TOWN OF CAMBRIA TOWN BOARD

November 5, 2026

The regular meeting of the Town of Cambria Town Board was held at 7:00 pm on the 5th day of November 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:

Paula N. Jones, Deputy Town Clerk
Abe Platt, Attorney
Steve Kroening, Highway Superintendent
20 interested individuals

Following salute to the flag Supervisor Foe re-opened the public hearing from the October meeting regarding establishing a new Local Law, entitled, "A Local Law Amending the Town of Cambria Zoning Ordinance by Transferring Special Use Permit Jurisdiction to the Planning Board" at 7:00 pm.

No comments, Supervisor Foe closed the Public Hearing 7:01 pm.

Supervisor Foe re-opened the public hearing for establishing a new Local Law, entitled, "A Local Law Amending the Zoning Ordinance of the Town of Cambria to Regulate Accessory Structures on Parcels of Five (5) Acres or More and to Conform the Accessory Building Provisions to the Agriculture and Markets Law" at 7:01 pm.

No comments, Supervisor Foe closed the Public Hearing 7:02 pm.

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 5th day of November, 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 Extending for an Additional Nine (9) Months the Moratorium on all Utility-Scale Electrical and Battery Energy Storage Systems (BESS) within the Town" an abstract of which is as follows:

Said Local Law would extend the present moratorium on the processing, permitting and/or construction of all Utility-Scale Electrical and Battery Energy Storage Systems (whether or not developed in conjunction with a Solar Energy production component) within the Town for an additional 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.

Public hearing opened at 7:03 pm.

No comments, Supervisor Foe closed the Public Hearing 7:05 pm.

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 5th day of November, 2026, at 7:00 p.m., at the Town Hall, 4160 Upper Mountain Road, Sanborn, New York 14132, to consider a Site Plan Application filed by Tyler Booth and the Forsyth-Warren Tavern, Living History Farm and Museum, for Site Plan approval relative to the property located at 5182 Ridge Road, Lockport, New York 14094 (SBL# 79.00-2-19.12), which was previously rezoned to a Planned Development District, to operate a Living History Farm and Museum.

The complete Site Plan Application 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.

Public hearing opened at 7:06 pm.

No comments, Supervisor Foe closed the Public Hearing 7:07 pm.

Town of Cambria
Notice of Public Hearing

PLEASE TAKE NOTICE that the Town Board of the Town of Cambria will conduct public hearings on the matters referred to herein at the Town Hall, 4160 Upper Mountain Road, Town of Cambria, NY on the 5th day of November 2026 at 7:00 PM. Said public hearings shall be as follows:

1. Any objections to the 2026 Assessment Roll for the following Districts:

	Amount to be Raised by Taxes:
Cambria Water District……...…	$611,597.00
Cambria Fire District……..	$691,818.00
Cambria Refuse & Garbage District……	$519,551.00
Cambria Sewer District No. 1……..	$387,421.00
Cambria Drainage District ……..	$ 49,039.00

All persons interested shall be heard at the public hearing to be held by the Town Board as aforesaid relative to assessments and amounts to be raised in said districts.

2. Fire Contracts: The Town Board of the Town of Cambria will consider allocations as follows and authorization to enter into contracts with fire companies protecting areas of said Town for fire protection. The fire companies and amounts to be allocated for the year 2027 are as follows:

Cambria Volunteer Fire Company	$272,208.00
Cambria Volunteer Fire Company Ambulance Service	$ 63,925.00
Pekin Fire Company	$237,633.00
Pekin EMS Contract	$ 45,109.00
Sanborn Fire Company	$ 20,401.00

With an additional allocation of $40,000.00 for the Service Award Program.

3. The Town Board will conduct a public hearing on the 2027 Preliminary Budget. A copy of the 2027 Preliminary budget is available at the office of the Town Clerk, 4160 Upper Mountain Road, Town of

Cambria, NY, where it may be inspected by any interested person during regular office hours. The proposed salaries of the elected officials are hereby specified:

Supervisor	$36,400.00	
Councilman	$9,538.00	each
Justice	$27,040.00	each
Town Clerk	$69,980.00	
Tax Collector	$8,653.00	
Highway Superintendent	$81,120.00	

Further Notice is hereby given that pursuant to Real Property Tax Law Section 495, the Exemption Report that shows total assessed values on the final assessment roll that was used in the budgetary process that is exempt from taxation is on file with the 2027 Preliminary Budget.

All parties in interest and citizens will be heard at the public hearings to be held as aforesaid.

Public hearing opened at 7:10 pm.

Supervisor Foe presented a power point with budget information.

No comments, Supervisor Foe closed the Public Hearing 7:19 pm.

7:20 pm 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 Musall and seconded by Councilman Brachmann it was resolved to approve the minutes of the Town Board meetings of October 5, 2026 at 2pm & 6:30pm, October 8, 2026, October 14, 2026 and October 21, 2026.

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:

November 5, 2026

ACCOUNT	AMOUNT
Drainage	**$1,046.08**
Fire	**$1,303.00**
General	**$133,844.14**
Highway	**$203,766.33**
Refuse	**$733.25**
Sewer	**$48,210.21**
Water Operating	**$12,851.93**

Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Roberts it was resolved to approve the abstract of audited vouchers dated November 5, 2026, be approved as read by the Town Clerk.

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

OLD BUSINESS

WENDEL PROJECT UPDATES

- Tim Walck reported the bid opening for the Baer Road culvert project was this morning with seven bids received, they will review and run it through the DOT and anticipate having a recommendation for the December Town Board meeting. The project will take place in summer 2027.

REPORTS

SUPERVISOR

Supervisor Foe reported as follows:

- Veteran's Day celebration on November 11 at 11am at the Town Hall.
- The Town Hall will be closed November 11, 26 & 27 for the holidays.
- Grant writer – enter into 1 year contract.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam it was resolved to approve the Supervisor to enter into a contract with the approval of the Town Attorney with Barton and Loguidice for a term of one year.

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

- Met with Tenney's Office for grant opportunities.
- Meeting next week for community solar.

TOWN CLERK REPORTS

Paula N. Jones, Deputy Town Clerk, reported as follows:

- Town Clerk Report October: Total Receipts: $ 15,022.24

- Building Inspector Report October: Total fees collected: $ 6,059.25
  Estimated value of construction: $ 1,025,375.60

- In receipt of a letter from Cambria Volunteer Fire Company requesting the addition of Calirea Zoladz, Independence Drive, Lockport, NY to their active roster, pending receipt of physical paperwork.

Upon a motion duly made by Councilman Musall and seconded by Councilwoman Brachmann it was resolved to approve the addition of Calirea Zoladz, Independence Drive, Lockport, NY to the Cambria Volunteer Fire Company active roster, pending receipt of physical paperwork.

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

HIGHWAY SUPERINTENDENT REPORTS

Steven Kroening, Highway Superintendent reported as follows:

HIGHWAY:

- Shunpike Road construction is finally completed.
- Installing lawn & driveway culverts.
- New excavator is here and out ditching.
- Servicing trucks and installing salt and plowing equipment.

CEMETERY

- We have had several recent internments.

WATER

- Flushing & winterizing hydrants and dead-end lines.
- Currently installing replacement meters.

SEWER

- Sewer jetting cross culverts on various roads.

BLDGS & GROUNDS

- Final mowing done.
- Waiting for quotes on the Town Hall roof repair and heating system

ATTORNEY

Local Law #7 A Local Law Amending the Town of Cambria Zoning Ordinance by Transferring Special Use Permit Jurisdiction to the Planning Board

PLANNING BOARD SPECIAL USE PERMIT JURISDICTION TRANSFER LOCAL LAW - SEQR NEGATIVE DECLARATION RESOLUTION

WHEREAS, the Town Board of the Town of Cambria (the "Town Board") is considering the adoption of a proposed Local Law of 2026 entitled, "A Local Law Amending the Town of Cambria Zoning Ordinance by Transferring Special Use Permit Jurisdiction to the Planning Board" (the "Proposed Local Law"); and
WHEREAS, the Proposed Local Law would amend the Town of Cambria Zoning Ordinance to transfer the authority to review, consider, condition, grant, and deny applications for special use permits (referred to in the Zoning Ordinance as special permits, special exceptions, and special uses) from the Town of Cambria Zoning Board of Appeals to the Town of Cambria Planning Board, and would consolidate such review with the site plan review already conducted by the Planning Board, pursuant to Section 274-b of the Town Law of the State of New York; and
WHEREAS, the Proposed Local Law changes only the municipal board that reviews and decides special use permit applications, and makes no change to any permitted or special-exception use, any zoning district boundary, or any density, area, yard, height, or other dimensional or substantive standard of the Zoning Ordinance; and
WHEREAS, the Zoning Board of Appeals retains its authority to hear and decide administrative appeals under Section 267-a of the Town Law and to grant use and area variances under Section 267-b of the Town Law; and
WHEREAS, the Proposed Local Law directs that the Planning Board shall comply with the State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law) and its implementing regulations in its review of individual special use permit applications, so that project-level environmental review of each future application is preserved; and
WHEREAS, the adoption of a local law amending the Zoning Ordinance is an "action" subject to review under the State Environmental Quality Review Act ("SEQRA") and its implementing regulations at 6 NYCRR Part 617; and
WHEREAS, the Town Board has determined that the Proposed Local Law is not a Type I action, because a purely procedural reallocation of special use permit review authority does not fall within any category of the Type I list in 6 NYCRR 617.4(b), including the adoption of a land use plan, the initial adoption of comprehensive zoning regulations, or a change in allowable uses within a zoning district affecting 25 or more acres; and
WHEREAS, the Town Board has classified the Proposed Local Law as an Unlisted action under 6 NYCRR 617.2; and
WHEREAS, the Town Board proposes to adopt its own local law and no other agency has jurisdiction to fund or approve the action, such that the Town Board is the sole lead agency for the purpose of determining the significance of the action under 6 NYCRR 617.6; and

