

TOWN OF CAMBRIA TOWN BOARD

March 12, 2026

The regular meeting of the Town of Cambria Town Board was held at 7:00 pm on the 12th day of March 2026 at Cambria Town Hall, 4160 Upper Mountain Road, Sanborn, New York.

BOARD MEMBERS' PRESENT:

Matthew Foe, 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
Steve Kroening, Highway Superintendent
Tim Walck, Wendel Engineers
17 Individuals

Following salute to the flag Supervisor Foe introduced Tim Walck, Wendel Engineers to give a brief presentation on the 2026 MS4 Draft Annual Report/Stormwater Management Plan.

PUBLIC INFORMATION MEETING MS4 DRAFT ANNUAL REPORT/STORMWATER MANAGEMENT PLAN

Tim Walck, Wendel, gave a brief presentation regarding the Stormwater Management Program which included the six factors affecting Stormwater Management: public education and outreach, public participation, and involvement; illicit detection/discharge; construction control measures; post-construction control measures and stormwater pollution prevention. The report is available for review on the Town of Cambria website and in the Town Clerk's office.

2024 FINANCIAL STATEMENT PRESENTATION

Supervisor Foe indicated that the 2024 financial audit results for the Town have been received. He introduced Mary Young, Lumsden & McCormick, to summarize the findings.

Ms. Young gave a brief explanation of Lumsden & McCormick's findings and indicated that they are delivering an unmodified independent auditor's opinion on the Town's financial statement. It is the highest level the Town can receive. The Town is in receipt of the Independent Accountants' Report as it pertains to the Town Board, Town Justices and Management; Management Letter and the Communication with those Charged with Governance and all of these reports were considered clean reports. The revenue for all funds went down by about 5% in 2024 compared with 2023; Expenditures also decreased by about 5%. 79% of the Town's revenue comes from property and sales tax. 46% of operating income is salaries and employee benefits. As of 12/31/2025 the Town has no debt.

7:15 PM

Supervisor Foe called the regular meeting to order, and the Town Board took action on the following:

APPROVAL OF MINUTES

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam it was resolved to approve the minutes of the Town Board meetings of February 12, 2026, work and regular.

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

APPROVAL OF VOUCHERS

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

March 12, 2026

ACCOUNT	AMOUNT
Cemetery	\$ 11.10
Drainage	\$ 630.00
General	\$ 138,593.81
Highway	\$ 102,887.37
Sewer	\$ 2,255.72
Water	\$ 15,049.57

Upon a motion duly made by Councilman Hurtgam and seconded by Councilwoman Brachmann it was resolved to approve the abstract of audited vouchers dated March 12, 2026, be approved as read by the Town Clerk.

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts -Motion Carried-

WENDEL Reports

Tim Walck, Wendel reported as follows:

- Cambria Road culvert bid award- Bid opening for this project was conducted on March 9, 2026, at 3:00 pm. There were 10 interested bidders with the lowest bid received from TruDirt LLC Eden NY with a bid price of \$49,958.00. (Engineers estimate was approximately \$110,000.00) This came in low and the bidder reached out and asked to withdraw their bid as they underestimated the scope of the work for bid contract #2026-1. The second lowest bid was submitted by Malvestuto Construction Inc. for \$75,000.00. According to another higher bidder, they are comfortable that the work can be done for that amount.

Wendel recommends awarding the contract for the Cambria Road Culvert project to Malvestuto Construction Inc. 2043 Cayuga Drive Ext., Niagara Falls, NY in the amount of \$75,000.00.

RESOLUTION

WHEREAS, the Town of Cambria solicited bids for the replacement of the Cambria Road Culvert, under contract 2026-1, Wendel Project No. 29530524; and

WHEREAS, the Town received the following bids:

Name & Address Bid

- TruDirt LLC, Eden, New York \$49,958.00
- Malvestuto Construction, Inc., Niagara Falls, New York \$75,000.00
- E&R General Construction, West Seneca, New York \$94,800.00
- JMM Construction of WNY, Alden, New York \$96,317.00
- Ground Breaking Solutions, East Aurora, New York \$97,500.00
- NFP & Sons, Inc., North Tonawanda, New York \$100,500.00

