometimes they are required to bring in a loader to move the snow. He indicated that he felt \$500 was a fair estimate in determining the cost of labor/material involved for performing the snowplowing services.

Following a brief discussion on the matter, Councilman Foe commented that he would feel a lot more comfortable if he understood the Town's liability and where we stood legally in our responsibility to perform the services.

Upon a motion duly made by Councilman Blackman and seconded by Councilman Bush, it was resolved to authorize the Highway Superintendent to plow snow for the Cambria Housing Authority for the 2005-2006 season at a cost of \$500.00 and to further authorize the Town Attorney to prepare the appropriate contact addressing questions of liability.

Ayes: Blackman, Bush, Ellis, Foe

-Motion Carried-

-Cambria Housing Authority Debris Removal – Mr. MacSwan indicated he met with Cerrone trucking relative to the clean up of debris from the fire; there is a lot of asbestos, which would be required to be removed by a licensed contractor.

FIRE COMPANY SNOW REMOVAL

Upon a motion duly made by Councilman Foe and seconded by Councilman Blackman, it was resolved to authorize the Attorney to prepare an addendum to the 2006 Fire Contracts with Cambria Fire Company and Pekin Fire Company whereby the Town of Cambria will provide snow removal services during the 2005-2006 winter season.

Ayes: Blackman, Bush, Ellis, Foe

-Motion Carried-

WATER/SEWER SUPERINTENDENT REPORTS

Amel Jowdy reported as follows:

-Furnace at Old Town Hall – Mr. Jowdy indicated the present oil-fired furnace at the Old Town Hall is in need of replacement. He presented the Board with two proposals – replacement with an oil-fired furnace and also a proposal for a propane fired furnace.

Councilman Foe requested that prices be obtained for the burial of a propane tank and also the replacement of the oil tank.

-Security Fencing at Town Hall – Mr. Jowdy indicated he met with the contractor this morning for the clearing of brush/weeds along the fence. Following conversations with Wendel, the contractor would prefer to delay the project until early spring if this is acceptable to the Town.

Robert Klavoon indicated the grant has been extended until June and Niagara County will support whatever decision the Town Board determines.

Supervisor Ellis indicated there were concerns about the softness of the ground and accessibility to set the posts on the west side. He indicated the Town would have no objection to the delay.

Councilman Foe commented with regards to the removal of the fence which is going to cost the Town approximately \$9,000. At the time the proposal was discussed to have the Highway Department remove the fencing, Mr. MacSwan indicated he was concerned about the time factor; the project will now be delayed until spring which would have allowed additional time, perhaps allowing Highway Department to perform the removal of the fencing.

-Town Justice Grant - Mr. Jowdy notified the Board that their grant application for a copy machine for the Justice Court has been denied.

SCHOOLING AUTHORIZATION

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved that Councilwoman-elect Debra L. Kroening be authorized to attend training school sponsored by the Association of Towns to be held in Rochester, NY on January 9, 10, 11, 2006.

Ayes: Blackman, Bush, Ellis, Foe

-Motion Carried-

2006 ASSOCIATION OF TOWNS MEETING

Upon a motion duly made by Councilman Foe and seconded by Councilman Blackman, it was resolved to authorize Town officials to attend the annual meeting of the Association of Towns to be held in New York City from February 19 – 22, 1006.

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

APPOINTMENT OF DEPUTY TAX COLLECTOR

Supervisor Ellis indicated he has received a request from the Tax Collector to appoint Rachel Kroening as Deputy Tax Collector.

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to approve the appointment of Rachel Kroening as Deputy Tax Collector.

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

2005 FINANCIAL CLOSEOUT PROCEDURE

Upon a motion duly made by Councilman Bush and seconded by Councilman Foe, it was resolved to authorize the Town Supervisor to encumber funds, pay bills and make line item transfers as necessary to balance funds and close out accounts for 2005.

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

BROWNFIELDS ASSISTANCE

Supervisor Ellis stated that through Niagara County's USEPA Brownfields Assessment Pilot grant, money is available to conduct Phase I environmental assessments on identified sites at no cost to the Town. The Lockport Air Force Base site on Unicorn Drive was identified as a site in Cambria having multiple problems. The County is requesting the Town's authorization prior to proceeding with Phase I assessment.

Upon a motion duly made by Councilman Foe and seconded by Councilman Blackman, it was resolved to authorize Niagara County through the USEPA Brownfields Assessment Pilot grant to conduct Phase I assessment of the Lockport Air Force Base located on Unicorn Drive.

