

**TOWN OF CAMBRIA TOWN BOARD**

**June 12, 2025**

The regular meeting of the Town of Cambria Town Board was held at 7:00 pm on the 12<sup>th</sup> day of June 2025 at the Town Hall, 4160 Upper Mountain Road, Town of Cambria, New York.

**BOARD MEMBERS PRESENT:**

Jon T. MacSwan, Supervisor  
Louise Brachmann, Councilwoman  
Jeffrey S. Hurtgam, Councilman  
Benjamin D. Musall, Councilman  
Randy M. Roberts, Councilman

**ALSO PRESENT:**

Tamara J. Cooper, Town Clerk  
Abe Platt, Attorney  
Tim Walck, Engineer  
Steve Kroening, Highway Superintendent  
7 interested individuals

Following salute to the flag, Supervisor MacSwan called the regular meeting to order at 7:00 pm. Board members took action upon the following matters:

**APPROVAL OF MINUTES**

**Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Hurtgam it was resolved to approve the minutes of the Town Board meetings of May 8, 2025, work and regular.**

**Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts**

**-Motion Carried-**

**APPROVAL OF VOUCHERS**

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

**June 12, 2025**

<b>ACCOUNT</b>	<b>AMOUNT</b>
<b>Cemetery</b>	<b>\$ 133.06</b>
<b>Drainage</b>	<b>\$ 2,410.00</b>
<b>Fire</b>	<b>\$ 218.00</b>
<b>General</b>	<b>\$ 123,005.91</b>
<b>Highway</b>	<b>\$ 91,362.52</b>
<b>Refuse</b>	<b>\$ 80,466.20</b>
<b>Sewer</b>	<b>\$ 4,139.52</b>
<b>Water Operating</b>	<b>\$ 16,739.00</b>

**Upon a motion duly made by Councilwoman Brachmann and seconded by Councilman Hurtgam it was resolved to approve the abstract of audited vouchers dated June 12, 2025, be approved as read by the Town Clerk.**

**Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts**

**-Motion Carried-**

**OLD BUSINESS**

Wendel Projects: no reports

**REPORTS**

**SUPERVISOR**

Jon MacSwan, Supervisor, reported as follows:

- No solar updates.

**TOWN CLERK REPORTS**

Tamara J. Cooper, Town Clerk, reported as follows:

- |                                  |                       |                 |
|----------------------------------|-----------------------|-----------------|
| • Town Clerk Report May:         | Total Receipts:       | \$ 161,492.00   |
| • Building Inspector Report May: | Total fees collected: | \$ 4,388.80     |
| Estimated value of construction: |                       | \$ 2,029,498.00 |

**HIGHWAY SUPERINTENDENT REPORTS**

Steven Kroening, Highway Superintendent reported as follows:

**HIGHWAY:**

- Brush pickup has started. (no state roads)
- Mowing roadsides.
- Trucks are helping other towns.
- Paving complete on Cambria Rd. (south) - striping yet to be done.
- James Kolkemeyer retired effective 5/30/2025 and Mr. Kroening would like to replace him.

**Upon a motion duly made by Councilwoman Brachmann and seconded by Councilman Roberts it was resolved to authorize the Highway Superintendent to hire an MEO.**

**Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts**

**-Motion Carried-**

**CEMETERY**

- Mowing.

**WATER/SEWER**

- Changing out meters.
- Water services are being installed -2 more yet to install.
- Mowing around hydrants.
- Working on policy changes for grinder pumps.
- Standby generator installed at Southway sewer lift station, waiting for National Fuel for service.

**PARK**

- Mowing.
- Ball field playing full force.
- Concession stand item selling out.

**BLDGS & GROUNDS**

- Mowing.

## COMMISSIONER

Matt Foe, Commissioner Reported as follows:

- The Town has been working on Union Negotiations, close to having an agreement.

## ATTORNEY

Abe Platt, Attorney reported as follows:

- Unicorn Drive purchase: There has been a request from the purchaser to conduct their own soil testing. Mr. Platt is advising that the Town be named as an additionally insured on their insurance policy.

## CONCERNS OF THE CITEZENS

### **Sharon Tasner Subbera Rd.**

Ms. Tasner indicated that she spoke to the board previously about the use and duration of storage containers. She went to see the Building Inspector with Supervisor MacSwan. They were told that this issue is now in the hands of the attorney. Ms. Tasner would like to know whose responsibility is this. Supervisor MacSwan indicated that a new local law had to be drafted.

Mr. Platt indicated that in order to move forward, the local law must first be passed and then retroactively enforcing the local law. The Town is in the process of deciding whether to approve the local law separately or at the same time as some other minor zoning changes.

A brief discussion ensued about storage/shipping containers and enforcement.