A-1 Land Care, Inc., Lewiston, New York \$127,349.00
Edbauer Construction, West Seneca, New York \$135,000.00
Mark Cerrone, Inc., Niagara Falls, New York \$231,500.00
Durable Demolition LLC, Lockport, New York \$300,575.00; and

WHEREAS, a number of bidders failed to precisely meet the formalities of the bidding process; and

WHEREAS, the bidding documents, at BR-4, section 12, authorizes the Town to waive any such informalities and discrepancies; and

WHEREAS, bidder TruDirt LLC, Eden, New York, after discussing the project requirements with the Town Engineer, has requested to withdraw its bid of \$49,958.00, and that the Town Board waive any action against its bond; and

WHEREAS, the Town Engineer has reviewed the bids received and issued its recommendation that the Town accept the bid of Malvestuto Construction, Inc., 2043 Cayuga Drive Extension, Niagara Falls, New York 14304, for the sum of \$75,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board waives the aforementioned informalities and discrepancies; and be it further

RESOLVED, that the Town accepts the withdrawal of the bid of TruDirt LLC, and waives any action to be taken against its bond; and be it further

RESOLVED, that the Town hereby accepts the recommendation of the Town Engineer, and be it further

RESOLVED, that the contract for the replacement of the Cambria Road Culvert, under contract 2026-1, Wendel Project No. 29530524 is awarded to Malvestuto Construction, Inc., 2043 Cayuga Drive Extension, Niagara Falls, New York 14304, for the sum of \$75,000.00, contingent upon the Town's receipt of the appropriate bond and insurance; and be it further

RESOLVED, that the Town Supervisor is authorized to execute any and all documents with Malvestuto Construction Inc., to effectuate the project contract and require that all necessary bond and insurance documents are filed with the Town.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam it was resolved to approve the above resolution not to exceed \$75,000.00.

The question of the resolution was put to a vote on roll call which resulted as follows:

MATTHEW P. FOE voting AYE
LOUISE BRACHMANN voting AYE
JEFFREY S. HURTGAM voting AYE
BENJAMIN MUSALL voting AYE
RANDY ROBERTS voting AYE

The resolution was thereupon declared duly adopted.

**Cambria Rd. Culvert:
Engineering Proposal for Services During Construction**

Wendel Engineering services during construction (time and expense) that covers working with the Town Attorney to review bonds and insurance, etc.; check on progress; stake out for elevation control with an estimated cost of \$15,000.00.

Upon a motion duly made by Councilman Musall and seconded by Councilwoman Brachmann it was resolved to authorize Wendel Engineering services during construction (time and expense) with an estimated cost not to exceed \$15,000.00.

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts -Motion Carried-

- Baer Road culvert project is moving forward. Two of the three property owners have accepted their payment for easement. The third property owner has 30 days to accept. After this is done the final paperwork will be submitted to the DOT.

REPORTS

SUPERVISOR

Supervisor Foe reported as follows:

- Cypress Creek -waiting for a draft for road use agreement.
- Cypress Creek- working on an 8CA or Home Community Agreement and PILOT or tax agreement. Under a PILOT the Town would see 8-10% of the total number. (\$5,000.00 per mw per year -total) Under a Host Community Agreement where that money goes can be selected.
- In receipt of a letter of retirement from Joy Caldwell after 42 years of service.

Upon a motion duly made by Councilman Musall and seconded by Councilwoman Brachmann it was resolved accept with regret the retirement letter from Joy Caldwell effective 3/31/2026.

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts -Motion Carried-

- Supervisor Foe reported the Town Justice would like to appoint, as Justice Clerk, Cynthia Curione- Upper Mt. Rd. Her services were needed prior to this meeting and after a poll of the Town Board on February 24, 2026, would like to ratify the appointment. It would also like to appoint Justice Clerk, Jennifer DePonceau-Budd Rd. to the position of Justice Court Clerk at a rate of \$24.00 per hour.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam it was resolved to ratify the appointment of Cynthia Curione-Upper Mt. Rd. to the position of part time Justice Court Clerk at a rate of \$24.00 per hour.

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts -Motion Carried-

Upon a motion duly made by Councilman Hurtgam and seconded by Councilwoman Brachmann it was resolved to approve the appointment of Jennifer DePonceau- Budd Rd. to the position of part time Justice Court Clerk at a rate of \$24.00 per hour.

