

TOWN OF CAMBRIA TOWN BOARD

August 13, 2026

The regular meeting of the Town of Cambria Town Board was held at 7:00 pm on the 13th day of August 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
Jonathan Pressley, Dept. Highway Superintendent
15 Individuals

Following the pledge to the flag Supervisor Foe opened the public hearing on Local Law #4- 2026 entitled, "An Ordinance Relating to a Code of Ethics and a Board of Ethics for the Town of Cambria."

The following public hearing notice was read by the Town Clerk:

NOTICE OF PUBLIC HEARING TOWN OF CAMBRIA

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cambria on the 13th day of August 2026, at 7:00 p.m., at the Town Hall, 4160 Upper Mountain Road, Sanborn, New York on the adoption of a proposed Local Law entitled, "A Local Law Amending the Ordinance Relating to a Code of Ethics and a Board of Ethics for the Town of Cambria," an abstract of which is as follows:

Said Local Law would amend the Town of Cambria Code of Ethics to clarify the process relative to the investigation and review of ethics complaints and to enact a statute of limitations with respect to the filing of ethics complaints in order to ensure fairness, reliability of evidence and legal finality and to facilitate fruitful investigation by the Board of Ethics.

This local law shall take effect immediately upon its filing in the Office of the Secretary of State.

The complete text of said proposed Local Law is on file at the Office of the Town Clerk and is available for review by any interested person during business hours.

At such public hearing, all persons interested, who wish to be heard will be heard.

Abraham Platt, Town Attorney gave a brief description of Local Law #4.

7:05 pm Supervisor Foe opened the public hearing to hear comments.

7:05 pm As there was no one present to be heard; Supervisor Foe closed the public hearing.

Supervisor Foe opened the public hearing on Local Law #6- 2026 entitled, "A Local Law of the Town of Cambria, New York, for the year 2026, In Relation to a Disabled Veteran's Exemption from Real Property Taxation Under Section 458-a (11) of the Real Property Tax Law (RPTL) of the State of New York."

The following public hearing notice was read by the Town Clerk:

NOTICE OF PUBLIC HEARING TOWN OF CAMBRIA

NOTICE IS HEREBY GIVEN that a Public Hearing will be held by the Town Board of the Town of Cambria on the 13th day of August, 2026, at 7:00 p.m., at the Town Hall, 4160 Upper Mountain Road, Sanborn, New York to consider establishing a new Local Law, entitled, "A Local Law of the Town of Cambria, New York, for the year 2026, In

Relation to a Disabled Veteran's Exemption from Real Property Taxation Under Section 458-a (11) of the Real Property Tax Law (RPTL) of the State of New York."

Said Local Law would provide that the primary residence of any seriously disabled veteran shall be fully exempt from taxation and special district charges, assessments and special ad valorem levies, provided that such veteran meets certain requirements.

The complete text of said proposed Local Law is on file at the Office of the Town Clerk and is available for review by any interested person during business hours.

At such public hearing, all persons interested, who wish to be heard will be heard.

Supervisor Foe gave a brief description of Local Law #6.

Mr. Platt clarified that this is the Town administering the state law which sets forth the standard definitions by what someone can be considered seriously disabled and the process for verification.

7:08 pm Supervisor Foe opened the public hearing to hear comments.

7:09 pm As there was no one present to be heard; Supervisor Foe closed the public hearing.

Supervisor Foe called the regular meeting to order, and the Town Board members took action on 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 July 6 and July 9.

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:

August 13, 2026

ACCOUNT	AMOUNT
Cemetery	\$ 11.10
General	\$ 142,304.05
Highway	\$ 62,774.30
Sewer	\$ 4,320.72
Water	\$ 139,292.53

Upon a motion duly made by Councilwoman Brachmann and seconded by Councilman Musall it was resolved to approve the abstract of audited vouchers dated August 13, 2026, be approved as read by the Town Clerk.

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

WENDEL Reports

Supervisor Foe on behalf of Wendel Engineers reported as follows:

Cambria Rd. Construction:

- Cambria Road construction is complete and was done so a week ahead of schedule.

Baer Rd. culvert:

- Wendel has everything in place for this project and preparing to go out to bid for a 2027 summer start.

REPORTS

SUPERVISOR

Supervisor Foe reported as follows:

CYPRESS CREEK UPDATES

Supervisor Foe gave a brief update for Cypress Creek. The project continues to move forward. The road use agreement includes paving Cambria (*correction-Comstock) and Meahl Roads and installing 6 culverts. (\$460,00.00 value)

2025 AUDIT

Supervisor Foe announced that he has been in conversation with NYS Comptroller's office. The Town has successfully answered all the questions that were asked.

BESS COURT DECISION

Abraham Platt, Town Attorney, reported that a court decision has been handed down in a town near Albany that was in a similar situation as Cambria with a stand-alone battery energy storage project. The question was whether or not this storage system can qualify for a public utility exception. This would lower the standard for obtaining a use variance. If an energy storage system operates under the public utility exception it is a much lesser standard to have it placed in a particular area. Whereas if they had to apply for a use variance it would be almost impossible. This decision was anticipated given the direction the state is going in. It will also dictate how these matters are handled going forward.