WHEREAS, the Town Board has caused a Short Environmental Assessment Form to be prepared and completed for the Proposed Local Law in accordance with 6 NYCRR 617.6(a)(3) and 617.20 (Appendix B); and

WHEREAS, the Town Board has reviewed the Proposed Local Law, the completed Short Environmental Assessment Form (Parts 1 and 2), and the criteria for determining significance set forth in 6 NYCRR 617.7(c), and has identified the relevant areas of environmental concern; and

WHEREAS, to determine that an environmental impact statement will not be required, the lead agency must determine either that there will be no adverse environmental impacts or that the identified adverse environmental impacts will not be significant;

NOW, THEREFORE, BE IT RESOLVED by the Town Board of the Town of Cambria as follows:

1. **Lead Agency.** The Town Board hereby declares itself the lead agency for the environmental review of the Proposed Local Law.

2. **Classification.** The Proposed Local Law is classified as an Unlisted action under SEQRA and 6 NYCRR Part 617.

3. **Determination of Non-Significance.** Based upon its review of the Proposed Local Law, the completed Short Environmental Assessment Form, and the criteria in 6 NYCRR 617.7(c), the Town Board determines that the Proposed Local Law will not result in any significant adverse impact on the environment, and hereby issues this Negative Declaration.

4. **Reasoned Elaboration.** The Town Board's determination is supported by the following reasons:

(a) The Proposed Local Law authorizes no physical development, construction, or land disturbance. It reallocates a pre-existing review authority between two municipal boards.

(b) The Proposed Local Law makes no change to any permitted or special-exception use, zoning district boundary, density, or area, yard, height, or other dimensional or substantive standard, and therefore causes no change in the use or intensity of use of land.

(c) Because no physical undertaking is authorized, none of the significance indicators in 6 NYCRR 617.7(c) is implicated — including any substantial change in air quality, water quality or quantity, traffic, or noise; any effect on vegetation, wildlife, habitat, or threatened or endangered species; any impairment of a critical environmental area, historic or archaeological resources, or community character; any material conflict with the Town's adopted plans or goals; any change in energy use; any hazard to human health; or any disproportionate pollution burden on a disadvantaged community.

(d) The Proposed Local Law promotes, rather than conflicts with, the orderly and consistent administration of land use by consolidating special use permit review and site plan review before a single board.

(e) Project-level SEQRA review of each individual special use permit application is unaffected and will continue to be conducted, now by the Planning Board.

5. **Filing and Publication.** The Supervisor and Town Clerk are authorized and directed to file, publish, and distribute this Negative Declaration in accordance with 6 NYCRR 617.7 and 617.12.

6. **Effective Date.** This resolution shall take effect immediately.

Upon a motion duly made by Councilman Hurtgam and seconded by Councilwoman Brachmann it was resolved to approve the negative SEQR declaration as read by the Attorney.

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.

Resolution Adopting Local Law No. 7 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 5th day of November, 2026, upon the question of the enactment of "A Local Law Amending the Town of Cambria Zoning Ordinance by Transferring Special Use Permit Jurisdiction to the Planning Board"; and

WHEREAS, acting as lead agency under the State Environmental Quality Review Act (6 NYCRR Part 617), the Town Board classified the Action as an Unlisted action and, by separate resolution, issued a Negative Declaration determining that the Action will not result in any significant adverse environmental impact; and

WHEREAS, the Town of Cambria referred the Local Law to the Cambria Planning Board, which recommended that the proposed Local Law be enacted: 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 September 21, 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/or Town Law Section 64), and received no objection from same.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Cambria that "A Local Law Amending the Town of Cambria Zoning Ordinance by Transferring Special Use Permit Jurisdiction to the Planning Board" is hereby enacted and effective upon its filing with the New York State Department of State.

Upon a motion duly made by Councilman Musall and seconded by Councilwoman Brachmann it was resolved to adopt Local Law No. 7 of 2026 A Local Law Amending the Town of Cambria Zoning Ordinance by Transferring Special Use Permit Jurisdiction to the Planning Board.

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.

LOCAL LAW NO. 7 OF THE YEAR 2026

TOWN OF CAMBRIA

COUNTY OF NIAGARA, STATE OF NEW YORK

A Local Law Amending the Town of Cambria Zoning Ordinance by Transferring Special Use Permit Jurisdiction to the Planning Board

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

SECTION 1. TITLE.
This Local Law shall be known and may be cited as "A Local Law Amending the Town of Cambria Zoning Ordinance by Transferring Special Use Permit Jurisdiction to the Planning Board."

SECTION 2. LEGISLATIVE INTENT AND PURPOSE.
The Town Board of the Town of Cambria finds that applications for special use permits — referred to in the Town of Cambria Zoning Ordinance (the "Zoning Ordinance") variously as "special permits," "special exceptions," and "special uses" — presently are reviewed and decided by the Town of Cambria Zoning Board of Appeals, while site plan review of the same projects is conducted by the Town of Cambria Planning Board. Consolidating special use

permit review and site plan review in a single board will eliminate duplicative proceedings, promote consistent land use determinations, and provide a more efficient and predictable process for applicants and the public.

Section 274-b(2) of the Town Law of the State of New York authorizes the Town Board, as part of a zoning ordinance or local law, to authorize the Planning Board or such other administrative body as it shall designate to grant special use permits. The Town Board hereby exercises that authority to designate the Planning Board as the board authorized to review, consider, and decide applications for special use permits under the Zoning Ordinance.

Nothing in this Local Law is intended to alter, diminish, or transfer any other power or duty of the Zoning Board of Appeals, including its authority to hear and decide administrative appeals under Section 267-a of the Town Law and to grant use and area variances under Section 267-b of the Town Law.

SECTION 3. AUTHORITY.
This Local Law is enacted pursuant to the Municipal Home Rule Law and Sections 261, 263, 264, 265, and 274-b of the Town Law of the State of New York.

SECTION 4. RULES OF CONSTRUCTION; GENERAL SUBSTITUTION.
Except as otherwise expressly provided in this Local Law, and throughout the Zoning Ordinance, every reference or grant of authority to the "Zoning Board of Appeals," the "Board of Appeals," or the "Zoning Board" to receive, review, consider, refer, hear, condition, grant, deny, extend, renew, revoke, or otherwise decide an application for a special permit, special exception, or special use (a "special use permit") is hereby amended to refer to, and to vest that authority in, the **Planning Board** of the Town of Cambria. Corresponding procedural references — including references to reports or recommendations "to" or "from" the Planning Board that were premised on the Zoning Board of Appeals acting as the deciding body — shall be construed and applied consistent with the Planning Board serving as the board that decides such applications, so that no application requires a report or recommendation from the Planning Board to itself.

This Section governs any special use permit provision of the Zoning Ordinance not specifically amended below; the specific amendments in Sections 5 through 11 are provided for clarity and do not limit the general substitution effected by this Section.

SECTION 5. AMENDMENT OF SECTION 1100 (USES PERMITTED AS SPECIAL EXCEPTIONS).
The introductory paragraph of Section 1100 of the Zoning Ordinance is hereby amended to read as follows:

> As provided by §274-b of the Town Law of the State of New York and authorized by the Town Board, the Planning Board shall consider requests for Special Permits (special provisions, special exceptions, special uses). Consideration of all requests hereunder by the Planning Board shall be made after public notice and public hearing under conditions set forth in this Article.

Within the district lists of Section 1100, including subsection 1(21) governing farm ponds and recreational ponds, each reference to "The Zoning Board" granting or acting upon a special permit is amended to read "The **Planning Board**."

SECTION 6. AMENDMENT OF SECTION 1101 (CONDITIONS FOR THE GRANTING OF SPECIAL PERMITS).
Section 1101 of the Zoning Ordinance is hereby amended as follows:

(a) Subsection 1 is amended to read: Such special permits may be authorized by the Planning Board initially for one year only … In granting Special Permits, the Planning Board shall consider whether the requested use meets the following conditions: (the enumerated conditions in subsections 1(a) through 1(g) are unchanged).