## ASSESSOR APPOINTMENT

Supervisor MacSwan is in receipt of a formal request for Debra A. Littere, Town of Cambria Assessor, to be reappointed for a time period as designated by the state for six years. Effective October 1, 2025 to September 30, 2031.

**Upon a motion duly made by Councilman Hurtgam and seconded by Councilwoman Brachmann, it was resolved that Debra A. Littere be appointed Sole Appointed Assessor for the Town of Cambria effective October 1, 2025, for a six-year term which expires September 30, 2031.**

**Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts**

**-Motion Carried-**

## LIQUOR LICENSE

Supervisor MacSwan indicated the Town Board has notification from Forsyth-Warren Tavern Living History Farm and Museum that they are applying for a liquor license. He stated that the Town Board discussed it. They need a site plan and the zoning is incorrect.

The Supervisor asked the Mr. Platt, Town Attorney, the wording needed in order to proceed.

Mr. Platt advised the Board that they are to vote on supporting or opposing the application.

**Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Roberts it was resolved to oppose the application from Forsyth-Warren Tavern Living History Farm and Museum for a liquor license.**

**Roll Call Vote:**

***Brachmann- Abstain***

**Roberts- stated 'I am in opposition of it- NO'**

**Hurtgam- NO**

**Musall-NO**

**MacSwan-NO**

**-Motion Carried-**

Supervisor MacSwan indicated that the Town Board voted the application down and if there are any questions, please contact the attorney.

#### **HEALTH INSURANCE OVER 65 RETIREES**

Supervisor MacSwan indicated that the Town Board is offering another option for health insurance for retirees over 65. They will now be able to choose between Blue Cross or Independent Health.

**Upon a motion duly made by Councilman Musall and seconded by Councilman Hurtgam, it was resolved that Town of Cambria retirees over the age of 65 will have a choice between Blue Cross and Independent Health for their insurance.**

**Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts**

**-Motion Carried-**

#### **CAMBRIA FIRE COMPANY FEES**

#### **RESOLUTIONS AUTHORIZING FEES AND CHARGES FOR EMERGENCY MEDICAL SERVICES AND AMBULANCE SERVICE**

**WHEREAS**, General Municipal Law sections 209-b and 122-b, and as otherwise provided by law (the "Law") provides that the authorities having control of a fire department or fire company that have authorized such fire department or fire company to provide emergency and general ambulance service, including emergency medical service as defined in section three thousand one of the Public Health Law may fix a schedule of fees or charges to be paid by persons requesting such service or services; and

**WHEREAS**, the Law further authorizes the authorities having control of a fire department or fire company may provide for the collection of fees and charges for the collection thereof by the fire department or fire company; and

**WHEREAS**, the Law provides that if the authorities having control of a fire department or fire company have authorized such fire department or fire company to fix a schedule of fees or charges to be paid by persons requesting such service or services, and seek participation in and reimbursement from the medical assistance program, the authorities having control of a fire department or fire company shall adhere to any medical assistance enrollment and billing requirements applicable to such services prior to receiving reimbursement; and

**WHEREAS**, the Law further provides that where a basic life support service which establishes a schedule of fees for service shall enter into a contract with a provider or providers of advanced life support services to provide such advanced life support services and that such contract shall at a minimum establish the fees for advanced life support services and the means by which said provider will be reimbursed when the ambulance service bills for emergency medical service; and

**WHEREAS**, the Law further provides that where an emergency and general ambulance service, including emergency medical service as defined in section three thousand one of the Public Health Law, authorized pursuant to General Municipal Law section 209-b(4) which does not issue a bill for its services and which requests an Advanced Life Support (ALS) intercept from another ambulance service furnishing service in an area that is

designated as a rural area by any law or regulation of the state, or that is located in a rural census tract of a metropolitan statistical area (as determined under the most recent Goldsmith Modification), shall pay the ambulance service providing the ALS intercept an ALS Rural Intercept Fee at rates negotiated between the providers of such services; and

**WHEREAS**, the Law further provides that in the absence of any agreed-upon rates, the service receiving such ALS intercept shall pay the service providing the ALS intercept for such services at the usual and customary charge, which shall not be excessive or unreasonable; and

**WHEREAS**, the Law further provides that an emergency and general ambulance service, including emergency medical service as defined in section three thousand one of the Public Health Law, authorized pursuant to General Municipal Law section 209-b(4) to fix a schedule of fees or charges to be paid by persons requesting such service or services, may apply such fees and charges only within such service's primary response territory as assigned and evidenced by a valid ambulance service certificate issued by the Council Member of Health pursuant to section three thousand five of the Public Health Law, on or before January first, two thousand twenty-two; and

**WHEREAS**, the Law further provides that an emergency and general ambulance service, including emergency medical service as defined in section three thousand one of the Public Health Law, authorized pursuant to General Municipal Law section 209-b(4) shall not directly issue a bill for its services to any uninsured recipient of such services; and

