

TOWN OF CAMBRIA TOWN BOARD

July 9, 2026

The regular meeting of the Town of Cambria Town Board was held at 7:00 pm on the 9th day of July 2026 at Cambria Town Hall, 4160 Upper Mountain Road, Sanborn, New York.

BOARD MEMBERS' PRESENT:

Matthew Foe, Supervisor
Louise Brachmann, Councilwoman-absent
Jeffrey S. Hurtgam, Councilman-absent
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
2 Individuals

Following the pledge to the flag Supervisor Foe opened the public hearing on Local Law #5- 2026 entitled, "A Local Law Establishing a Moratorium on all Artificial Intelligence and/or Internet Data Centers within the Town for a period of nine (9) months".

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 9th day of July 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 Establishing a Moratorium on all Artificial Intelligence and/or Internet Data Centers within the Town for a Period of Nine Months" an abstract of which is as follows:

Said Local Law would impose a moratorium on the processing, permitting, and/or construction of all Artificial Intelligence and/or Internet Data Centers within the Town of Cambria for a period of nine (9) months.

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.

Attorney Platt gave a brief background on this Local Law. This matter has to go before the County Planning Board so no action will be taken tonight. In addition, a phrase must be added to the public hearing: "Also known as or known colloquially as Date Centers" which is how the new State bill refers to data centers.

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.

Upon a motion duly made by Councilwoman Brachmann and seconded by Councilman Musall it was resolved to amend the pending Local Law to include the phrase- "Known colloquially as Date Centers" and for a finding that this is not a substantial change.

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

Mr. Platt also mentioned that if that passes it will be 10 days that it will sit on the board's desk while we wait for the Niagara County Planning Board.

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 June 8 and 11.

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:

July 9, 2026

ACCOUNT	AMOUNT
Drainage	\$ 107.49
Fire	\$ 70.00
General	\$ 99,958.96
Highway	\$ 4,220.97
Sewer	\$ 65.83
Water	\$ 6,207.90

Upon a motion duly made by Councilwoman Brachmann and seconded by Councilman Hurtgam it was resolved to approve the abstract of audited vouchers dated July 9, 2026, be approved as read by the Town Clerk.

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

WENDEL Reports

Tim Walck-Wendel Engineers reported as follows:

MS4 Requirements:

- This is for the solar project. Wendel received plans in with the storm water pollution prevention plan and just completed the first review and submitted comments; waiting for additional information.

Cambria Rd. Construction:

- Schedule for construction: Cambria Rd. Electronic signs are up and the road will be closed starting this coming Monday. (7/13/26) Work will continue for approximately one week.

Baer Rd. culvert:

- The last easement has been signed and that was the last piece Wendel needed to submit the final package to the DOT. The Town will need their approval before they can go to bid.
-

Public Bidding – Baer Road Culvert Project

BE IT RESOLVED THAT, that the Town Board does hereby authorize going to public bid for the Baer Road culvert replacement project, contingent upon the DOT approving proceeding with the project. The Town

HIGHWAY:

- Cambria Road culvert replacement has started.
- Brush pickup has ended for the summer and will resume September 8.
- Installing lawn and driveway culverts.
- We are helping neighboring towns with paving projects.
- Milling Shunpike Road the week of July 20th.

CEMETERY

- Town has had several recent interments.

WATER

- Still changing out meters.
- Residents- if your bill is unusually low, please contact the Water Department (716-433-7664 ext. 114) to have your meter changed out.

SEWER

- Waiting on Town electrician for hook up of standby generator at Southway Lift Station.

BUILDING AND GROUNDS

- Mowing and maintaining flower beds, Jim Kam is doing an excellent job; as usual!
- Summer Recreation has started and will end in August.

LIASION REPORTS:

Zoning Board:

Councilwoman Brachmann- 1 request for a variance for a shed.

Planning Board:

Councilman Roberts no report.

Recreation:

Councilman Hurtgam-

- Recreation is underway.
- The Fishing Derby was a success and looking to do it annually.
- Baseball Diamonds at the Town Park are rented out on a regular basis.
- Grooming and mowing at the Park has been a challenge.

Highway:

Councilman Musall –

- The employees are doing the best they can. They are doing a great job this summer with the Shunpike Rd. project which is quite the undertaking for the small municipality. He thanked them for all the hard work.
- The Town was not informed that it would have two north/south roads closed at the same time. The state never notified the Town.
- The Town is also looking into purchasing salt- and can get around 300 tons at last years price.

ATTORNEY

Abraham Platt reported as follows:

Local Law #4 (ethics) that was introduced at the June meeting

In response to the public comment, the Town Board thought it would be prudent to make a revision to the proposed local law to add the additional term of the statute of limitations that was discussed being from the date of the incident or the date of discovery of the incident.

Upon a motion duly made by Councilman Musall and seconded by Councilwoman Brachmann it was resolved to rescind Local Law #4 2026- entitled, “A Local Law Amending the Ordinance Relating to a Code of Ethics and a Board of Ethics for the Town of Cambria,” that was introduced at the June Town Board Meeting.