(b) Subsection 1(h) is amended to read: In the discretion of the Planning Board the permit may be reviewed upon its expiration and extended for an additional one year period or for such other period of time not to exceed five years which may be established by the Planning Board if conditions of area have not changed. Special permits are renewable without the necessity of a public hearing.

(c) Subsection 2 is amended to read: "The Planning Board shall consider all information before it at the meeting at which the request for the special permit is considered."

(d) Subsection 3 is amended to read: "To assist the Planning Board in its determination, an application for a permit under this section shall be accompanied by plans and other descriptive matter sufficient to clearly portray the intentions of the applicant, and such plans and other descriptive matter shall become a part of the record."

SECTION 7. AMENDMENT OF SPECIAL PERMIT PROVISIONS IN ARTICLES III THROUGH X.

(a) The provision of the Zoning Ordinance requiring that all other structures and uses shall require a special permit and approval of the Planning Board as provided in Article XI hereof, unless prohibited by Section 701 herein, is amended as shown.

(b) The sign provision providing that any additional sign shall be subject to approval by the Planning Board by Special Permit pursuant to Section 1101 of this Ordinance is amended as shown.

(c) The Bed and Breakfast provision requiring that no person shall operate a Bed and Breakfast establishment without first having obtained a Special Permit from the Planning Board, site plan approval from the Planning Board and a building permit from the office of the Building Inspector is amended as shown.

(d) All other provisions of Articles III through X that require a special permit "issued pursuant to Section 1100" or "Section 1101" (including, without limitation, the excavation provision) shall be administered by the Planning Board, no board being separately named in those provisions.

SECTION 8. AMENDMENT OF SECTION 1130 (SPECIAL PERMITS AND/OR SITE PLAN APPROVALS FOR AGRICULTURAL TOURISM, ETC.).

Section 1130 of the Zoning Ordinance is hereby amended as follows:

(a) Each reference to "the Zoning Board" as the body that "may grant a Special Permit," "shall determine whether such Special Permit should be granted," or by which a Special Permit "is granted" (including in subsections 1130(5), 1130(6)(c), 1130(9), and the Special Events provisions) is amended to refer to the **Planning Board**. (Town of Cambria Zoning Ordinance § 1130)

(b) Because the Planning Board becomes both the board deciding the Special Permit and the board conducting site plan review, the internal referral mechanism is amended so that no referral of the Special Permit Application from the Zoning Board to the Planning Board "for its report or recommendation" is required. Accordingly:

(i) Subsection 1130(6)(a) is amended to read: "Upon receipt of a complete Special Permit Application, the Planning Board shall review the application in conjunction with the related application for Site Plan Approval.

(ii) Subsection 1130(6)(c) is amended to read: "After consideration of the input received from the Public Hearing and all other information before it, including the Application for the Special Permit, the Planning Board shall determine whether such Special Permit should be granted, and if so, upon what terms and conditions."

(iii) Subsection 1130(10)(b) is amended to read: "After reviewing an application for the Special Permit (if applicable), and application for Site Plan Approval, the Planning Board shall decide the application for the Special Permit (if applicable) and issue the Preliminary or Final Site Plan Approval, as applicable, in a single consolidated determination."

(c) All references in Section 1130 to a Special Permit "validly granted by the Zoning Board" are amended to read "validly granted by the **Planning Board**."

SECTION 9. AMENDMENT OF SECTION 1203 (BOARD OF APPEALS — POWERS AND DUTIES).

Section 1203 of the Zoning Ordinance is hereby amended as follows:

(a) Subsection 3(b) (Special Exceptions) is amended to read: "Reserved. Authority to hear and decide applications for special permits, special exceptions, and special uses under Section 1100 and Article XI, and to authorize the issuance of special permits pursuant to New York State Town Law Section 274-b, is vested in the Planning Board pursuant to Section 1208 of this Ordinance."

(b) Subsections 3(a) (Administrative Review) and 3(c) (Variances) are **unchanged**; the Zoning Board of Appeals retains full authority to hear administrative appeals under Town Law Section 267-a and to grant use and area variances under Town Law Section 267-b.

(c) Subsection 3(d) (Reference to Niagara County Planning Board) is amended to add the following to the end of said Section: "With respect to a proposed special permit, the referral required by Sections 239-l and 239-m of the General Municipal Law shall be made by the **Planning Board**, and the words 'the Board of Appeals may act' and 'the Board of Appeals shall not act contrary' shall, as to special permits, be read as the Planning Board may act and the Planning Board shall not act contrary. Referrals concerning variances remain with the Zoning Board of Appeals."

(d) In Subsections 4 and 5, each reference to an "application for a special permit" and to the "Board of Appeals" acting upon such an application (including the fixing of a hearing, the giving of notice, and the rendering of a decision) is deleted from the Zoning Board of Appeals' procedures and transferred to the Planning Board as provided in Section 1208 below. The Zoning Board of Appeals' procedures in Subsections 4 and 5 otherwise remain in effect for administrative appeals and variances.

SECTION 10. NEW SECTION 1208 (PLANNING BOARD SPECIAL USE PERMIT PROCEDURES).
The Zoning Ordinance is hereby amended to add a new Section 1208 to read as follows:

Section 1208. PLANNING BOARD REVIEW OF SPECIAL USE PERMITS.

1. **Authorized board.** Pursuant to Section 274-b of the Town Law and Section 1100 of this Ordinance, the Planning Board is the board authorized to review, consider, condition, grant, and deny applications for special permits, special exceptions, and special uses under this Ordinance.

2. **Application.** An application for a special permit shall be filed with the Planning Board (through the Code Enforcement Officer) and shall be accompanied by the plans and descriptive matter required by Section 1101 and, where applicable, Section 1130. Where a project requires both a special permit and site plan approval, the Planning Board shall review and decide both in a consolidated proceeding.

3. **Public hearing.** The Planning Board shall conduct a public hearing within sixty-two (62) days from the day a complete application is received. Public notice of the hearing shall be published in a newspaper of general circulation in the Town at least five (5) days prior to the hearing.

4. **County and other notice.** At least ten (10) days before the hearing, the Planning Board shall mail notice to the applicant and, where required by Sections 239-l and 239-m of the General Municipal Law, to the Niagara County Planning Board, together with a full statement of the proposed action; and shall give such other notice as this Ordinance requires.

5. **Decision.** The Planning Board shall decide the application within sixty-two (62) days after the public hearing. The time may be extended by mutual consent of the applicant and the Planning Board. The decision shall be filed in the office of the Town Clerk within five (5) business days and a copy mailed to the applicant.

6. **Conditions.** The Planning Board may impose such reasonable conditions and restrictions as are directly related to and incidental to the special permit, as authorized by Section 274-b(4) of the Town Law and Section 1101 of this Ordinance.

7. **SEQRA.** The Planning Board shall comply with the State Environmental Quality Review Act (Article 8 of the Environmental Conservation Law) and its implementing regulations.

8. **Area variance.** Where a proposed special permit contains one or more features that do not comply with the zoning regulations, application may be made to the Zoning Board of Appeals for an area variance pursuant to Section 267-b of the Town Law, without the necessity of a decision or determination of an administrative official, as provided in Section 274-b(3) of the Town Law.

9. **Court review.** Any person aggrieved by a decision of the Planning Board on a special permit may seek review by a proceeding under Article 78 of the Civil Practice Law and Rules, instituted within thirty (30) days after the filing of the decision in the office of the Town Clerk, as provided in Section 274-b(9) of the Town Law.

SECTION 11. CONFORMING AMENDMENT TO FEE SCHEDULE.
Section 1207 of the Zoning Ordinance (Fees) is unchanged in amount. The fee for a "Special permit or exceptions as provided in Article XI of the Zoning Ordinance" shall be paid to the Town in connection with an application to the Planning Board.

SECTION 12. PENDING APPLICATIONS.
Any application for a special permit that is pending before the Zoning Board of Appeals on the effective date of this Local Law shall be transferred to and determined by the Planning Board, which may rely on the record developed before the Zoning Board of Appeals. Any special permit granted by the Zoning Board of Appeals before the effective date of this Local Law remains valid according to its terms, and any renewal, extension, amendment, or revocation of such a permit shall be determined by the Planning Board.

SECTION 13. REPEALER.
All ordinances, local laws, and parts thereof inconsistent with this Local Law are hereby repealed to the extent of such inconsistency.

SECTION 14. SEVERABILITY.
If any clause, sentence, paragraph, section, or part of this Local Law is adjudged invalid by a court of competent jurisdiction, such judgment shall not affect, impair, or invalidate the remainder of this Local Law, but shall be confined in its operation to the clause, sentence, paragraph, section, or part directly involved in the controversy.