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts -Motion Carried-

EAGLE SCOUT PROCLAMTIONS

CARTER MICHAEL KOPP

Whereas, the Boy Scouts of America was founded on February 8, 1910, in the United States of America; and

Whereas, Carter Michael Kopp joined Cambria Cub Scouts Pack 8; and

Whereas, Carter earned his Arrow of Light on June 13, 2020, and crossed over to Cambria Boy Scout Troop 8; and

Whereas, Carter has earned 50 merit badges and his 5th Silver Palm, served his Troop as Troop Scribe, Assistant Patrol Leader, Patrol Leader, Assistant Senior Patrol Leader, and Senior Patrol Leader; and

Whereas, Carter has exemplified leadership qualities, organizational skills and strength of character while completing his Eagle Scout Project; successfully organizing and restoring the old train caboose down at the Wilson Historical Society in Wilson, NY; and

Whereas, as a member of Troop 8, Carter, through his hard work and personal commitment, attained the rank of Eagle Scout on January 13, 2026, the highest and most prestigious rank offered by the Boy Scout Program; and

Whereas, Scouts believe it is their duty to love their country, to support its Constitution, to obey its laws, to respect its flag, and to defend it against all enemies; and

Whereas, character, participation and leadership are the basis of good citizenship; therefore, be it

Resolved, the Town of Cambria is proud of your achievement, advancement to the rank of Eagle Scout, and shares with you in one of the greatest occasions, not merely of your career as a Scout, but of your whole life, and honors you this day by resolution of the Town Board on March 12, 2026.

TOWN OF CAMBRIA TOWN BOARD

BENJAMIN AARON MEYERS

Whereas, the Boy Scouts of America was founded on February 8, 1910, in the United States of America; and

Whereas, Benjamin Aaron Meyers joined Cambria Cub Scouts Pack 8; and

Whereas, Benjamin earned his Arrow of Light on June 13, 2020, and crossed over to Cambria Boy Scout Troop 8; and

Whereas, Benjamin has earned 40 merit badges and the Eagle Honor of the Silver Palm, served his Troop as Assistant Patrol Leader, Patrol Leader, Troop Guide Senior Patrol Leader and Quartermaster; and

Whereas, Benjamin has exemplified leadership qualities, organizational skills and strength of character while completing his Eagle Scout Project; successfully restoring an outhouse on the Wilson Historical grounds as a part of the historical site of the one room schoolhouse; and

Whereas, as a member of Troop 8, Benjamin, through his hard work and personal commitment, attained the rank of Eagle Scout on January 13, 2026, the highest and most prestigious rank offered by the Boy Scout Program; and

Whereas, Scouts believe it is their duty to love their country, to support its Constitution, to obey its laws, to respect its flag, and to defend it against all enemies; and

Whereas, character, participation and leadership are the basis of good citizenship; therefore, be it

Resolved, the Town of Cambria is proud of your achievement, advancement to the rank of Eagle Scout, and shares with you in one of the greatest occasions, not merely of your career as a Scout, but of your whole life, and honors you this day by resolution of the Town Board on March 12, 2026.

TOWN OF CAMBRIA TOWN BOARD

Councilman Hurtgam will be attending the ceremony for the boys.

Upon a motion duly made by Councilman Roberts and seconded by Councilwoman Brachmann, it was resolved to adopt the Eagle Scout Proclamation for Carter Michael Kopp and Benjamin Aaron Meyers.

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

- Grinder Pumps and sewer connection responsibility- letters were sent to those affected.
- Proposals for a part-time HR firm to help with personnel policy.

TOWN CLERK REPORTS

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

- Town Clerk Report February: Total Receipts: \$ 71,822.88
- Building Inspector Report February: Total fees collected: \$ 75.00
Estimated value of construction: \$ 3,500.00
- In receipt 3 correspondences from the Board of Ethics Committee and they have been distributed to the Town Board.

HIGHWAY SUPERINTENDENT REPORTS

Steven Kroening, Highway Superintendent reported as follows:

HIGHWAY:

- Salting.
- Permission to sell the rubber tire excavator-2024 Mecalac
- Declare woodchips and millings as surplus.