WEATHER IMPACTS

Supervisor Foe reported that the Town of Cambria has experienced extreme weather conditions over the past couple weeks. The last rain event was calculated to be a 200-year storm. The Town Board and the Highway Superintendent are committed to ensuring and reducing the flooding in the Town and public safety. Cambria had seven roads that were flooded and a day later there was only one.

TOWN CLERK REPORTS

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

- | | | |
|--|-----------------|-----------------|
| • Town Clerk Report July: | Total Receipts: | \$ 23,681.07 |
| • Building Inspector Receipts July: | Total Receipts | \$ 2,972.55 |
| • Estimated Value of Construction: | | \$ 1,240,699.00 |
| • In receipt of a request from Cambria Vol. Fire Company | | |

To add to active roster:

Mason Coulter-Restricted Member 3704 N. Ridge Rd.,
Ethan Cirillo-2566 Cambria Wilson Rd.

(Physicals received)

Cameron Wollaber- 4378 N. Ridge Rd. – no physical paperwork received

To remove from active roster:

Jamie Steward- Lockport Olcott Rd.

Gwyndylan Bowker- Old Falls Blvd.

Upon a motion duly made by Councilwoman Brachmann and seconded by Councilman Hurtgam it was resolved to approve the various additions and removals to the Cambria Vol. Fire Company Roster. (Add to active roster: Mason Coulter-Restricted Member 3704 N. Ridge Rd., Ethan Cirillo-2566 Cambria Wilson Rd. *(Physicals received)* Cameron Wollaber- 4378 N. Ridge Rd. – *no physical paperwork received*. Remove from active roster: Jamie Steward- Lockport Olcott Rd. & Gwyndylan Bowker- Old Falls Blvd.

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

- In receipt of an advisory opinion from Agricultural Committee dated 8/13/2026.

HIGHWAY SUPERINTENDENT REPORTS

Jonathan Pressley, Deputy Highway Superintendent reported as follows:

HIGHWAY:

- Cambria Road culvert replacement complete.
- Shunpike Rd. construction nearing completion.
- Installing lawn and driveway culverts.
- Helping neighboring towns pave.
- Mowing roadside ditches.
- Flooding issues on Town roads.

CEMETERY

- Town has had several recent interments.
- Tombstone Trail Tour was cancelled until August 30th.

WATER

- Changing out meters; 4 waterline breaks.
- Residents- if your bill is unusually low, please contact the Water Department (716-433-7664 ext. 114) to have your meter changed out.
- High water pressure concerns at residences (pressure regulator needed, homeowner responsibility)

SEWER

- Standby generator at Southway Lift Station is in operation.

BUILDING AND GROUNDS

- Mowing and maintaining flower beds.
- Summer Recreation will end August 14th.
- Carpet to be installed on August 29th in the Town Hall Hallways.

PROCUREMENT POLICY PURCHASES

WATER 2026-04

8340.02

Water AMR's to replace those that no longer work properly. Sole Source

Moley Industries-\$16,165.00

Upon a motion duly made by Councilman Musall and seconded by Councilwoman Brachmann it was resolved to approve the purchase of AMR meters in the amount of \$16,165.00 from sole source Moley Industries.

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

GENERAL 2026-05

1110.04 \$50,000.00

1620.04 \$37,900.00

Walck Construction North Tonawanda - \$87,900.00

Updates to the Meeting Room-Town Board/Courtroom. Modernizing and safety features. There is a time sensitive grant available from the Court System.

Upon a motion duly made by Councilman Musall and seconded by Councilman Roberts it was resolved to approve the proposal for Town Meeting Room – Town Board/Courtroom upgrades in the amount of \$87,900.00 from Walck Construction North Tonawanda.

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

Abraham Platt, Town Attorney reported as follows:

LOCAL LAW NO. 4 OF 2026

**TOWN OF CAMBRIA
RESOLUTION ADOPTING LOCAL LAW NO. 4 OF 2026**

WHEREAS, on August 6, 1970, the Town Board of the Town of Cambria enacted a Local Law entitled, “An Ordinance Relating to a Code of Ethics and a Board of Ethics for the Town of Cambria,” which created a Board of Ethics and a mechanism by which ethical issues could be investigated and analyzed; and

WHEREAS, as part of said Ordinance, the Board of Ethics was authorized to make recommendations to the Town Board relative to prospective amendments to said Ordinance; and

WHEREAS, the Board of Ethics has recommended that the Town Board make certain amendments to said Ordinance which clarify aspects of the investigative process and impose a statute of limitations relative to the filing of ethics complaints; and

WHEREAS, a public hearing was held on August 13, 2026, at 7:00 p.m., to hear and consider adoption of a proposed Local Law for the year 2026, entitled, “A Local Law Amending the Ordinance Relating to a Code of Ethics and a Board of Ethics for the Town of Cambria” and

WHEREAS, the Town Board hereby determines that the adoption of the subject amendment to the Town Code of Ethics is a Type II action pursuant to the State Environmental Quality Review Act (“SEQRA”) and the implementing regulations at 6 NYCRR Part 617, including 6 NYCRR § 617.5(c)(19) (routine or continuing agency administration and management). The Action is an internal governance measure that is administrative in nature, does not authorize, fund, approve, or commit the Town to any specific physical project or other activity that may affect the environment,

and therefore has been determined by regulation not to have a significant adverse impact on the environment. Accordingly, no further review under SEQRA is required.