SECTION 15. EFFECTIVE DATE.
This Local Law shall take effect immediately upon filing with the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Local Law No. 8 A Local Law Amending the Zoning Ordinance of the Town of Cambria to Regulate Accessory Structures on Parcels of Five (5) Acres or More and to Conform the Accessory Building Provisions to the Agriculture and Markets Law

TOWN OF CAMBRIA TOWN BOARD
SEQR NEGATIVE DECLARATION RESOLUTION

WHEREAS, the Town Board of the Town of Cambria is considering the adoption of a proposed Local Law entitled "A Local Law Amending the Zoning Ordinance of the Town of Cambria to Regulate Accessory Structures on Parcels of Five (5) Acres or More and to Conform the Accessory Building Provisions to the Agriculture and Markets Law" (the "Proposed Local Law"), which establishes setback, height, separation, placement, and aggregate square-footage standards for accessory structures on parcels of five acres or more, conforms the barn and farm-building setbacks of Section 303(4) to the generally applicable standard, and adds provisions ensuring that the Town's accessory-building and farm-structure regulations are administered consistently with the Agriculture and Markets Law; and

WHEREAS, the adoption of the Proposed Local Law is an "action" within the meaning of the State Environmental Quality Review Act ("SEQR"), Article 8 of the Environmental Conservation Law, and its implementing regulations at 6 NYCRR Part 617, because it is the adoption of a local law that may affect the environment; and

WHEREAS, the Town Board has reviewed the Proposed Local Law, the completed Environmental Assessment Form (the "EAF"), the criteria for determining significance set forth in 6 NYCRR 617.7(c), and other information available to it; and

WHEREAS, the Proposed Local Law does not adopt a municipal comprehensive plan, is not the initial adoption of the Town's comprehensive zoning regulations, and does not adopt changes in the allowable uses within any zoning district affecting 25 or more acres, but instead establishes dimensional and regulatory standards and conforming provisions, such that the action is properly classified as an **Unlisted action** under 6 NYCRR Part 617; and

WHEREAS, the Town Board further finds that the provision of the Proposed Local Law recognizing a farm operation as a permitted use in every zoning district within a New York State-certified agricultural district is declaratory of, and does not enlarge, the permission already required by Section 305-a of the Agriculture and Markets Law and Section 283-a of the Town Law, under which such farm operations are already allowable within the certified agricultural district by operation of State law; that the Proposed Local Law therefore does not adopt any change in the allowable uses within any zoning district; and that, for this additional reason, the action is not a Type I action under 6 NYCRR 617.4(b)(2) and is properly classified as an **Unlisted action**; and

WHEREAS, the Town Board is the only agency with jurisdiction to approve the Proposed Local Law, is therefore the sole involved agency, and is the appropriate lead agency for the SEQR review of this action; and

WHEREAS, the Town Board has determined that portions of the area affected by the Proposed Local Law lie within a New York State-certified agricultural district; that the operative standard governing the Town's land-use regulation of farm operations within such a district is Section 305-a of the Agriculture and Markets Law and Section 283-a of the Town Law, under which the Town may not unreasonably restrict or regulate farm operations within a certified agricultural district unless it can be shown that the public health or safety is threatened; that the notice-of-intent requirement of subdivision 4 of Section 305 of the Agriculture and Markets Law is not triggered by the adoption of this Local Law, because that requirement applies to the acquisition of land or the construction or funding of facilities and not to the enactment of a local law; and that the Proposed Local Law supports, rather than adversely affects, farm operations within the agricultural district; and

WHEREAS, the Town Board has referred the Proposed Local Law to the Cambria Planning Board, the Niagara County Planning Board pursuant to General Municipal Law § 239-m, and the neighboring municipalities pursuant to General Municipal Law § 239-nn and/or Town Law § 264, those referrals being separate from and in addition to this SEQR review; and

WHEREAS, having compared the reasonably expected impacts of the Proposed Local Law against the criteria in 6 NYCRR 617.7(c), the Town Board finds that the action will not result in any significant adverse environmental impact, for the reasons set forth in the Reasoned Elaboration below;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. Classification. The adoption of the Proposed Local Law is hereby classified as an **Unlisted action** under 6 NYCRR Part 617. The Town Board expressly finds that the Proposed Local Law does not adopt changes in the allowable uses within any zoning district affecting 25 or more acres, within the meaning of 6 NYCRR 617.4(b)(2), because its farm-operation provisions codify a permission already required by Section 305-a of the Agriculture and Markets Law and Section 283-a of the Town Law and do not change the uses allowable within any district.

2. Lead Agency. The Town Board, as the sole involved agency, hereby declares itself **lead agency** for the SEQR review of this action.

3. Negative Declaration. The Town Board hereby determines that the adoption of the Proposed Local Law **will not result in any significant adverse environmental impact**, and hereby issues this **Negative Declaration** in accordance with 6 NYCRR 617.7. No Environmental Impact Statement will be required.

4. Reasoned Elaboration. The determination in paragraph 3 is based on the following reasoned elaboration:

a. The Proposed Local Law is regulatory and dimensional in nature. It establishes and adjusts setback, height, separation, placement, and aggregate square-footage standards for accessory structures and conforms the Town's farm-structure provisions to State law. It authorizes no construction, physical alteration, ground disturbance, or site-specific development, and grants no approval for any specific project.

b. The action will not result in a substantial adverse change in air quality, water quality or quantity, traffic, or noise; will not cause erosion, flooding, or drainage problems; will not remove or destroy vegetation or fauna or affect any significant habitat, threatened or endangered species, or critical environmental area; and will not create a hazard to human health.

c. The action will not cause a substantial change in the use, or intensity of use, of land, including agricultural, open space, or recreational resources, or in the land's capacity to support existing uses. To the extent it affects farm operations, the Proposed Local Law relaxes and conforms restrictions and protects existing agricultural use consistent with the Agriculture and Markets Law.

d. The action creates no material conflict with the Town's Comprehensive Plan or other officially adopted plans or goals; to the contrary, it is consistent with the Town's status as a Right to Farm community and with the Comprehensive Plan's support for agriculture.

e. The action will not change the demand for energy, will not attract a large number of people to any place, will not create a demand for other actions with significant impacts, and presents no significant short-term, long-term, or cumulative impacts, whether considered individually or together.

5. Filing and Publication. The Town Clerk and Town officials are hereby authorized and directed to file, publish, and distribute this Negative Declaration as required by 6 NYCRR 617.12, and to maintain it with the record of this action.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam it was resolved to approve the negative SEQR declaration as read by the Attorney.

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.

Resolution Adopting Local Law No. 8 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 5th day of November, 2026, upon the question of the enactment of "A Local Law Amending the Zoning Ordinance of the Town of Cambria to Regulate Accessory Structures on Parcels of Five (5) Acres or More and to Conform the Accessory Building Provisions to the Agriculture and Markets Law"; and

WHEREAS, acting as lead agency under the State Environmental Quality Review Act (6 NYCRR Part 617), the Town Board classified the Action as an Unlisted action and, by separate resolution, issued a Negative Declaration determining that the Action will not result in any significant adverse environmental impact; and

WHEREAS, the Town of Cambria referred the Local Law to the Cambria Planning Board, which recommended that the proposed Local Law be enacted: 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 September 21, 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/or Town Law Section 64), and received no objection from same.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Cambria that "A Local Law Amending the Zoning Ordinance of the Town of Cambria to Regulate Accessory Structures on Parcels of Five (5) Acres or More and to Conform the Accessory Building Provisions to the Agriculture and Markets Law" is hereby enacted and effective upon its filing with the New York State Department of State.

Upon a motion duly made by Councilwoman Brachmann and seconded by Councilman Hurtgam it was resolved to adopt Local Law No. 8 of 2026 A Local Law Amending the Zoning Ordinance of the Town of Cambria to Regulate Accessory Structures on Parcels of Five (5) Acres or More and to Conform the Accessory Building Provisions to the Agriculture and Markets Law.

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.

LOCAL LAW NO. 8 OF THE YEAR 2026

TOWN OF CAMBRIA

COUNTY OF NIAGARA, STATE OF NEW YORK

A Local Law Amending the Zoning Ordinance of the Town of Cambria to Regulate Accessory Structures on Parcels of Five (5) Acres or More and to Conform the Accessory Building Provisions to the Agriculture and Markets Law

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

Section 1. Legislative Intent.