Upon a motion duly made by Councilman Musall and seconded by Councilwoman Brachmann it was resolved to declare road millings, ditch cleanings and wood chips as surplus as per the Town’s policy. (available for town residents only with the understanding they will not resell)

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried

WATER

- Still changing out meters.
- Waiting for the weather to break to fix hydrant scarfs and leaks.

SEWER

- Finally getting gas service to the Southway lift station generator.

BUILDING AND GROUNDS

- Waiting for quotes for heating system in Town Hall building.
- Waiting for quotes for alarm system.
- Fixed handicapped entrance issue and making the interior door accessible also.
- Camera at the west end is installed and waiting for the swipe key entrance to be

ATTORNEY

Abraham Platt, Town Attorney, reported as follows:

RIC Development -

WHEREAS, the Cambria Town Board recently enacted Local Law No. 1 of 2026, entitled, “A Local Law Establishing a Moratorium on all Utility-Scale Electrical and Battery Energy Storage Systems (BESS) within the Town for a Period of Nine Months”; and

WHEREAS, prior to the enactment of said Local Law, in October 2025, applicant RIC Development, LLC, filed an application for various variances with the Town of Cambria Zoning Board of Appeals relative to a proposed BESS project; and

WHEREAS, it was the intent of the Town Board that the moratorium not apply to the aforementioned pending application, though no explicit exclusion was included in the aforementioned moratorium; and

WHEREAS, the applicant, RIC Development, LLC, by its representatives, has requested a formal declaration and clarification from the Town Board confirming that its pending application is not impacted by said moratorium.

NOW, THEREFORE BE IT RESOLVED, that the Town Board hereby determines and declares the moratorium enacted via Local Law No. 1 of 2026, entitled, “A Local Law Establishing a Moratorium on all Utility-Scale Electrical and Battery Energy Storage Systems (BESS) within the Town for a Period of Nine Months”, does not apply to the pending Zoning Board of Appeals application of RIC Development, LLC, and that said application, and any subsequent, related or derivative applications to be filed, to wit, Special Permit, Site Plan applications, etc., shall proceed in due course and shall not be halted or prohibited by the aforementioned moratorium.

Upon a motion duly made by Councilwoman Brachmann and seconded by Councilman Hurtgam it was resolved to declare the moratorium enacted via Local Law No. 1 of 2026, entitled, “A Local Law Establishing a Moratorium on all Utility-Scale Electrical and Battery Energy Storage Systems (BESS) within the Town for a Period of Nine Months”, does not apply to the pending Zoning Board of Appeals application of RIC Development, LLC, and that said application, and any subsequent, related or derivative applications to be filed, to wit, Special Permit, Site Plan applications, etc., shall proceed in due course and shall not be halted or prohibited by the aforementioned moratorium.

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried

HOST COMMUNITY AGREEMENT NEGOTIATIONS

The Town is working in tandem with the Niagara County IDA and attempting to negotiate a tax agreement.

In order to do this the Town is required to repeal its previously enacted Local Law opting out of the PILOT program.

Local Law No. 2 of 2026, entitled, “A Local Law Repealing Local Law No. 1 of 2020, entitled ‘A Local Law to Opt Out of the NY State Real Property Tax Law Section 487 Exemption’”, has been introduced duly by Councilman Hurtgam and Councilman Roberts.

Resolution

WHEREAS, the Town of Cambria is now host to a Solar operation which shall soon be under construction; and

WHEREAS, the Town of Cambria, although it fervently opposed the aforementioned project, is now in a position to receive certain revenue from said operation in terms of tax revenue and potentially other revenue via a Host Community Agreement; and

WHEREAS, the Town of Cambria previously enacted Local Law No. 1 of 2020, entitled ‘A Local Law to Opt Out of the NY State Real Property Tax Law Section 487 Exemption’; and

WHEREAS, in order to pursue a Host Community Agreement seeking to maximize the financial to the Town from this project, in concert with negotiations now underway between the Niagara County IDA and the owners of the solar operation, said Local Law needs to be repealed; and

WHEREAS, Local Law No. 2 of 2026, entitled, “A Local Law Repealing Local Law No. 1 of 2020, entitled ‘A Local Law to Opt Out of the NY State Real Property Tax Law Section 487 Exemption’”, has been introduced.