NOW, THEREFORE, BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF CAMBRIA AS FOLLOWS:

Pursuant to, and in accordance with, the New York State Constitution, Article IX, § 2(c)(6) and (10); the New York Statute of Local Governments, Article II, § 10, Subdivisions 1 and 7; Town Law §§ 130 through 135; New York General Municipal Law § 806; and New York State Municipal Home Rule Law § 10, the Town Board does hereby enact a Local Law entitled, “A Local Law Amending the Ordinance Relating to a Code of Ethics and a Board of Ethics for the Town of Cambria,” to be renumbered as Local Law No. 4 of 2026 for filing purposes, hereby amending the Town of Cambria’s Code of Ethics to clarify aspects of the investigative process and to enact a statute of limitations with respect to the filing of ethics complaints.

**A Local Law Amending the Ordinance Relating to a Code of Ethics
and a Board of Ethics for the Town of Cambria**

Be it enacted by the Town Board of the Town of Cambria as follows:

SECTION 1. PURPOSE AND INTENT

The purpose of this Local Law is to amend the Ordinance Relating to a Code of Ethics and a Board of Ethics for the Town of Cambria (hereinafter, the “Ordinance”) that was adopted by the Town Board on August 6, 1970. This Local Law shall amend the Ordinance by clarifying the process relative to the investigation of ethics complaints and to add the requirement that any ethics complaints filed with, and for review by, the Town Board of Ethics must be filed within sixty (60) calendar days after the event, transaction, incident or occurrence alleged to violate the Town’s Code of Ethics, or within sixty (60) calendar days after the discovery of the event, transaction, incident or occurrence alleged to violate the Town’s Code of Ethics.

SECTION 2. AUTHORITY

This amendment to the Ordinance is adopted pursuant to the New York State Constitution, Article IX, § 2(c)(6) and (10); the New York Statute of Local Governments, Article II, § 10, Subdivisions 1 and 7; Town Law §§ 130 through 135; New York General Municipal Law § 806; and New York State Municipal Home Rule Law § 10.

SECTION 3. FINDINGS.

The Town Board hereby finds and determines that in order to ensure fairness, reliability of evidence and legal finality and to facilitate fruitful investigation by the Board of Ethics, the Town’s Code of Ethics must include a statute of limitation relative to the lodging of an alleged ethical violation, either under the Town Code of Ethics or under the New York General Municipal Law, with the Town Board of Ethics. This statute of limitation will prevent stale claims, protect individuals against whom violations are filed from defending against forgotten events and foster prompt investigative action.

SECTION 4. AMENDMENT.

Article II, Section 4 of the Ordinance, entitled “Violations,” is hereby amended by adding the following to the end of said section:

“The Town Board hereby refers any and all complaints alleging violations of either the Code of Ethics or New York General Municipal Law to the Town Board of Ethics for review and investigation. Any alleged ethical violations shall be transmitted to the Board of Ethics by way of a written complaint signed by the complainant. Each individual ethics complaint shall be deemed to have been referred to the Board of Ethics on the date it is filed with and received by the Board of Ethics. All ethics complaints must be filed with and received by the Board of Ethics within sixty (60) calendar days after the event, transaction, incident or occurrence comprising the alleged violation, or within sixty (60) calendar days after the discovery of the event, transaction, incident or occurrence alleged to violate the Town’s Code of Ethics.

The filing of an ethics complaint shall follow the procedure set forth in the Town of Cambria Board of Ethics' *Internal Rules and Regulations*, a copy of which is publicly available and available upon request from the Town Clerk, and the date of the event, transaction, incident or occurrence comprising the alleged violation, or the date of the complainant's discovery of same, shall be set forth in the complaint. Failure to comply with this statute of limitation may result in the dismissal of any such ethics complaint by the Board of Ethics upon the grounds that same is time-barred."

SECTION 5. EFFECTIVE DATE.

This Local Law shall take effect immediately upon adoption by the Town Board.

SECTION 6. SEVERABILITY

The invalidity of any word, section, clause, paragraph, sentence or part or provision of this Local Law shall not affect the validity or any other part of this Local Law or the Ordinance that said Local Law amends, which shall remain in effect.

Upon a motion duly made by Councilman Hurtgam and seconded by Councilwoman Brachmann it was resolved to approve Local Law #4-2026, "A Local Law Amending the Ordinance Relating to a Code of Ethics and a Board of Ethics for the Town of Cambria".

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

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

The Resolution was thereupon declared duly adopted.

