

TOWN OF CAMBRIA TOWN BOARD

May 9, 2024

The regular meeting of the Town of Cambria Town Board was held at 7:00 pm on the 9th day of May 2024 at the Town Hall, 4160 Upper Mountain Road, Town of Cambria, New York.

BOARD MEMBERS PRESENT:

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

ALSO PRESENT:

Tamara J. Cooper, Town Clerk
Steven Kroening, Highway Superintendent
Pat McCoy, Park Director
Tim Walck, Engineer
David Haylett, Attorney

Also present: Matthew Foe, Commissioner of Special Projects

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

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 April 11, 2024, 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 May 9, 2024:

May 9, 2024

ACCOUNT	AMOUNT
Cemetery	\$ 4,661.00
Drainage	\$ 2,051.48
General	\$ 85,671.93
Highway	\$ 33,024.42
Refuse	\$ 35,839.29
Sewer Operating	\$ 4,252.96
Water Operating	\$ 7,893.26

Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Musall, it was resolved to approve the abstract of audited vouchers dated May 9, 2024, be approved as read by the Town Clerk.

Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

OLD BUSINESS

SPECTRUM FRANCHISE AGREEMENT

Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Roberts, it was resolved to approve the Franchise Agreement with Spectrum Northeast, LLC. The Resolution was approved by the Town Board at the April 11, 2024, Town Board Meeting.

Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

The question of the adoption of the forgoing Resolution was put to a roll call vote on April 11, 2024, which resulted as follows:

JON T. MACSWAN voting AYE
LOUISE C. BRACHMANN voting AYE
JEFFREY S. HURTGAM voting AYE
BENJAMIN D. MUSALL voting AYE
RANDY ROBERTS voting AYE

The Resolution was thereupon declared duly adopted.

Project Updates Wendel Engineers:

- Baer Road Culvert project- proceeding with environmental work; borings have been completed and if the survey isn't completed it will be soon.
- Cambria Road Culvert-working on the design.
- Lockport Road Sewer project-waiting on a couple decisions from the Town Board in order to proceed.

REPORTS

SUPERVISOR

Jon MacSwan, Supervisor, reported as follows:

- The Town is working on Eye Glass and Dental for the non-union employees. He will bring it to the Board next month when he receives the cost for the plans.
- Matthew Cooper, received a 90 on the Building Inspector Civil Service Exam and a 90 on the Code Enforcement Office Civil Service Exam.
- Town Attorney feels optimistic after the hearing for the proposed Solar Project; waiting for result

Town Clerk reported receipt of the following:

Tamara Cooper, Town Clerk, reported as follows:

- | | | | |
|------------------------------------|-----------------------|----|--------------|
| • Town Clerk Report April: | Total Receipts: | \$ | 26,711.06 |
| • Building Inspector Report April: | Total fees collected: | \$ | 4,168.10 |
| Estimated value of construction: | | \$ | 3,896,013.00 |

HIGHWAY SUPERINTENDENT REPORTS

Stephen Kroening, Highway Superintendent, reported as follows:

HIGHWAY:

- Highway Dept. in summer mode.
- Brush pick-up currently going on.
- Installing lawn and driveway culverts.
- Finished milling project, paving in the near future.
- Mowing road sides.
- Zach Lester attending CDL training classes.

In house moving Zachary Lester from Highway Laborer to MEO Position that will be vacant soon.

CEMETERY:

- Mowing and cleaning up graves.

WATER/SEWER

- Distributing irrigation meters.
- Working on annual Quality report.

PARK

- On going mowing.
- Sporting events-practice has started.

BUILDING AND GROUNDS

- License plate reader/camera in process of being installed at Town Hall/Justice entrance.
- Researching heating systems for the Town Hall.

COMMISSIONER OF SPECIAL PROJECTS

Matthew Foe, Commissioner, reported as follows:

- Continuing working on the potential for hunting regulations withing the Town. It is sitting in committee at the state level.
- Lead assessment needs to be done soon and Mr. Foe will be working with Wendel Engineers on that.