NOW, THEREFORE, BE IT RESOLVED, that the Cambria Town Board authorizes the completion of the General Municipal Law Section 239-m referral to the Niagara County Planning Board, if necessary, and General Municipal Law Section 239-nn referral to the neighboring

municipalities, if necessary; and be it further

RESOLVED, that the Town of Cambria Town Board does hereby call for a public hearing to be held on April 9, 2026, at 7:00 p.m. at Cambria Town Hall, 4160 Upper Mountain Road, Sanborn, New York to hear and consider adoption of a proposed Local Law for the year 2026, entitled, "A Local Law Repealing Local Law No. 1 of 2020, entitled 'A Local Law to Opt Out of the NY State Real Property Tax Law Section 487 Exemption.'"

Upon a motion duly made by Councilman Musall and seconded by Councilman Hurtgam it was resolved to approve the above resolution and to call a Public Hearing for April 9, 2026, at 7:00 p.m. to hear and consider adoption of a proposed Local Law for the year 2026, entitled, "A Local Law Repealing Local Law No. 1 of 2020, entitled 'A Local Law to Opt Out of the NY State Real Property Tax Law Section 487 Exemption.'"

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried

TOWN BOARD CONSENT TO NIAGARA COUNTY IDA TO PROCEED WITH NEGOTIATIONS

Upon a motion duly made by Councilman Musall and seconded by Councilman Hurtgam it was resolved that the Town Board and the Town Supervisor authorize the Town Attorney to send consent to the Niagara County IDA in order to proceed with negotiations with Cypress Creek.

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried

LOCAL LAW NO. 3 OF THE YEAR 2026- "Amendment to the Zoning Map of the Town of Cambria"

Local Law No. 3 of 2026, entitled, A Local Law Entitled "Amendment to the Zoning Map of the Town of Cambria" has been introduced duly by Councilman Musall and Councilwoman Brachmann.

Resolution

WHEREAS, the Town of Cambria received a rezoning application on October 23, 2025, from Tyler Booth and the Forsyth-Warren Tavern, Living History Farm and Museum, to rezone the property located at 5182 Ridge Road, Lockport, New York 14094 (SBL# 79.00-2-19.12), from the Agricultural Residential (AR) Zoning District to a Planned Development District; and

WHEREAS, the Town Board previously referred the aforementioned application for rezoning and the establishment of a Planned Development District to the Town of Cambria Planning Board for initial consideration; and

WHEREAS, the Town of Cambria Planning Board recommended that the Town Board rezone the subject premises as requested in the aforementioned application; and

WHEREAS, the abovementioned application requires SEQR review; and

WHEREAS, Local Law No. 3 of 2026, entitled, "Amendment to the Zoning Map of the Town of Cambria", has been introduced.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Cambria shall entertain the pending application for the instant rezoning request; and be it further

RESOLVED, that the Somerset Town Board authorizes the completion of the General Municipal Law Section 239-m referral to the Niagara County Planning Board and General

Municipal Law Section 239-nn referral to the neighboring municipalities; and be it further

RESOLVED, that the Town of Cambria Town Board does hereby call for a public hearing to be held on April 9, 2026, at 7:00 p.m. at Cambria Town Hall, 4160 Upper Mountain Road, Sanborn, New York to hear and consider adoption of a proposed Local Law for the year 2026, entitled, "Amendment to the Zoning Map of the Town of Cambria", to rezone the premises at 5182 Ridge Road, Lockport, New York 14094 (SBL# 79.00-2-19.12), from the Agricultural Residential (AR) Zoning District to a Planned Development District

Upon a motion duly made by Councilman Hurtgam and seconded by Councilwoman Brachmann it was resolved to approve the above resolution and to call a Public Hearing for April 9, 2026, at 7:00 p.m. to hear and consider adoption of a proposed Local Law No. 3 for the year 2026, entitled, "Amendment to the Zoning Map of the Town of Cambria",

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried

REQUEST TO ESTABLISH A TOWN PARK COMMITTEE (7-member volunteer committee)

Supervisor Foe indicated that he would like to post this for 2 weeks and then conduct interviews.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam it was resolved to authorize the Town Board to establish a 7-Member Volunteer Town Park Committee.