LOCAL LAW NO. 5 OF 2026

TOWN OF CAMBRIA RESOLUTION ADOPTING LOCAL LAW NO. 5 OF 2026

WHEREAS, The Town Board of the Town of Cambria having duly called and held a Public Hearing at the Cambria Town Hall, 4160 Upper Mountain Road, Sanborn, New York 14132, on the 9th day of July, 2026, upon the question of the enactment of "A Local Law Establishing a Moratorium on all Artificial Intelligence and/or Internet Data Centers within the Town for a Period of Nine Months"; and

WHEREAS, prior to the opening of said public hearing, the Town Board approved a non-substantive change to the proposed Local Law, specifically, including the clarification that the subject Artificial Intelligence and/or Internet Data Centers are known colloquially as, "Data Centers"; and

WHEREAS, moratoria are designated as Type II actions under SEQR and consequently require no additional review; and

WHEREAS, the Town of Cambria referred the Local Law to the Niagara County Planning Board in accordance with New York State requirements (GML Section 239-m), and received a positive response from the Niagara County Planning Board at its meeting held on July 20, 2026; and

WHEREAS, the Town of Cambria referred the Local Law to neighboring municipalities in accordance with New York State requirements (GML Section 239-nn), and received no objection from same:

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Cambria that “A Local Law Establishing a Moratorium on all Artificial Intelligence and/or Internet Data Centers within the Town for a Period of Nine Months” is hereby enacted and effective upon its filing with the New York State Department of State.

A Local Law Establishing a Moratorium on all Artificial Intelligence and/or Internet Data Centers within the Town for a Period of Nine Months

Be it enacted by the Town Board of the Town of Cambria as follows:

SECTION 1. PURPOSE AND INTENT

The purpose of this Local Law is to amend the Code of the Town of Cambria to impose a moratorium on the processing, permitting and/or construction of all Artificial Intelligence and/or Data Centers within the Town for a period of nine (9) months. An “Artificial Intelligence and/or Internet Data Center” is defined as a facility, structure, or group of structures used for the central housing, interconnection, and operation of IT and network telecommunications equipment to provide data storage, processing, or transport. It includes all related infrastructure for power distribution, cooling, and security. A moratorium will grant the Town Board ample time to examine, draft, review, and adopt an effective updated policy regarding such Artificial Intelligence and/or Internet Data Centers, and ensure adequate restrictions and regulations are placed as may be necessary to promote and preserve the health, safety and welfare of the Town of Cambria and its citizens.

SECTION 2. FINDINGS.

The Town Board hereby finds that without a temporary halt on the processing, permitting, and approvals for Artificial Intelligence and/or Internet Data Centers, there is the potential that such uses could be located in unsuitable areas within the Town or installed in such a manner so as to alter the fabric of the community. Such uses could have materially adverse and irreversible impacts on the Town, and may threaten the health, safety or welfare of the Town’s citizens.

The Town Board also finds that it is in need of additional time to perform the necessary analysis of the potential types, sizes and scales of Artificial Intelligence and/or Internet Data Centers that may be appropriate to meet the needs of the community and provide for the planned orderly growth and development of the Town.

SECTION 3. MORATORIUM IMPOSED; APPLICABILITY.

For the period of nine (9) months, commencing on the effective date of this Local Law, or until such time as the Town of Cambria passes a further Local Law directly addressing Artificial Intelligence and/or Internet Data Centers, whichever is sooner, there shall be a moratorium on the processing, permitting, and/or construction of all Artificial Intelligence and/or Internet Data Centers within the Town of Cambria.

SECTION 4. TERM.

This law shall take effect immediately upon adoption by the Town Board, as provided by the law and shall remain in full force and effect for a period of nine (9) months from its effective date.

SECTION 5. SEVERABILITY

The invalidity of any word, section, clause, paragraph, sentence or part or provision of this Local Law shall not affect the validity or any other part of this Local Law which shall be in effect.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam it was resolved to approve Local Law #5-2026, “A Local Law Establishing a Moratorium on all Artificial Intelligence and/or Internet Data Centers within the Town for a Period of Nine Months”.

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

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

The Resolution was thereupon declared duly adopted.

LOCAL LAW NO. 6 OF 2026

**TOWN OF CAMBRIA
RESOLUTION ADOPTING LOCAL LAW NO. 6 OF 2026**

WHEREAS, veterans who are permanently and totally disabled as a result of military service have made extraordinary sacrifices in service to the Nation, and providing a full real property tax exemption for their primary residences promotes their ability to remain in their homes and communities; and

WHEREAS, the State of New York has authorized local governments to adopt such an exemption under Real Property Tax Law (RPTL) § 458-a(11); and

WHEREAS, RPTL § 458-a(11) authorizes a town to adopt a local law providing a full exemption for the primary residence of any seriously disabled veteran, subject to the eligibility criteria in that subdivision and other requirements of § 458-a.; and

WHEREAS, a public hearing was held on August 13, 2026, at 7:00 p.m., to hear and consider adoption of a proposed Local Law for the year 2026, entitled, “A Local Law of the Town of Cambria, New York, for the year 2026, In Relation to a Disabled Veteran’s Exemption from Real Property Taxation Under Section 458-a(11) of the Real Property Tax Law (RPTL) of the State of New York” and

WHEREAS, the Town Board hereby determines that the adoption of the subject Local Law is a Type II action pursuant to the State Environmental Quality Review Act (“SEQRA”) and the implementing regulations at 6 NYCRR Part 617, including 6 NYCRR § 617.5(c)(19) (routine or continuing agency administration and management). The Action is an internal governance measure that is administrative in nature, does not authorize, fund, approve, or commit the Town to any specific physical project or other activity that may affect the environment, and therefore has been determined by regulation not to have a significant adverse impact on the environment. Accordingly, no further review under SEQRA is required.