The Town Board finds that parcels of five (5) acres or more in the Agricultural and Residence Districts AR are increasingly used for larger detached accessory structures, and that reasonable limits on the aggregate size and placement of such structures are necessary to preserve adequate light, air, and open space, to protect adjoining properties, and to promote the public health, safety, and general welfare. The Town Board further finds and declares that the Town of Cambria is a Right to Farm community; that the majority of the Town lies within land zoned Agricultural and Residence and within one or more New York State-certified agricultural districts; that agriculture and farm operations are permitted in the AR District and in other zoning districts of the Town, including the R-1 Residence District and the Escarpment District; and that a certified agricultural district may overlap any of the Town's zoning districts. Accordingly, the Town Board finds that the Town's accessory-building, farm-structure, and farm-operation regulations must be enacted and administered, in every zoning district, so as not to unreasonably restrict or regulate farm operations, consistent with Section 305-a of the Agriculture and Markets Law and Section 283-a of the Town Law. This Local Law is adopted to establish reasonable standards for accessory structures on larger parcels and, at the same time, to bring the Town's accessory building, farm structure, and farm operation provisions, in all zoning districts, into conformity with State agricultural law. The Town Board further finds and declares that the farm-operation provisions of Section 5 of this Local Law — including the provision recognizing a farm operation as a permitted use in every zoning district within a New York State-certified agricultural district — are declaratory of, and do not enlarge, the protections and permissions already required by Section 305-a of the Agriculture and Markets Law and Section 283-a of the Town Law. Such farm operations are, and have been, allowable within a certified agricultural

district by operation of State law, and Section 5 does not adopt any change in the uses allowable within any zoning district of the Town.

Section 2. Amendment of Section 303(2), Exception (b) — Accessory Buildings on Parcels of Five Acres or More.

Section 303(2) of the Zoning Ordinance is amended by deleting Exception (b) in its entirety and replacing it with the following:

> **b. Five (5) acres or more.** No accessory building as defined herein shall be placed closer to the side or rear property lines than fifty (50) feet, and for every foot above twenty-five (25) feet in height an additional two (2) feet shall be required of the lot line setback; shall not be closer than twenty-five (25) feet to the principal structure; shall not be placed closer to the street line than the rear main wall of the principal structure; and, in the case of a lot abutting more than one street, shall not be placed closer to either street than the area of the foundation farthest from each street.

Section 3. Amendment of Section 303(5)(d) — Aggregate Square Footage on Parcels of Five Acres or More.

Section 303(5)(d) of the Zoning Ordinance is amended to read as follows:

> **d. Five (5) acres or more.** Accessory buildings shall be permitted with a maximum aggregate square footage not to exceed five thousand (5,000) square feet, subject to the setback and placement requirements of Section 303(2), Exception (b).

Section 4. Amendment of Section 303(4) — Barns and Buildings Used for Active Farm Operations.

Section 303(4) of the Zoning Ordinance is amended to read as follows:

> **4.** No barn or building used for active farm operations, other than a building containing less than one hundred fifty (150) square feet, shall be placed closer to a side or rear property line, or closer to the street line or principal dwelling, than the setbacks applicable to a detached accessory building of comparable height on the same parcel under Section 303(2) and its Exceptions. A setback greater than those otherwise applicable under Section 303(2) shall be imposed on such a barn or building only where the Town Board or its designee makes a specific written finding, supported by evidence in the record, that the greater setback is necessary because the public health or safety is threatened. Nothing in this subsection shall be enacted or administered so as to unreasonably restrict or regulate a farm operation within a certified agricultural district, as provided in Section 5 of this Local Law.

Section 5. Agriculture and Markets Law Conformance (All Zoning Districts).

A. Definition. As used in this Section, "farm operation" means the land and on-farm buildings, equipment, manure processing and handling facilities, and practices which contribute to the production, preparation, and marketing of crops, livestock, and livestock products as a commercial enterprise, as defined in Section 301(11) of the Agriculture and Markets Law, whether located on one or more parcels of owned or rented land, contiguous or noncontiguous.

B. General savings clause (all districts). Notwithstanding any other provision of this Zoning Ordinance, no setback, height, separation, placement, aggregate square-footage, number, lot-coverage, area, yard, or use limitation of this Zoning Ordinance — in any zoning district, including without limitation the Agricultural and Residence (AR) District (Sections 300 and 303), the R-1 Residence District (including Sections 402 and 404), the Escarpment District, and any other district in which agriculture or a farm operation is a permitted use — shall be enacted or administered so as to unreasonably restrict or regulate a farm operation located within a New York State-certified agricultural district, unless it can be shown that the public health or safety is threatened, consistent with Section 305-a of the Agriculture and Markets Law and Section 283-a of the Town Law.

C. Farm-operation carve-out. The accessory-building, farm-structure, area, yard, setback, placement, aggregate square-footage, number, and lot-coverage limitations of this Zoning Ordinance — including, without limitation, Sections 300(4), 303(2) and its Exceptions, 303(5), 402, and 404, and the corresponding provisions of any other zoning district — shall not be applied to a barn, building, or other structure that is part of a farm operation as defined in subsection A of this Section and located within a certified agricultural district. Such barns, buildings, and structures shall be governed by Section 303(4), as amended by this Local Law, and shall in all events be treated in accordance with subsection B of this Section.

D. Farm operations permitted in all districts within a certified agricultural district. To the extent any provision of this Zoning Ordinance would prohibit or restrict a farm operation, or a use that is part of a farm operation, on land located within a New York State-certified agricultural district, such provision shall not be enforced so as to unreasonably restrict or regulate the farm operation, unless it can be shown that the public health or safety is threatened. For the avoidance of doubt, and consistent with Section 305-a of the Agriculture and Markets Law, a farm operation shall be recognized as a permitted use on land located within a certified agricultural district in every zoning

district of the Town, subject to the provisions of this Section. This subsection confirms, and does not enlarge, a permission already required by State law.

E. Animal and manure structures. Any accessory structure that is part of a farm operation and is used for the housing or keeping of animals, or for the storage, processing, or handling of manure, shall be located in compliance with any setback required under the Agriculture and Markets Law and the applicable guidelines, standards, and opinions issued by the Commissioner of Agriculture and Markets. Where such a setback applies, it shall control, and no setback or placement requirement of this Zoning Ordinance shall be applied to require a lesser or greater setback for such structure.

F. Advisory opinion. Upon the request of the Town, a farm owner or operator, or a person or entity performing agricultural practices on behalf of a farm owner or operator, the Town shall cooperate in obtaining an opinion of the Commissioner of Agriculture and Markets, pursuant to Section 305-a(1)(b) of the Agriculture and Markets Law, as to whether any provision of this Zoning Ordinance would unreasonably restrict or regulate farm operations.

G. Building Code and health-and-safety reservation. Nothing in this Section shall be construed to exempt any structure from the New York State Uniform Fire Prevention and Building Code or from any generally applicable requirement necessary to abate a demonstrated threat to public health or safety.

Section 6. Amendment of Section 300(4) — Accessory Buildings in the Agricultural and Residence (AR) District.

Section 300(4) of the Zoning Ordinance is amended to read as follows:

> **4.** Accessory use buildings or structures including private garages as defined herein. Two buildings (only one of which may be a garage) unattached to a principal structure and not exceeding 1,000 sq. ft. each, shall be allowed, except that in the Agricultural and Residence District AR the number, size, and aggregate square footage of accessory buildings, and their required setbacks and placement, shall instead be as provided in Section 303 of this Ordinance, including the land-requirement schedule of Section 303(5), and Section 303 shall control. This exception applies only within the AR District and does not alter the standard applicable in any other district that incorporates this subsection by reference. All structures, including accessory buildings, shall not exceed thirty-five percent (35%) of the total lot size. No accessory use building or other structure, including a private garage, shall be constructed until the principal building is completed or under construction.

Section 7. Severability.

If any clause, sentence, paragraph, section, or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 8. Effective Date.

This Local Law shall take effect immediately upon filing with the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Resolution Adopting Local Law No. 9 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 5th day of November, 2026, upon the question of the enactment of "A Local Law Extending for an Additional Nine (9) Months the Moratorium on all Utility-Scale Electrical and Battery Energy Storage Systems (BESS) within the Town"; 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 Cambria Planning Board, which recommended that the proposed Local Law be enacted: 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 October 19, 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/or Town Law Section 64), and received no objection from same.

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Cambria that "A Local Law Extending for an Additional Nine (9) Months the Moratorium on all Utility-Scale Electrical and Battery Energy Storage Systems (BESS) within the Town" is hereby enacted and effective upon its filing with the New York State Department of State.

Upon a motion duly made by Councilman Roberts and seconded by Councilwoman Brachmann it was resolved to adopt Local Law No. 9 of 2026 A Local Law Extending for an Additional Nine (9) Months the Moratorium on all Utility-Scale Electrical and Battery Energy Storage Systems (BESS) within the Town.

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.