**WHEREAS**, the Town of Cambria {"Town"} has historically and currently intends to continue to exercise the authority conferred to it by law, including authorizing the Cambria Volunteer Fire Company, Inc. ("Cambria VFC") to provide emergency medical services including basic life support ("BLS") and advanced life support ("ALS") ambulance services (hereinafter referred to as "ambulance services") within its primary territory as defined by Public Health Law 3001 ("Operating Territory") and as otherwise permitted by law including mutual aid outside of its primary territory; and

**WHEREAS**, the Board of the Town of Cambria ("Board") after due deliberation, finds it in the best interest of the Town of Cambria to authorize fees and charges for emergency medical services and ambulance services Cambria VFC as authorized by Law and these Resolutions;

**NOW THEREFORE**, it is hereby

**RESOLVED**, that the Town of Cambria hereby authorizes fees and charges for emergency medical services and ambulance services by Cambria VFC as authorized by Law and as provided for by these Resolutions; and it is further

**RESOLVED**, that the fees and charges collected shall be collected and used by Cambria VFC as it deems appropriate for emergency medical and ambulance services and otherwise consistent with the terms and conditions of the current agreement between the Town and Cambria VFC for fire protection pursuant to Town Law 184 and as otherwise provided by law; and it is further

**RESOLVED**, that the Board hereby directs that Cambria VFC shall immediately commence revenue recovery for its emergency medical and ambulance services and shall utilize a third-party billing and revenue recovery agent or agents appointed by the Cambria VFC for such purposes and under such terms and conditions as the Cambria VFC may in its discretion find appropriate; and it is further

**RESOLVED**, that the Board hereby directs that such revenue recovery by the Cambria VFC .for its emergency medical and ambulance services shall utilize the rate of services as attached to these Resolutions as Schedule A which the Board may amend in its discretion from time to time; and it is further

**RESOLVED**, that the Board hereby determines that it shall, as a matter of public policy and as part of a comprehensive regulatory system for the delivery of emergency services within the Town, waive any co-pay or

deductible due from any resident of the Town; and it is further

**RESOLVED**, that the Board hereby directs that all revenue recovered pursuant to this authorization and these Resolutions shall be deposited and segregated from other Cambria VFC funds and used for the delivery of emergency medical and ambulance services as the Cambria VFC may properly determine in its sole discretion; and it is further

**RESOLVED**, that the Board hereby directs that the Cambria VFC shall not, directly or indirectly, by Cambria personnel or its agents and employees, including Cambria VFC's billing service agency issue a bill for its services to any uninsured recipient of such emergency medical and ambulance services, pursuant to General Municipal Law section 209-b(4)(e); and it is further

**RESOLVED**, that except as otherwise provided herein, these resolutions shall take effect immediately.

**SCHEDULE 'A'**

**2025 Schedule of Fees and Charges Pursuant to General Municipal Law 209-d(4)(a)**

<b>BLS Transport</b>	Basic Life Support Basic EMT level provided	<b>\$1400</b>
<b>ALS 1 Transport</b>	Advance Life Support Treatment above basic EMT level	<b>\$1,900</b>
<b>ALS2 Transport</b>	3 or more drugs administered, or one of 7 procedures done to patients*	<b>\$2,400</b>
<b>ALS 1 Intercept</b>	ALS - level on board another agency's transporting ambulance	<b>\$985</b>
<b>BLS Assessment</b>	BLS- level treatment or assessment to a patient who refuses transport	<b>\$400</b>
<b>Mileage</b>	Loaded Mileage	<b>\$45 per mile</b>

\*The 7 procedures are as follows: Defibrillation, Cardioversion, External Pacemaker, intraosseous infusion, Airway Device Intubation, Chest Decompression, Surgical Airway

**Upon a motion duly made by Councilman Roberts and seconded by Councilman Musall, it was resolved to approve increased fees for Cambria Fire Company ambulance and medical services to be brought up to the average rates that the other fire companies are charging.**

**Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts**

**-Motion Carried-**

#### **AED & CPR TRAINING CONTRACT**

**Upon a motion duly made by Councilman Hurtgam and seconded by Councilwoman Brachmann, it was resolved to approve the Premier Training contract for AED and CPR Training. Contract date: June 2025 to May 31, 2026. AED: \$400.00 CPR/First Aid: \$400.00.**

**Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts**

**-Motion Carried-**

#### **ADJOURNMENT**

As there was no further business, the meeting was adjourned by motion made by Councilman Hurtgam and seconded by Councilman Roberts. Time: 7:25 pm.

**Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts**

**-Motion Carried-**

Respectfully submitted,

*Tamara J. Cooper*

Tamara J. Cooper, Town Clerk