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

REFUSE/RECYCLING COLLECTION AGREEMENT – MODERN CORPORATION

Upon a motion duly made by Councilman Foe and seconded by Councilman Bush, it was resolved to approve the extension of the agreement with Modern Corporation for refuse and recycling for one year to expire 12/31/06 and to authorize the Town Supervisor to sign same.

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

UNIFORM CONTRACT

Upon a motion duly made by Councilman Foe and seconded by Councilman Bush, it was resolved to authorize the Town Supervisor to execute the contract with Unifirst for supplying uniforms to employees under the same quantities and prices as are currently charged.

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

NIAGARA COUNTY SPCA CONTRACT

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to approve the contract with the Niagara County SPCA for a three-year term at the monthly rates as follows: Year 2006-\$728/month; Year 2007 - \$750/month; Year 2008-\$772/month and to further authorize the Town Supervisor to sign the contract.

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

PROPANE/GASOLINE/DIESEL FUEL CONTRACT

Mr. Jowdy indicated the contract with Wendt's propane for heating has expired. Their bid allowed for two, one-year renewals. They are proposing a price of \$1.4252 per gallon, based on contract guidelines.

Upon a motion duly made by Councilman Foe and seconded by Councilman Blackman, it was resolved to authorize the one- year extension of the contract with Wendt's Propane for the Town's supply of propane heating fuel as per their proposal of \$1.4252 per gallon.

Ayes: Blackman, Bush, Ellis, Foe

-Motion Carried-

RESOLUTION AUTHORIZING ISSUANCE OF MULTI-YEAR DOG LICENSES

The Clerk indicated that effective January 15, 2006, NYS Agriculture and Markets Law will be amended to allow municipalities the option of issuing multiple year dog licenses for up to three years; however, a dog license cannot be issued for a longer period of time than the rabies expiration for the dog. She recommended the Board adopt a resolution authorizing the issuance of the multiple year license. The following resolution was presented for the Board's consideration:

Whereas, the State of New York has amended Section 110 of the Agriculture and Markets Law, effective January 15, 2006, to allow the issuance of multiple year dog licenses for up to three (3) years; and

Whereas, the authority to issue multiple year licenses is at the option of the issuing municipality; and

Whereas, it will be in the best interests of the residents of the Town of Cambria to be able to purchase dog licenses for multiple years, up to three years,

Now, Therefore, in consideration of the foregoing, it is hereby

Resolved, that as of January 15, 2006, the Town of Cambria is hereby authorized to issue multiple year dog licenses for up to three years on such terms and conditions as are set forth in Section 110 of the Agriculture and Markets Law of the State of New York, effective January 15, 2006.

Upon a motion duly made by Councilman Foe and seconded by Councilman Blackman, it was resolved to adopt the resolution authorizing the Town Clerk to issue multiple year dog licenses.

Ayes: Blackman, Bush, Ellis, Foe

-Motion Carried-

NYS ROUTE 93 RE-ROUTING

Supervisor Ellis indicated a letter was received from Senator Maziarz and Niagara County Legislator Gerald Farnham concerning the truck traffic along Route 93 going around Delphi's five main entrances on Upper Mountain Road and then looping back to the truck entrance on Junction Road via Route 31. They propose to re-route Route 93 to alleviate unnecessary truck travel on Upper Mountain Road. In order for DOT to proceed with the proposal, a resolution by the Town Board is required.

Following a brief discussion on the matter, it was suggested that a letter be sent to NYSDOT requesting a meeting to discuss additional signage for the area in question.

Upon a motion duly made by Councilman Bush and seconded by Councilman Foe, it was resolved that a letter be prepared and sent to NYSDOT suggesting the Town Board's proposal for additional signage on Junction Road which would re-direct truck traffic and to further request that a meeting be scheduled with NYSDOT officials to discuss the matter.

Ayes: Blackman, Bush, Ellis, Foe

-Motion Carried-

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ADDITIONAL MATTERS

Councilman Bush indicated he is preparing information addressing safety concerns which will be in the Board's mailboxes prior to the January meeting.

EXECUTIVE SESSION

Upon a motion duly made by Councilman Foe and seconded by Councilman Blackman, it was resolved to enter executive session to discuss personnel matters. Time: 9:05 PM. Ayes: Blackman, Bush, Ellis, Foe -Motion Carried-

There was no formal action taken at the 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. -Motion Carried-

Upon a motion duly made by Councilman Bush and seconded by Councilman Blackman, it was resolved to re-convene the regular meeting. Ayes: Blackman, Bush, Ellis, Foe -Motion Carried-

ADJOURNMENT

The meeting was adjourned by motion made by Councilman Foe and seconded by Councilman Blackman. Time: 10:20 PM.

Respectfully submitted,