FORSYTH TAVERN

Site Plan Application of Booth/Forsyth-Warren Tavern
SEQR Negative Declaration Resolution

WHEREAS, Tyler Booth and the Forsyth-Warren Tavern, Living History Farm and Museum (collectively, the "Applicant") have submitted an application for site plan review and approval (the "Site Plan Application") for the property commonly known as 5182 Ridge Road, Lockport, New York 14094, SBL #79.00-2-19.12, totaling approximately 5.037 acres located in the Town of Cambria, Niagara County, New York (the "Site"), for the establishment and operation of a living history farm and museum (the "Action"); and

WHEREAS, by Local Law No. 3 of 2026, the Town Board rezoned the Site from an Agricultural-Residential (AR) District to a Planned Development District (PDD), and granted the Applicant permission to develop such final site plan as may be reviewed and approved pursuant to § 288-904 of the Town of Cambria Zoning Ordinance, with site plan approval required before any use commences or any structure is erected on the Site; and

WHEREAS, in connection with the rezoning, and following a public hearing held on April 9, 2026, the Town Board, as lead agency, reviewed the environmental impacts of the rezoning and the project and issued a Negative Declaration determining that the rezoning would not result in any significant adverse environmental impact; and

WHEREAS, the Site is improved by the Forsyth-Warren Tavern, a structure dating to approximately 1805 that is listed on the New York State Register of Historic Places and the National Register of Historic Places, and the Action is an adaptive-reuse and restoration project the purpose of which is to preserve, restore, and interpret the Site and its historic structures for the educational benefit of the Town's residents and visitors; and

WHEREAS, pursuant to and consistent with Article 8 of the Environmental Conservation Law and the regulations adopted thereunder at 6 NYCRR Part 617 (collectively, "SEQR"), the Town Board has undertaken environmental review of the Action, has referred the Site Plan Application to the Town Planning Board for its review and recommendation pursuant to § 288-904 of the Zoning Ordinance, and has considered the Applicant's Short Environmental Assessment Form (the "EAF"), the Site Plan Application and supporting materials, the recommendation of the Town Planning Board, and the review and advice of the Town Engineer and the Town Attorney; and

WHEREAS, the Town Board has determined that the Action is properly classified as an **Unlisted action** under SEQR, and is not a Type I action, for the following reasons:

a. The Action does not meet or exceed any threshold for a Type I action set forth in 6 NYCRR 617.4. In particular, the Action does not involve the physical alteration of 10 acres, the construction of parking for 500

vehicles, the construction of a facility with more than 100,000 square feet of gross floor area, or the use of ground or surface water in excess of 2,000,000 gallons per day, and involves no residential units;

b. The historic-resource criterion at 6 NYCRR 617.4(b)(9) does not classify the Action as Type I. That paragraph reaches only an action that "exceeds 25 percent of any threshold established in this section." Twenty-five percent of the applicable 10-acre physical-alteration threshold is 2.5 acres. The total area of the Site proposed to be physically disturbed by the Action is less than one (1) acre — substantially less than 2.5 acres — so the Action does not exceed 25 percent of any threshold and the historic-resource criterion does not apply; and

c. In the alternative and as further support, 6 NYCRR 617.4(b)(9) excludes an action "designed for the preservation of the facility or site," and the Action is an adaptive-reuse and restoration project designed for the preservation of the Site and its Register-listed structures; and

WHEREAS, because the Action is an Unlisted action, the short-form EAF is the appropriate form for the determination of significance pursuant to 6 NYCRR 617.6(a)(3), and the Applicant has submitted a Short Environmental Assessment Form Part 1 that accurately describes the Action, its location, its purpose, and its potential impacts, including the less than one (1) acre of the Site proposed to be physically disturbed; and

WHEREAS, the Town Board has considered the Action as a whole, including the Applicant's long-term conceptual development plan (Phases A through H) and the reasonably related short-term, long-term, direct, indirect, and cumulative impacts of that plan, so that the environmental review of the Action has not been improperly segmented, it being understood that individual later phases will return to the Town Board for separate site plan review as they become ready for implementation; and

WHEREAS, the Town Board has reviewed the Action against the criteria for determining significance set forth in 6 NYCRR 617.7(c) and has identified the potential impact on important historic and archaeological resources as the relevant area of environmental concern, and has taken a hard look at that concern and determined that the Action will not result in any significant adverse environmental impact, for the following reasons set forth as the Board's reasoned elaboration:

a. **Historic and archaeological resources.** The area of the Site proposed for ground disturbance is limited and confined to the footprints of proposed utility trenches, the parking area, access-drive improvements, and building pads, comprising less than one (1) acre of the 5.037-acre Site. As an integral component of the Action, the Applicant has incorporated into the project a professional archaeological survey-and-avoidance protocol conforming to the standards of the New York State Historic Preservation Office (SHPO): a Phase I survey of all areas proposed for ground disturbance; where potentially significant resources are identified, Phase II site testing to define their extent and integrity; and, where significant deposits cannot be avoided by design, Phase III data recovery to be completed before any ground-disturbing construction in the affected area. The Phase I survey of the proposed disturbance area, together with the confined scope of disturbance and the avoidance-and-recovery protocol built into the Action, provide a sufficient basis for the Board to determine, on the present record, that the Action will not impair the character or quality of important historic or archaeological resources. All restoration and reconstruction work will be undertaken in conformance with the Secretary of the Interior's Standards for the Treatment of Historic Properties;

b. **Land use and community character.** The Action is a permitted use within the PDD, is consistent with the Town's Comprehensive Plan, and preserves the rural, agricultural, and historic character of the Site and the surrounding neighborhood;

c. **Water, drainage, and natural resources.** The Site benefits from favorable stormwater retention characteristics requiring no off-site discharge and no new stormwater infrastructure; the Action will not physically alter or encroach upon any regulated wetland or waterbody, is not located within a designated Critical Environmental Area or the 100-year floodplain, and will not result in any significant adverse change to natural resources; and

d. **Traffic, utilities, and community facilities.** The Action will not result in a substantial increase in traffic above present levels or in any significant adverse impact on existing transportation, water, or wastewater infrastructure; and

WHEREAS, the Town Board finds that it has before it sufficient information to determine that the Action will not have a significant adverse impact on the environment, and that no adverse environmental impact identified in the course of this review is significant;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Cambria hereby:

10. **Classifies** the Action — the Site Plan Application of Tyler Booth and the Forsyth-Warren Tavern, Living History Farm and Museum for the property at 5182 Ridge Road, Lockport, New York 14094, SBL #79.00-2-19.12 — as an **Unlisted action** under SEQR;

11. **Confirms** its status as **lead agency** for the environmental review of the Action;

12. **Determines and declares**, based upon its examination of the EAF, the Site Plan Application and supporting materials, the recommendation of the Town Planning Board, the advice of the Town Engineer and Town Attorney, and the reasoned elaboration set forth above, that the Action **will not result in any significant adverse environmental impact**, and accordingly **issues this NEGATIVE DECLARATION**; and

13. **Directs** the Town Clerk and appropriate Town officials to file, publish, and maintain this Negative Declaration in accordance with 6 NYCRR 617.12 and to take such further actions as may be necessary to implement this Resolution.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Musall it was resolved to approve the negative SEQR declaration as read by the Attorney.

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.

BOOTH/FORSYTH SITE PLAN APPROVAL RESOLUTION

WHEREAS, Tyler Booth and the Forsyth-Warren Tavern, Living History Farm and Museum (collectively, the "Applicant") have submitted an application for site plan review and approval (the "Site Plan Application") for the property commonly known as 5182 Ridge Road, Lockport, New York 14094, SBL #79.00-2-19.12, totaling approximately 5.037 acres located in the Town of Cambria, Niagara County, New York (the "Site"), for the establishment and operation of a living history farm and museum (the "Action"); and

WHEREAS, by Local Law No. 3 of 2026, the Town Board rezoned the Site from an Agricultural-Residential (AR) District to a Planned Development District (PDD) and granted the Applicant permission to develop such final site plan as may be reviewed and approved pursuant to § 288-904 of the Town of Cambria Zoning Ordinance, with site plan approval required before any use commences or any structure is erected on the Site; and

WHEREAS, pursuant to § 288-904, the Site Plan Application was made to the Town Board and referred to the Town Planning Board, which reviewed the Site Plan Application and supporting materials and, on September 21, 2026, recommended approval of the Site Plan Application to the Town Board; and

WHEREAS, acting as lead agency under the State Environmental Quality Review Act (6 NYCRR Part 617), the Town Board classified the Action as an Unlisted action and, by separate resolution, issued a Negative Declaration determining that the Action will not result in any significant adverse environmental impact; and

WHEREAS, pursuant to General Municipal Law § 239-m, the Town Board referred the Site Plan Application to the Niagara County Planning Board, which on October 19, 2026 recommended approval; and

WHEREAS, because the Site lies within 500 feet of the boundaries of the neighboring Towns of Lockport, Newfane, and Wilson, the Town Board gave notice of the public hearing on the Site Plan Application to the clerk of each such adjacent municipality at least ten days before the hearing, in accordance with General Municipal Law § 239-nn, affording each adjacent municipality the opportunity to appear and be heard; and

WHEREAS, the Town Board held a duly noticed public hearing on the Site Plan Application on November 5, 2026, at which all interested persons were afforded an opportunity to be heard, and the Town Board has considered all comments received; and