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

Introduce:

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam it was resolved introduce Local Law 2026- entitled, “A Local Law Amending the Ordinance Relating to a Code of Ethics and a Board of Ethics for the Town of Cambria,” which includes the minor revision but it’s a material revision.

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

CALL FOR PUBLIC HEARING

WHEREAS, 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,” is hereby introduced.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Cambria Town Board does hereby call for a public hearing to be held on August 13, 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 Amending the Ordinance Relating to a Code of Ethics and a Board of Ethics for the Town of Cambria.”

Upon a motion duly made by Councilman Musall and seconded by Councilwoman Brachmann it was resolved call for a public hearing to be held on August 13, 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 Amending the Ordinance Relating to a Code of Ethics and a Board of Ethics for the Town of Cambria.” which includes the minor revision but it’s a material revision.

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

Mr. Platt announced he will be attending the Niagara County Planning Board meeting.

Introduce:

Upon a motion duly made by Councilwoman Brachmann and seconded by Councilman Musall it was resolved to introduce Local Law 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”.

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

CALL FOR PUBLIC HEARING

WHEREAS, a 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” has been introduced; now, therefore be it
RESOLVED, a public hearing will be held on August 13, 2026, at 7:00 p.m. at Cambria Town Hall, 4160 Upper Mountain Road, Sanborn, New York to hear and consider a 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.”

Upon a motion duly made by Councilman Roberts and seconded by Councilwoman Brachmann it was resolved call for a public hearing to be held on August 13, 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 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”.

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

ZONING BOARD OF APPEALS ALTERNATE

Christina Cates:

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam it was resolved to appoint Christina Cates, Randolph Dr. to the position of Alternate Member of the Zoning Board of Appeals for term to expire: 12/31/2026.

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

Charlotte Patterson:

Upon a motion duly made by Councilman Musall and seconded by Councilman Hurtgam it was resolved to appoint Charlotte Patterson, Townline Rd. to the position of Alternate Member of the Zoning Board of Appeals for term to expire: 12/31/2026.

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

BUILDING INSPECTOR CLERK

Upon a motion duly made by Councilwoman Brachmann and seconded by Councilman Roberts it was resolved to appoint Melissa Germann, Wheatfield to the position of FT Building Clerk at the rate of \$26.00 per hour.

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

ONLINE WATER PAYMENTS

Upon a motion duly made by Councilman Musall and seconded by Councilman Hurtgam it was resolved to authorize the Supervisor to enter into a contract with Brisbane Consulting to develop and implement a system for electronic payments for the water bills starting with the 4th quarter 2026 billing.

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

INSURANCE REIMBURSEMENTS

Supervisor Foe indicated that during the internal audits of the Town's Health Insurance premiums and coverage- it was discovered that 10 employees have been overcharged by the insurance carrier for a total amount of \$521.69.

Upon a motion duly made by Councilwoman Brachmann and seconded by Councilman Hurtgam it was resolved to authorize the Supervisor to reimburse the affected employees in the amount of their individual overpayment: Total amount: \$521.69.

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

PUBLIC COMMENT

There was no one present to be heard.

ADDITIONAL MATTERS

Letter from Supervisor Foe:

Cambria residents, I would like to explain the Town's position regarding the solar project.

We have opposed this project and its location from the beginning. Sadly, the State of New York and ORES prevailed and our legal fight for home rule has come to an end.

This is our path forward. Now, we must broker the best deal for the Town of Cambria. This means negotiating with Cypress Creek to receive the best host community agreement possible. We have been actively engaged in discussion leaning heavily towards a road use agreement that will repave and replace the culverts on the two Town roads impacted by the project. The host community agreement is a method for the Town of Cambria to get a larger share of the total \$5000 per megawatt. Under the state pilot guidelines, money is divided into three ways. The school district receives 70%, the county receives 20% and the Town of Cambria receives 10%. Clearly this is unacceptable to the Town of Cambria.

For us to maximize the benefit that we receive a host community agreement has been proposed that the Town will get \$3000 per megawatt and the pilot will be \$2000 per megawatt.

For us to achieve a deviation from the very unfavorable state—imposed tax distribution framework, it is necessary that the IDA grant Cypress Creek the taxing agreement for \$14 million. This action will provide the Town of Cambria with the opportunity to enter into a host community agreement providing the Town with a much more significant revenue.

The financial yearly benefit to the Town of Cambria is as follows:

Without Host Community: $5000/\text{mw} \times 72\text{mw} = 360,000$

School gets 252,000

County gets 72,000

Town gets 36,000

With Host Community: $3000/\text{mw} \times 72 \text{ mw} = 216,000$

$2000 \times 72 \times .7$ School gets 100,800

$2000 \times 72 \times .2$ County gets 28,000

$2000 \times 72 \times .1$ Town gets 14,400

Town yearly projected revenue:

Pilot without HCA is \$36,000

Pilot with HCA is \$230,000

If anyone has any questions or concerns please reach out to a council member.

ADJOURNMENT

As there was no further business, the meeting was adjourned by motion made by Councilman Musall and seconded by Councilwoman Brachmann. Time: 7:40 pm.

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

Respectfully submitted,

Tamara J. Cooper, Town Clerk