NOW, THEREFORE, BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF CAMBRIA AS FOLLOWS:

Pursuant to, and in accordance with, the New York State Constitution, Article IX, § 2(c)(6) and (10); the New York Statute of Local Governments, Article II, § 10, Subdivisions 1 and 7; Town Law §§ 130 through 135; New York Real Property Tax Law § 458-a; and New York State Municipal Home Rule Law § 10, the Town Board does hereby enact a Local Law entitled, “A Local Law of the Town of Cambria, New York, for the year 2026, In Relation to a Disabled Veteran’s Exemption from Real Property Taxation Under Section 458-a(11) of the Real Property Tax Law (RPTL) of the State of New York,” to be renumbered as Local Law No. 6 of 2026 for filing purposes, hereby providing that the primary residence of any seriously disabled veteran shall be fully exempt from taxation and special district charges, assessments and special ad valorem levies, provided that such veteran meets certain requirements.

A Local Law of the Town of Cambria, New York, for the year 2026, In Relation to a Disabled Veteran’s Exemption from Real Property Taxation Under Section 458-a(11) of the Real Property Tax Law (RPTL) of the State of New York

Be it enacted by the Town Board of the Town of Cambria as follows:

Section 1. Title.

This local law shall be known as the “Town of Cambria Local Law Providing a Full Exemption for the Primary Residence of Seriously Disabled Veterans Pursuant to RPTL § 458-a(11).”

Section 2. Legislative Findings, Purpose, and Authority.

The Town Board finds that veterans who are permanently and totally disabled as a result of military service have made extraordinary sacrifices in service to the Nation, and that providing a full real property tax exemption for their primary residences promotes their ability to remain in their homes and communities. The Town Board further finds that the State of New York has authorized local governments to adopt such an exemption under Real Property Tax Law (RPTL) § 458-a(11).

Pursuant to the authority granted in RPTL § 458-a(11), the purpose of this local law is to provide that the primary residence of any seriously disabled veteran shall be fully exempt from taxation and special district charges, assessments and special ad valorem levies, provided that such veteran meets all requirements of RPTL § 458-a, including the eligibility criteria set forth in subdivision eleven. Pursuant to the authority granted in Section 458-a(11) of the Real Property Tax Law, the purpose of this Local Law is to provide that the primary residence of any seriously disabled veteran shall be fully exempt from taxation and special district charges, assessments and special ad valorem levies, provided that such veteran meets certain requirements. RPTL § 458-a(11) authorizes a county, city, town, village or school district to adopt a local law or resolution providing a full exemption for the primary residence of any seriously disabled veteran, subject to the eligibility criteria in that subdivision and other requirements of § 458-a.

Section 3. Definitions; Incorporation by Reference.

A. Incorporation by Reference. For purposes of this local law, all terms defined in RPTL § 458-a(1), as amended from time to time, including but not limited to “qualified owner,” “qualifying residential real property,” “veteran,” “period of war,” “service connected,” “latest state equalization rate,” and “latest class ratio,” are incorporated herein by reference and shall have the meanings set forth in RPTL § 458-a(1). RPTL § 458-a(1) defines “qualified owner,” “qualifying residential real property,” “veteran,” “period of war,” “service connected,” “latest state equalization rate,” and “latest class ratio.”

B. Primary Residence; Qualifying Residential Real Property. For purposes of the exemption provided herein, “primary residence” and “qualifying residential real property” shall have the meanings set forth in RPTL § 458-a(1)(d), including provisions governing mixed-use property and the primary residence requirement with medical or institutional absence. RPTL § 458-a(1)(d) defines “qualifying residential real property” as property owned by a qualified owner, used exclusively for residential purposes, and as the primary residence, subject to specified conditions.

C. Seriously Disabled Veteran. For purposes of this local law, “seriously disabled veteran” means a veteran who is considered by the United States Department of Veterans Affairs to be permanently and totally disabled as a result of military service, as evidenced by a letter, official form, or other document issued by the U.S. Department of Veterans Affairs specifically stating that the veteran is permanently and totally disabled as a result of such service. Eligibility under subdivision eleven requires that the veteran be considered by the United States Department of Veterans Affairs to be permanently and totally disabled as a result of military service, evidenced by a letter, official form, or other document so stating.

Section 4. Eligibility.

A. General. The exemption authorized by this local law shall be available only to a veteran who meets all eligibility requirements of RPTL § 458-a, including ownership and residency requirements for qualifying residential real property. The exemption under § 458-a applies to “qualifying residential real property” owned by a qualified owner and used as the primary residence, as provided in subdivision one.

B. Veteran Status. To be eligible, a veteran shall meet at least one of the following criteria:

1. The veteran was discharged or released from active military, naval, space, or air service, including Army and Air National Guard service performed pursuant to federal orders under Title 10 of the United States Code, under honorable conditions; or
2. The veteran has a qualifying condition, as defined in section one of the Veterans’ Services Law, and received a discharge other than bad conduct or dishonorable; or
3. The veteran is a discharged LGBT veteran, as defined in section one of the Veterans’ Services Law, and received a discharge other than bad conduct or dishonorable. RPTL § 458-a(11)(a) sets forth these alternative discharge eligibility criteria for the full exemption.