WHEREAS, the Town Board has reviewed the site plan drawings and supporting materials submitted with the Site Plan Application, including the site plan, utility, and topographic sheets (C-101, C-201, C-301, and T-101) and the architectural plans, and has evaluated the proposed structures, signage, access ways, interior circulation, parking, loading, utilities (water, sewage, drainage, fire, and electric), landscaping, and buffers in accordance with § 288-904; and

WHEREAS, the Site benefits from favorable stormwater retention characteristics requiring no off-site discharge and no new stormwater infrastructure, and the Action is consistent with the permitted uses of the PDD and with the goals and objectives of the Town's Comprehensive Plan, including the preservation of the rural, agricultural, and historic character of the Town; and

WHEREAS, the Applicant has incorporated into the Action a professional archaeological survey-and-avoidance protocol conforming to the standards of the New York State Historic Preservation Office (SHPO), and has committed to undertake all restoration and reconstruction work in conformance with the Secretary of the Interior's Standards for the Treatment of Historic Properties; and

WHEREAS, the Site Plan Application presents a phased development plan (Phases A through H), and the Applicant acknowledges that each phase beyond the phases approved by this Resolution will be subject to separate site plan review and approval by the Town Board as it becomes ready for implementation; and

WHEREAS, the Town Board has considered the recommendation of the Town Planning Board, the recommendation of the Niagara County Planning Board, the comments received at the public hearing, the review and advice of the Town Engineer and the Town Attorney, and all materials submitted in connection with the Site Plan Application, and finds that the Site Plan Application, as conditioned below, satisfies the requirements of § 288-904 and is appropriate for approval;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Cambria hereby:

1. **Approves** the Site Plan Application of Tyler Booth and the Forsyth-Warren Tavern, Living History Farm and Museum for the Site at 5182 Ridge Road, Lockport, New York 14094, SBL #79.00-2-19.12, as depicted on the site plan drawings identified above for Phases A and B of the development plan, pursuant to § 288-904 of the Town of Cambria Zoning Ordinance, subject to the conditions set forth below;

2. **Conditions** this approval upon the following:

a. The Action shall be developed and operated in compliance with the Town Board's SEQR Negative Declaration for the Action, including the archaeological survey-and-avoidance protocol incorporated into the Action: a SHPO Phase I survey of all areas proposed for ground disturbance; where potentially significant resources are identified, Phase II site testing; and, where significant deposits cannot be avoided by design, Phase III data recovery completed before any ground-disturbing construction in the affected area;

b. All structures and buildings shall be placed upon a continuous concrete foundation below the frost line as appropriate and necessary, and all streets, parking areas, turnarounds, and water, sewage, drainage, fire, and electric facilities shall be installed in accordance with the standard specifications and procedures required by the appropriate Town, county, and state departments, as required by § 288-904;

c. The Applicant shall obtain all other approvals and permits required for the Action, including approval of any sewage disposal system by the Niagara County Health Department and any review required by SHPO under § 14.09 of the Parks, Recreation and Historic Preservation Law;

d. Each phase of the development plan beyond the phase(s) approved by this Resolution shall be subject to separate site plan review and approval by the Town Board before implementation; and

e. The Action shall be developed and operated in substantial conformance with the approved site plan drawings and the representations made in the Site Plan Application, and any material deviation shall require further site plan review and approval;

3. **Directs** the Town Clerk and appropriate Town officials to file and maintain this Resolution and the approved site plan, to file a report of this final action with the Niagara County Planning Board within thirty days as required by General Municipal Law § 239-m, and to take such further actions as may be necessary to implement this Resolution.

Upon a motion duly made by Councilman Musall and seconded by Councilwoman Brachmann it was resolved to approve the Site Plan for Tyler Booth and Forsyth Warren Tavern, Living History Museum.

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.

TOWN OF CAMBRIA OWNED CELL PHONE POLICY

Supervisor Foe stated the Town will be providing cell phones to certain Town officials to be used for Town duties so personal phones do not need to be used anymore.

TOWN OF CAMBRIA
TOWN-OWNED CELL PHONE POLICY

Section 1. Purpose
The Town of Cambria (the "Town") shall issue Town-owned cell phones and related mobile devices to designated employees and officers who require mobile communications to perform their official duties. The purposes of this Policy are to:

1.1 Ensure that designated employees and officers have reliable communication tools to conduct Town business efficiently and to respond to emergencies and time-sensitive matters;

1.2 Ensure that communications and records generated in the course of Town business remain the property of the Town, are properly retained, and are accessible to the Town so that the Town can meet its obligations under the New York Freedom of Information Law ("FOIL") and the Local Government Records Law;

1.3 Prevent the commingling of Town business with the personal communications and personal information of employees and officers that occurs when personal cell phones and personal devices are used to conduct Town business; and

1.4 Protect the privacy of employees and officers by keeping their personal, non-Town communications and information off Town-owned devices and outside the scope of records the Town may be required to search, retain, or disclose.

Section 2. Scope
2.1 This Policy applies to all officers and employees of the Town who are issued a Town-owned cell phone or mobile device (each, a "Designated User"), and to all use of Town-owned cell phones and mobile devices.

2.2 This Policy applies to any cellular telephone, smartphone, tablet, or similar mobile communications device that is purchased, owned, leased, or paid for by the Town, together with the associated Town cellular service account, telephone number, SIM card, applications, and stored data (collectively, a "Town Device").

Section 3. Policy Statement
3.1 **Issuance to designated positions.** The Town shall issue a Town Device to each employee or officer holding a position designated in Section 4 of this Policy, subject to availability of funds and to the terms of this Policy.

3.2 **Town business use only.** A Town Device shall be used strictly for Town business. Designated Users shall not use a Town Device for personal, private, commercial, political, or other non-Town purposes, except for incidental and de minimis use as permitted under Section 6.

3.3 **Personal devices not to be used for Town business.** Designated Users shall conduct Town business — including calls, text messages, email, messaging applications, photographs, and other communications and records relating to Town business — on their assigned Town Device and not on any personal cell phone, personal device, or personal account. This requirement exists so that records of Town business are created, kept, and retrievable on Town-controlled systems, and so that the personal communications and personal information of employees and officers are not swept into the Town's records, searches, or disclosures.

Section 4. Designated Positions

4.1 The following positions are designated to be issued a Town Device (each holder, upon issuance, a Designated User):

No.	Designated Position
1.	Director of Recreation
2.	Deputy Highway Superintendent
3.	Water/Sewer Foreman
4.	Code Enforcement Officer/Building Inspector

4.2 A Town Device is issued to the position, not to the individual. An employee or officer who leaves a designated position, or who no longer holds a designated position, is no longer a Designated User and shall return the Town Device as provided in Section 11.

Section 5. Authority of the Town Board to Amend the List of Designated Positions

5.1 The Town Board reserves the sole authority to designate positions eligible to be issued a Town Device. The Town Board may, at any time and from time to time, by resolution duly adopted, add positions to, remove positions from, or otherwise modify the list of Designated Positions in Section 4.

5.2 No position shall be added to the list, and no Town Device shall be issued to a position not listed in Section 4, except by resolution of the Town Board. Any position added by Town Board resolution shall be deemed a Designated Position under this Policy without the need for further amendment of the text of this Policy, and the Town Clerk shall maintain the current list of Designated Positions together with the adopted Policy.

Section 6. Permitted and Prohibited Uses

6.1 **Town business use.** A Town Device shall be used for communications and activities related to the Designated User's official Town duties.

6.2 **Incidental personal use.** The Town recognizes that occasional, incidental personal use of a Town Device may occur (for example, a brief call to confirm a schedule). Designated Users are cautioned that any use of a Town Device may create a record subject to FOIL and to records-retention requirements, and that personal communications made on a Town Device are not private and may be reviewed, retained, or disclosed by the Town. Designated Users who wish to keep personal communications private should conduct them on their own personal devices and accounts, not on a Town Device.

6.3 **Prohibited uses.** Designated Users shall not use a Town Device to:

(a) conduct any personal business, private enterprise, or commercial activity for personal gain;

(b) engage in political campaign activity;

(c) access, store, or transmit obscene, harassing, discriminatory, threatening, or otherwise unlawful or inappropriate material;

(d) violate any federal, state, or local law, or any other Town policy, including the Town's harassment, ethics, and information-security policies;

(e) disable, circumvent, or alter any security, tracking, or management feature installed on the Town Device; or

(f) use the Town Device while operating a motor vehicle in a manner that violates the New York Vehicle and Traffic Law.

Section 7. Ownership; No Expectation of Privacy

7.1 **Town ownership.** The Town Device, the associated cellular account and telephone number, and all data, communications, and records created, sent, received, or stored on the Town Device in connection with Town business are the property of the Town.