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried

2026 FEE SCHEDULE

Amendment:

BASEBALL TOURNAMENTS

***If tournaments exceed one day, contact the Park Director to establish rates for the duration.
Practice Field – Contact the Park Director for pricing information.***

Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Roberts it was resolved to approve the wording to the 2026 Fee Schedule to read as follows under Recreation: If tournaments exceed one day, contact the Park Director to establish rates for the duration. Practice Field – Contact the Park Director for pricing information.

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried

BICYCLE EVENT

James Thompson from the Buffalo Bicycle Club is requesting to use Cambria Roads for an event on 6/14/2026. It begins at Freedom Run Winery-they will be using Upper Mountain Road, Lower Mountain Road and Thrall Road. There will be a State Trooper positioned on Upper Mountain Road and Junction Road.

Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Musall it was resolved to allow the Buffalo Bicycle Club to use Town Roads on 6/14/2026 for an event.

Ayes: Foe, Brachmann, Hurtgam, Musall
No: Roberts

-Motion Carried

TOSHIBA PRINTER CONTRACT APPROVAL

Supervisor Foe is asking for authorization to enter into a new contract with Toshiba in order to upgrade its capabilities and functionality.

Upon a motion duly made by Councilwoman Brachmann and seconded by Councilman Hurtgam it was resolved to authorize the Supervisor to enter into a new agreement with Toshiba.

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried

CONCERNS OF THE CITIZENS

David Godfrey-Legislator reported as follows:

- Attended a conference in DC re: Data Centers becoming an issue because of consumption of water, power and noise; and AI which the County passed an AI policy recently.
- He attended a meeting with Senator Schumer, Senator Gillebrandt, Congresswoman Tenney and the USDA.
- FEMA will be releasing grant programs-AFG (assistance to fire fighter grant program) this is to help our fire companies get the equipment they need.
- SAFE Group- 2nd amendment – confusion coming out of the Sheriffs Department. Sanctuary means you limit or deny adherence to the law. A sheriff cannot do that.

Gina Merlo-Green Road

Ms. Merlo was in attendance and gave all those present a brief background on the Indigenous People and would like the Town Board to consider adding it to the list of recognized days for the Town.

Duncan Ross-Townline Road

Mr. Ross asked, re: the local law 2020, about energy systems that went in during that time. Supervisor Foe indicated that all small systems less than 5 MW is below the 25 MW in the law and to his knowledge there have not been any that size. Mr. Ross also suggested that the Town shop around for a copy machine.

John Strassheim-Plank Road

Mr. Strassheim asked Mr. Kroening how the sale of the equipment will be done. Mr. Kroening said it will be online at the Auction International site. He also asked the Town Board how the Court Clerk positions were posted. Supervisor Foe indicated on the Town Website for 2 weeks.

Wrae Gorman- Upper Mountain Road

Ms. Gorman indicated that many mailboxes have been hit this winter, and tax payer money is being used to replace them, when does the replacement fall back on the driver. Mr. Kroening indicated that that NYS Law says mailboxes are an obstruction on the road right of way. Sometimes it cannot be avoided if it is a choice of another car or a mailbox.

ADDITIONAL MATTERS

Upon a motion duly made by Councilman Roberts and seconded by Councilman Musall it was resolved to declare the 2024 Rubber Tire Excavator Mecalac surplus and authorize the Highway Superintendent to sell the rubber tire excavator-2024 Mecalac at Auctions International for a minimum bid at his discretion.

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts -Motion Carried-

**MARK 2 FEEDER HOPPER & CONVEYOR
SHARED SERVICE AGREEMENT WITH LEWISTON**

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam it was resolved to approve the purchase of a 40' Mark 2 Electric Feeder Hopper & Mobile Conveyor to stockpile road salt. Purchase with Lewiston from Spallina Materials, Mt. Morris NY in the amount of \$29,000.00. (will be reimbursed from Town of Lewiston in the amount of \$14,500.00)

Ayes: Foe, 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: 8:25 pm.

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts -Motion Carried-

Respectfully submitted,

Tamara J. Cooper, Town Clerk