C. Disability Status. The veteran must also be considered by the United States Department of Veterans Affairs to be permanently and totally disabled as a result of military service, as evidenced by a VA letter, official form, or other document specifically stating such status. RPTL § 458-a(11)(b) requires VA determination of permanent and total disability as a result of military service, evidenced by specified VA documentation.

D. Trusts and Cooperative Apartments.

1. Property held in trust solely for the benefit of a person or persons who would otherwise be eligible shall be eligible in accordance with RPTL § 458-a(5). RPTL § 458-a(5) provides that property held in trust solely for the benefit of a person who would otherwise be eligible shall be treated as eligible.
2. Cooperative apartments shall be eligible in accordance with RPTL § 458-a(6), subject to all statutory conditions and limitations. RPTL § 458-a(6) addresses eligibility and administration for cooperative apartment corporations and tenant-stockholders.

Section 5. Scope of Exemption; Coordination With Other Exemptions; Non-Reduction Below Zero.

A. Scope. The primary residence of any seriously disabled veteran shall be fully exempt from Town taxation and from special district charges, assessments, and special ad valorem levies levied by or on behalf of the Town or any Town special district, subject to the requirements of RPTL § 458-a. RPTL § 458-a(11) authorizes a full exemption for the primary residence of any seriously disabled veteran from taxation and special district charges, assessments and special ad valorem levies.

B. In Addition to Other Exemptions; Savings Clause. This exemption is in addition to any other exemption from taxation on real property allowed to veterans under the Real Property Tax Law, including the exemption provided by RPTL § 458(3), and nothing herein shall be construed to require or authorize the discontinuance of any exemption granted pursuant to RPTL § 458(3). Subdivision eleven provides that the exemption is “[i]n addition to any other exemption” including RPTL § 458(3), and shall not require or authorize discontinuance of any exemption granted pursuant to RPTL § 458(3).

C. Non-Reduction Below Zero. In no case shall the taxable assessed value of the property of a qualifying veteran be reduced below zero. RPTL § 458-a(11)(c) provides that the taxable assessed value shall not be reduced below zero.

Section 6. Application; Administration; Continuation; Changes in Eligibility.

A. Form; Filing; Taxable Status Date. Application for the exemption shall be made by the owner or all owners on a form prescribed by the Commissioner of Taxation and Finance and filed with the Town Assessor on or before the applicable taxable status date for the assessment roll to which the exemption is to be applied. RPTL § 458-a(3) requires application by the owner(s) on a form prescribed by the commissioner, filed with the assessor on or before the appropriate taxable status date.

B. Documentation. Applicants shall submit documentation sufficient to establish eligibility, including but not limited to acceptable military records listed by the Commissioner in consultation with the Department of Veterans' Services, and a letter, official form, or other document issued by the U.S. Department of Veterans Affairs stating that the veteran is permanently and totally disabled as a result of military service. RPTL § 458-a(11)(b) requires VA documentation evidencing permanent and total disability as a result of service. RPTL § 458-a(9) directs the Commissioner, in consultation with the Department of Veterans' Services, to develop a listing of documents to establish eligibility, including but not limited to the DD-214 and related records, and to make such listing available to assessors.

C. Continuation; Refiling. Once granted, the exemption shall continue in full force and effect for all appropriate subsequent tax years, and the owner or owners shall not be required to refile annually; provided, however, that applicants shall be required to refile on or before the appropriate taxable status date if the percentage of disability increases or decreases, or may refile if other changes occur which affect qualification for an increased or decreased amount of exemption or continued eligibility. RPTL § 458-a(3) provides that the exemption continues without annual refiling, but applicants shall refile if the disability percentage changes or may refile if other qualifying changes occur.

D. Changes in Primary Residence, Ownership, or Eligibility. The property owner shall notify the Assessor in writing of any change in primary residency, ownership, disability status, or other factor material to eligibility as soon as practicable and, in any event, on or before the next taxable status date.

E. Penalties. Any applicant convicted of making a willful false statement in the application shall be subject to the penalties prescribed in the Penal Law. RPTL § 458-a(3) states that any applicant convicted of making a willful false statement in the application is subject to Penal Law penalties.

F. Transfer Within County. If, and only if, the Town Board hereafter adopts a local law pursuant to RPTL § 458-a(8), any exemption already received by a qualified owner may be transferred and prorated in accordance with that subdivision, provided the owner files a new application by the following taxable status date for future years. Nothing in this local law shall be construed to supersede or limit such authority. RPTL § 458-a(8) authorizes a local law providing for transfer and proration of an exemption within the same county and requires reapplication by the following taxable status date for future years.

G. Cooperative Apartments. Administration of exemptions for cooperative apartments shall be in accordance with RPTL § 458-a(6), including the method of crediting the exemption to tenant-stockholders and any statutory exclusions. RPTL § 458-a(6)(b)-(d) provides the method for applying and crediting exemptions to cooperative apartments and sets specified limitations.

Section 7. Conflict With Other Laws; State Law Controls.