ATTORNEY REPORTS

David Haylett, Town Attorney, reported as follows:

Resolution – G&G Grant Writing

WHEREAS, the Town Board of the Town of Cambria is seeking grant writing services and grant administration services, including fiscal management, record keeping, status reports, and preparation of close-out documents; and

WHEREAS, G&G Municipal Consulting and Grant Writing has submitted a proposal to provide the above described services at a cost of \$8,750.00 per year for up to five grant applications per year in addition to \$75.00 per hour for grant administration services that are not covered by the grant award; and

WHEREAS, the services to be provided by G&G Municipal Consulting and Grant Writing to the Town are professional services and therefore exempt from the bidding requirements under General Municipal Law Section 103 and the Town's procurement policy;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Town Supervisor to execute a contract for such services with G&G Municipal Consulting and Grant Writing, after review by the Town Attorney, as set forth in the proposal dated April 2024.

Upon a motion duly made by Councilman Roberts and seconded by Councilwoman Brachmann, it was resolved to approve resolution for G+G Municipal Consulting and Grant Writing as read by the Town Attorney.

Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

Resolution – 5835 Unicorn Drive LLC Payment

WHEREAS, the Town of Cambria obtained easements from 5835 Unicorn Drive LLC to perform repairs on the Unicorn Drive – Fair Village Sewer; and

WHEREAS, as part of the easement, the Town is required to repair and restore the disturbed property in the easement area at an estimated cost of \$5,490.00; and

WHEREAS, 5835 Unicorn Drive LLC desires to repair and restore the easement area itself in consideration of a \$2,000.00 payment from the Town;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Cambria authorizes the Town Supervisor to execute an Agreement and Release with 5835 Unicorn Drive LLC for the restoration and repair of the Fair Village Sewer project easement area at a cost not to exceed \$2,000.00; and be it further

RESOLVED, the Town Engineer is directed to prepare a change Order with the contractor, NFP, to eliminate the requirement that the Town complete the repair and restoration services in the above-referenced easement area.

Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Musall, it was resolved to approve resolution for 5835 Unicorn Drive as read by the Town Attorney.

Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

CONCERNS OF CITIZENS

Sharon Tasner-Subbera Road

Ms. Tasner asked if the Town will be having a townwide yard sale in 2024.

Supervisor MacSwan indicated that it would not. There is no one to take charge of it and it could cause a potential liability if someone is injured during the event. It happened in another town where there was a townwide event, someone got hit by a car and the person's family sued that town.

NEW BUSINESS

PROCUREMENTS

CEMETERY 202413

**Tree Removal – Emergency Fallen Tree in Mt. View Cemetery
8810.046**

Tree Care, LLC 1926 Braley Rd., Ransomville NY Emergency Purchase

Upon a motion duly made by Councilman Roberts and seconded by Councilman Musall, it was resolved to approve the emergency purchase for Tree Removal in the Mt. View Cemetery in the amount of \$4,650.00.

**Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts
General 202414**

-Motion Carried-

Town Park- to weather seal and stripe pickle ball courts.

7140.04

<i>Signature Sport Surfaces</i>	\$12,000.00
JM Pro Courts & Surface Solutions	\$14,750.00

Upon a motion duly made by Councilman Hurtgam and seconded by Councilwoman Brachmann, it was resolved to approve the purchase from Signature Sport Surfaces in the amount of \$12,000.00 to seal and stripe the Town Park pickle ball courts. Must include power washing the surface prior to sealing and striping.

Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts **-Motion Carried-**

PERSONNEL

Steven Kroening, Highway Superintendent, announced that he is in receipt of a letter of resignation from Nathan Barry from the Highway Department, effective May 16, 2024. He has been employed by the Town for 27 years.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam, it was resolved to accept the resignation, with regret, from Nathan Barry effective May 16, 2024.

Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts **-Motion Carried-**

PAYCHEX

Upon a motion duly made by Councilman Musall and seconded by Councilwoman Brachmann, it was resolved to authorize the Town Supervisor to enter into a contract with Paychex after the Town Attorney reviews the contract.

Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts **-Motion Carried-**

WILLOW CREEK

The Town Board received a letter of intent from Kyle Dunn who acquired property on the corner of Willow Creek Lane. He is requesting permission to build a home on said lot.

This request must be referred to the Planning Board for review and recommendation.

Upon a motion duly made by Councilman Roberts and seconded by Councilwoman Brachmann, it was resolved to refer the matter of new home on Willow Creek Lane by Kyle Dunn to the Planning Board for their review and recommendation.

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, Town Clerk