7.2 **No expectation of privacy.** Designated Users have no expectation of privacy in any communication, data, or record created, sent, received, or stored on a Town Device. The Town reserves the right, to the extent permitted by law, to access, monitor, review, retain, copy, and disclose the contents of any Town Device at any time, with or without

notice, for any lawful purpose, including responding to FOIL requests, satisfying records-retention obligations, litigation and litigation holds, audits, and investigations.

Section 8. Compliance with the Freedom of Information Law (FOIL)

8.1 **FOIL applies to the Town.** As a New York town, the Town is subject to FOIL, and records the Town keeps, holds, files, produces, or reproduces in connection with Town business are presumptively subject to public inspection and copying, except to the extent a specific statutory exemption applies.

8.2 **Why Town business belongs on Town Devices.** Because a record subject to FOIL includes information kept, held, or produced by, with, or for the Town in any form — regardless of the device on which it is created — communications about Town business are subject to FOIL even when they are made on an employee's personal device or personal account. Requiring Town business to be conducted on Town Devices ensures that these records reside on Town-controlled systems where the Town can locate, preserve, review, and produce them in response to a FOIL request, and reduces the risk that the Town will be unable to fulfill its FOIL obligations because responsive records are held on private devices outside the Town's control.

8.3 **Protection of personal, non-Town information.** By keeping Town business on Town Devices and off personal devices, this Policy also protects the personal privacy of employees and officers. When Town business is conducted on a personal device, a FOIL request or litigation demand for Town records can reach into that device and expose personal, non-Town communications and information that would not otherwise be subject to disclosure. Confining Town business to Town Devices keeps the Town's records — and any resulting search or disclosure — separate from employees' and officers' personal, non-Town matters. Where a Town Device nonetheless contains personal information, the Town will apply the personal-privacy protections and redactions available under FOIL before any disclosure.

8.4 **Cooperation with FOIL requests.** Designated Users shall cooperate fully with the Town's Records Access Officer and Records Management Officer in identifying, preserving, and producing records located on Town Devices in response to any FOIL request, and shall not delete, alter, or conceal any such record except in accordance with an applicable records-retention and disposition schedule.

Section 9. Records Retention and Management

9.1 **Records are Town records.** Communications and data on a Town Device that document the transaction of Town business are records of the Town and must be retained and disposed of in accordance with the Local Government Records Law and the records retention and disposition schedule adopted by the Town Board (LGS-1 or successor schedule issued by the New York State Archives).

9.2 **Records Management Officer.** Consistent with the Local Government Records Law, the Town Clerk serves as the Town's Records Management Officer and coordinates the retention, protection, and lawful disposition of Town records, including records located on Town Devices.

9.3 **No unauthorized destruction.** No Town record on a Town Device shall be destroyed, deleted, or otherwise disposed of except in accordance with the applicable retention schedule and applicable law. Designated Users shall not delete text messages, call logs, voicemails, photographs, or other Town records from a Town Device before the applicable retention period has elapsed, and shall suspend any routine deletion when a litigation hold or FOIL request is in effect.

9.4 **Transfer on separation.** Upon separation from Town service or from a designated position, records on the Town Device shall be preserved and, in accordance with the Local Government Records Law, transferred to the custody of the Town Clerk as Records Management Officer.

Section 10. Care, Security, and Reporting

10.1 Designated Users shall exercise reasonable care to safeguard the Town Device against loss, theft, damage, and unauthorized access, and shall keep the Town Device secured with a passcode or other access control approved by the Town.

10.2 Designated Users shall promptly report any loss, theft, damage, or suspected unauthorized access to or compromise of a Town Device to their supervisor and to the Town official responsible for information technology, and shall cooperate in securing the device and account.

10.3 Designated Users shall not download or install applications, or connect the Town Device to systems or networks, in a manner that violates this Policy or the Town's information-security requirements.

Section 11. Return of Town Devices

11.1 A Designated User shall return the Town Device, together with all accessories, SIM cards, and access credentials, to the Town promptly upon:

(a) separation from Town service for any reason;

(b) transfer to a position that is not a Designated Position;

(c) removal of the User's position from the list of Designated Positions by the Town Board; or
(d) request by the Town.

11.2 Before returning a Town Device, the Designated User shall not delete or wipe any Town record; the preservation and disposition of records on the returned device shall be handled by the Town Clerk as Records Management Officer in accordance with Section 9.

Section 12. Consequences of Violations

12.1 Violation of this Policy — including personal use of a Town Device beyond incidental use, conducting Town business on a personal device, unauthorized deletion of Town records, or unauthorized disclosure of information — may result in disciplinary action up to and including termination of employment or removal from office, consistent with applicable law, collective bargaining agreements, and Town personnel policies, and may result in loss of the Town Device.

12.2 Nothing in this Policy limits any other remedy available to the Town under applicable law.

Section 13. Administration and Amendment

13.1 The Town Board may amend, supplement, or repeal this Policy at any time by resolution.

13.2 This Policy shall be administered by the Town Supervisor, or the Supervisor's designee, in coordination with the Town Clerk as Records Management Officer.

Section 14. Severability

14.1 If any provision of this Policy is held to be invalid or unenforceable, the remaining provisions shall remain in full force and effect.

Section 15. Acknowledgment

Each Designated User shall sign an acknowledgment that the User has received, read, and agrees to comply with this Policy as a condition of being issued a Town Device.

Upon a motion duly made by Councilwoman Brachmann and seconded by Councilman Hurtgam, it was resolved to approve the Town of Cambria owned cell phone policy.

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

TOWN HALL HEATING SYSTEM REPAIR PROPOSALS

Supervisor Foe reported one proposal has been obtained and hoping to receive a few more

ETHICS BOARD APPOINTMENT

Upon a motion duly made by Councilman Roberts and seconded by Councilwoman Brachmann, it was resolved to appoint Roger Palmer, Subbera Road to fill a vacant 1-year term to expire 12/31/2026.

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

RESOLUTIONS 2027 BUDGET

APPROVAL OF 2026 ASSESSMENT ROLL/SPECIAL DISTRICTS

Upon a motion duly made by Councilman Musall and seconded by Councilman Roberts it was resolved to approve the 2026 Assessment Roll and the amounts to be raised by taxes for the Special Districts as set forth in the notice of public hearing.

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.

2027 BUDGET

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam, it was resolved to adopt the 2027 Preliminary Budget with total appropriations of $8,011,503.00.

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 S. HURTGAM voting AYE
BENJAMIN MUSALL voting AYE
RANDY ROBERTS voting AYE

The Resolution was thereupon declared duly adopted.
(A copy of the 2027 Adopted Budget is included and made a part of these Minutes).

APPROVAL OF FIRE PROTECTION/AMBULANCE SERVICE CONTRACTS

WHEREAS, a duly publicized hearing was held on the 5th day of November, 2026 on the 2027 contract with Cambria Volunteer Fire Co., Inc., Pekin Fire Company and Sanborn Fire Company; and

WHEREAS, at which time all persons desiring to be heard were heard; now therefore be it

RESOLVED, that the Town Board of the Town of Cambria hereby authorizes the Town Supervisor to execute the 2027 contracts with the Cambria Volunteer Fire Co., Inc., Pekin Fire Company, Inc. and Sanborn Fire Company in the amounts of:

Cambria Volunteer Fire Co. - $272,208.00;
Cambria VFC Ambulance/EMT Services - $63,925.00;
Pekin Fire Company, Inc. - $237,633.00;
Pekin FCI Ambulance/EMT Services - $45,109.00; and
Sanborn Fire Company - $20,401.00,

upon review by the Town Attorney as to form.

Upon a motion duly made by Councilwoman Brachmann and seconded by Councilman Hurtgam it was resolved to approve the Fire and Ambulance contracts and allocation of funds for the Service Award Program as set forth in the Notice of Public Hearing.

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.

ZONING BOARD OF APPEALS:

Councilwoman Brachmann reported as follows:

- Approved an area variance for an accessory structure, two special permits are being moved to the Planning Board and approved special permit renewal for chickens.

PLANNING BOARD:

Councilman Roberts reported as follows:

- Two recommendations, one for the extension of the moratorium on battery storage systems and the second is shifting the approval of special use permits to the Planning Board regarding accessory structures.

RECREATION:

Councilman Hurtgam reported as follows:

- Town Park is supposed to be up next week.
- Some ditching has been done in the Town Park.
- The pickle ball nets will be up until the snow flies.
- There will be a Christmas celebration at the Town Park December 13 from 4-7pm.

HIGHWAY/WATER:

Councilman Musall reported as follows:

- They started blending salt with grit last year as a cost savings.

CONCERNS OF THE CITIZENS

None

ADDITIONAL MATTERS

Supervisor Foe thanked all of the townspeople that voted in the recent election.

ADJOURNMENT

As there was no further business, the meeting was adjourned by motion made by Councilman Musall and seconded by Councilwoman Brachmann. Time: 8:07 pm.

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

Respectfully submitted,

Paula N. Jones, Deputy Town Clerk