In the event of any conflict or inconsistency between the provisions of this local law and the provisions of RPTL § 458-a or other applicable provisions of State law, the provisions of State law shall control and be applied. Nothing herein shall be construed to limit or reduce any rights or benefits available under RPTL § 458-a.

Section 8. Administrative Notice to the Department of Veterans' Services.

Within thirty (30) days of adoption of this local law, the Town Clerk shall notify the New York State Department of Veterans' Services of such adoption, and the Department shall compile and maintain a publicly available record thereof; provided, however, that failure to provide such notice within thirty (30) days shall not render this local law ineffective. RPTL § 458-a(11)(d) requires each adopting municipality to notify the Department of Veterans' Services within thirty days of adoption and provides that failure to notify shall not render the local law ineffective; the Department must maintain a publicly available record.

Section 9. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this local law or the application thereof to any person, firm, corporation, or circumstance shall be adjudged by a court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part thereof directly involved in the controversy in which such order or judgment shall have been rendered.

Section 10. Effective Date; Applicability.

This local law shall take effect immediately upon filing with the Secretary of State in accordance with the Municipal Home Rule Law. It shall first apply to the assessment roll prepared on the basis of the first taxable status date occurring on or after October 1, 2026, for the Town of Cambria, and to all subsequent assessment rolls thereafter. If the Town's taxable status date is other than October 1, 2026, this local law shall apply beginning with the first assessment roll for which the taxable status date occurs on or after October 1, 2026, and timely filed applications shall be processed for that roll in accordance with RPTL § 458-a(3). The base text provides that the local law takes effect upon filing and applies to assessment rolls based on taxable status dates occurring on and after October 1, 2026. Under RPTL § 458-a(3), applications must be filed with the assessor on or before the appropriate taxable status date for the assessment roll to which the exemption applies.

Section 11. Filing.

The Town Clerk is authorized and directed to file a certified copy of this local law with the Secretary of State as required by law and to take such other and further actions as may be necessary to implement this local law, including providing public information concerning application procedures consistent with RPTL § 458-a.

Upon a motion duly made by Councilman Musall and seconded by Councilwoman Brachmann it was resolved to approve Local Law #6-2026, "A Local Law of the Town of Cambria, New York, for the year 2026, In Relation to a Disabled Veteran's Exemption from Real Property Taxation Under Section 458-a(11) of the Real Property Tax Law (RPTL) of the State of New York"

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

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

The Resolution was thereupon declared duly adopted.

ASSOCIATION OF TOWNS BILL OF RIGHTS

**A RESOLUTION IN SUPPORT OF THE
NEW YORK ASSOCIATION OF TOWNS BILL OF RIGHTS**

WHEREAS, town government provides services essential to the vitality of New York State, including but not limited to maintaining and repairing roads, protecting neighborhoods and businesses, guiding economic development, and serving as the first line of defense, communication, and safety for residents every day of the year; and

WHEREAS, the 933 towns of New York State are home to more than 9.1 million New Yorkers and are diverse in population, geography, and demographics, such that decisions affecting daily life are best made at the local level by the government that best understands each community's character, challenges, and needs; and

WHEREAS, the towns of New York are partners in shaping the State's future, and a true partnership between the State and its local governments will propel the New York State forward to the benefit of all New Yorkers; and

WHEREAS, the New York Association of Towns has adopted a Bill of Rights articulating the core principles that should govern the relationship between the State and its towns; and

WHEREAS, the Town of Cambria shares and affirms those principles, namely:

1. Protection and defense of municipal home rule, recognizing that towns, as the level Of government closest to the people, are best positioned to balance competing interests and make decisions that shape daily life:
2. Local control of land use and zoning, free from statewide zoning rules that override the voice of resident taxpayers and the officials they elect;
3. Freedom from unfunded mandates, so that local taxpayers are not made to bear the cost of orders imposed by State and federal authorities without the resources to carry them out:
4. Modernized transparency, accessibility, and engagement, including reform of outdated public-notice requirements that consume scarce municipal dollars on print notices often missed by the public; and
5. A meaningful voice in State decisions affecting the hometowns that towns govern, so that town government is treated as a true partner rather than an afterthought or a hurdle to clear; now, therefore, be it

RESOLVED, that the Town Board of the Town of Cambria hereby endorses and adopts the New York Association of Towns Bill of Rights and affirms its commitment to the principles set forth therein: and be it further

RESOLVED, that the Town Board calls upon the Governor and the New York State Legislature to respect and uphold these principles in the enactment of legislation and the administration of State programs affecting towns; and be it further

RESOLVED, that the Town Clerk is hereby directed to transmit certified copies of this Resolution to the Governor of the State of New York, the Temporary President of the Senate, the Speaker of the Assembly, the State Senators and Member of the Assembly representing the Town of Cambria and the New York Association of Towns.

Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Musall it was resolved to adopt the New York Association of Towns Bill of Rights and affirms its commitment to the principles set forth therein.

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

LIASION REPORTS:

Zoning Board:

Councilwoman Brachmann- 1 special permit cell tower.

Planning Board:

Councilman Roberts – approved scoping document for RIC Energy.

Recreation:

Councilman Hurtgam-

- Recreation is over tomorrow. Movie nights have been successful.
- Park Committee will meet in September.
- Baseball is over and Lacrosse is still going on.

Highway:

Councilman Musall –

- Thanked the employees for taking care of flooded roads, signage in off hours. All the extra work does not go unnoticed. The Town Board is working on replacing the primary excavator to complete drainage projects. There was a Drainage Committee Meeting today and approved one more ditch petition.

Supervisor Foe indicated that the 1999 excavator (8,000 hours) has been broken down since early spring. To rent a machine of the same size would cost the Town \$30,000.00 per month. A price negotiation is being conducted with Caterpillar and John Deere along with trade in values. The Town must have permission to go on people's property to clean ditches. There are procedures in place in order to do so- whether it is the DEC or Army Corp of Engineers depending on the water source. Jon Pressley, Dept. Highway Superintendent, indicated that the Town has been waiting four months to clean the back ditch of the Town Park, waiting on the DEC. The land had to be surveyed, the Town had to bring in and pay a private contractor to do the work, they were also required to do a delineation for wetlands before they could even get the permit to DEC. Councilman Musall stated that as a landowner – they have to get permission from every landowner for four different entities to come onto your property. It is a long drawn-out process to clean a ditch. If the process is not followed there are huge fines from the state.

CYPRESS CREEK ROAD USE AGREEMENT

Upon a motion duly made by Councilman Roberts and seconded by Councilman Musall it was resolved to authorize the Supervisor to sign the Road Use Agreement with Cypress Creek.

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

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

The Resolution was thereupon declared duly adopted.

BOARD OF ETHICS MEMBER RESIGNATION

Upon a motion duly made by Councilwoman Brachmann and seconded by Councilman Hurtgam it was resolved to accept the resignation of Gina Merlo, Green Road, from the Board of Ethics.

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

BOARD OF ETHICS OPENING

Send letters of interest to: Matthew Foe at supervisor@townofcambria.gov.

HIGHWAY SUPERINTENDENT

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam it was resolved to approve the appointment of Steven Kroening, Cambria Road, to Highway Superintendent as of 8/14/26 12:01 am.

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

BUILDING INSPECTOR, JUSTIN KROENING

Mr. Kroening reported the following:

- Busy keeping up with phone calls, emails, permits and residents' questions and concerns.
- Next week he will be finishing the last of his training for Building Inspector and will soon start classes for Code enforcement.
- 22 new permits for July.
- He thanked his clerk Melissa Germann along with Chris Jordan, Ryan Cooper and Chris Secore from Wheatfield Building Department for their continued assistance.

PUBLIC COMMENT

**George Jowdy- Ridge Rd.
Wayne Grenning- Rt. 425
Duncan Ross- Townline Rd.**

All present to discuss flooding and drainage issues throughout the Town.

Sharon Tasner- Subbera Rd.

Ms. Tasner asked about the Road agreement with Cypress Creek and asked for clarification. The repairs are for Meahl and Comstock Rds.

Ms. Tasner also indicated that she has heard talk about a housing development where Hahns ponds is located. Supervisor Foe reported that no information has been provided to the Town.

Roger Palmer-Subbera Rd.

The sign on Subbera Rd. has been down for almost three weeks. Mr. Pressley indicated that it is a state road but isn't responsible for them. Mr. Palmer asked if the Town petition the state to put up a do not drive on the shoulder on Subbera Rd./Settlement Rd.

ADDITIONAL MATTERS

Supervisor Foe indicated that the Town is putting together a Business Directory in order to partner with them to promote their local business.

WATERLINE CROSSING AGREEMENT

Supervisor Foe reported that Cypress Creek needs permission to cross our waterline the north side of Saunders Stmt. Rd. and the Ohol property across from the Felton property on Saunders Stmt. Rd.

Upon a motion duly made by Councilman Hurtgam and seconded by Councilwoman Brachmann it was resolved authorize the Supervisor to sign the waterline crossing agreement. Terms: from the signing of the document until decommissioning of the solar project.

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

EASEMENT TO USE TOWN CULVERT

Supervisor Foe also reported that Cypress Creek is also requesting an easement to use the town culvert that is in Bull Creek, so they don't have to get a permit. It is located on the Ohol property south of Upper Mountain Rd. and the Fire Station at the corner of Thrall Rd.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam it was resolved to authorize the Supervisor to sign an easement to use the town culvert that is in Bull Creek, so they don't have to get a permit. It is located on the Ohol property south of Upper Mountain Rd. and the Fire Station at the corner of Thrall Rd. Terms: from the signing of the document until decommissioning of the solar project.

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

Supervisor Foe discussed a meeting that took place with an outside Human Resource Company.

Mr. Platt, Town Attorney, gave a brief summary on why it would be beneficial for the Town to move forward with the Human Resource Company. It will be sure that the Town is in compliance with state and updated laws and regulations. This company would act as a neutral party.

Councilman Robert's stated that even though he knows the Cypress Creek Solar Project is going through, and he votes yes on some things with a great deal of angst; it is very hard to help them.

ADJOURNMENT

As there was no further business, the meeting was adjourned by motion made by Councilman Musall and seconded by Councilman Hurtgam. Time: 8:19 pm.

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

Respectfully submitted,

Tamara J. Cooper, Town Clerk