TOWN OF CAMBRIA TOWN BOARD

October 8, 2026

The regular meeting of the Town of Cambria Town Board was held at 7:00 pm on the 8th day of October 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
Steven Kroening, Highway Superintendent
11 Individuals

Following the pledge to the flag Supervisor Foe opened the public hearing A Local Law Amending the Town of Cambria Zoning Ordinance by Transferring Special Use Permit Jurisdiction to the Planning Board.

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 8th day of October, 2026, at 7:00 p.m., at the Town Hall, 4160 Upper Mountain Road, Sanborn, New York to consider establishing a new Local Law, entitled, "A Local Law Amending the Town of Cambria Zoning Ordinance by Transferring Special Use Permit Jurisdiction to the Planning Board."

Said Local Law would transfer jurisdiction over all matters concerning Special Use Permits under the Town Zoning Ordinance from the Town Zoning Board of Appeals to the Town Planning Board.

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.

7:01 pm Supervisor Foe opened the public hearing to hear comments.
The Attorney explained the updates.
7:03 pm As there was no one present to be heard; Supervisor Foe closed the public hearing.

Supervisor Foe opened the public hearing 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 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 8th day of October, 2026, at 7:00 p.m., at the Town Hall, 4160 Upper Mountain Road, Sanborn, New York to consider establishing a new Local Law, entitled, "A Local Law 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."

Said Local Law would establish setback, height, separation, placement, and aggregate square-footage standards for accessory structures on parcels of five acres or more and add provisions ensuring that the Town's accessory building regulations are administered consistently with the Agriculture and Markets Law.

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.

The Attorney made a clarification to the proposed local stating it will refer to the A-R district only.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam it was resolved to introduce the non-substantiate clarification for the proposed local law to section 7 to reference only the A-R district.

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

7:04 pm Supervisor Foe opened the public hearing to hear comments.
The Attorney clarified this Local Law will only affect the A-R District.
7:07 pm As there was no one present to be heard; Supervisor Foe closed the public hearing.

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

Upon a motion duly made by Councilman Musall and seconded by Councilwoman Brachmann it was resolved to approve the minutes of the Town Board meetings of September 8, 10 and16.

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:

October 8, 2026

ACCOUNT	AMOUNT
Drainage	**$1,046.08**
Fire Protection	**$ 1,303.00**
General	**$ 107,249.53**
Highway	**$117,205.05**
Refuse	**$ 40,055.96**
Sewer	**$ 3,259.30**
Water	**$ 85,690.98**

Upon a motion duly made by Councilwoman Brachmann and seconded by Councilman Roberts it was resolved to approve the abstract of audited vouchers dated October 8, 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:

Baer Rd. culvert:

- The project is out to bid; bid opening is set for November 5, 2026, at 11am and hope to have a recommendation for the Town Board meeting in December for the project that will be completed in 2027.

REPORTS

SUPERVISOR

Supervisor Foe reported as follows:

- Budget meetings scheduled for 10/14 and 10/15 if necessary, at 6:30pm in the Town Board room.
- Review of Fire Company meetings Sept 16.
- The Town will be hiring a new grant writer.
- Niagara County hosted a meeting to review the county wide flooding issues.

TOWN CLERK REPORTS

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

- Town Clerk Report September: Total Receipts: $ 36,445.30

- Building Inspector Receipts September: Total Receipts $ 4,352.70
- Estimated Value of Construction: $ 988,727.79
- In receipt of one correspondence that was distributed to the Town Board and Attorney.

HIGHWAY SUPERINTENDENT REPORTS

Steven Kroening, Highway Superintendent reported as follows:

BUILDING AND GROUNDS

- Install mailboxes and stripe Shunpike Road, then it will be complete.
- Culverts & paving.
- Tire drop off is October 17, 2026 from 8am-noon. This is for residents only and you need a permit for the oversized tires. Wood chips and electronic recycling will be available during that time also.
- The roof is still leaking, reached out to someone and waiting to hear back.
- The new carpets are installed in the highway offices.
- The gasboy system has been ordered.

SEWER

- Jetting manholes.

WATER

- Still fixing lawn damage from the water main breaks.
- Servicing the hydrants.
- If your water bill has no reading you need to call the water department to get a new meter.

CEMETERY

- Turning the water off soon.

ATTORNEY

Abraham Platt, Town Attorney reported as follows:

WHEREAS, the Town of Cambria received a Site Plan application dated August 6, 2026, from 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; and

WHEREAS, the Town Board previously referred the aforementioned application for Site Plan approval to the Town of Cambria Planning Board for initial consideration; and

WHEREAS, the Town of Cambria Planning Board indicates that the subject application is complete and recommended that the Town Board grant site plan approval relative to the aforementioned application, upon the provision of more detailed information regarding the parking sites at the premises; and

WHEREAS, the applicant has provided a Supplementary Parking Report to the Town Board addressing the parking site issue highlighted by the Planning Board; and

WHEREAS, the subject property is situated immediately adjacent to three neighboring municipalities, to wit, the Towns of Wilson, Newfane and Lockport; and

WHEREAS, the abovementioned application requires SEQR review.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Cambria shall entertain the pending application for the instant Site Plan approval request and undertake the required SEQR environmental review; and be it further

RESOLVED, that the Cambria Town Board authorizes the completion of the General Municipal Law Section 239-m referral to the Niagara County Planning Board and General Municipal Law Section 239-nn referral to the neighboring municipalities; and be it further

RESOLVED, that the Town of Cambria Town Board does hereby call for a public hearing to be held on November 5, 2026, at 7:00 p.m. at Cambria Town Hall, 4160 Upper Mountain Road, Sanborn, New York to hear and consider the subject application for Site Plan approval.

Upon a motion duly made by Councilman Musall and seconded by Councilman Hurtgam it was resolved to authorize the completion of the General Municipal Law Section 239-m referral to the Niagara County Planning Board and General Municipal Law Section 239-nn referral to the neighboring municipalities; and call for a public hearing to be held on November 5, 2026, at 7:00 p.m. at Cambria Town Hall, 4160 Upper Mountain Road, Sanborn, New York to hear and consider the subject application for Site Plan approval.

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

Request to introduce a new local law extending the moratorium on BESS. There is new case law that needs to be considered for developing the local law.

WHEREAS, a Local Law known as "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" has been introduced; and

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

WHEREAS, the Town would like to refer the proposed local law to the Town Planning Board, to the Niagara County Planning Board in accordance with General Municipal Law Section 239-m and to the neighboring municipalities under General Municipal Law Section 239-nn and/or Town Law Section 264, as appropriate;

NOW, THEREFORE, BE IT RESOLVED, the Cambria Town Board refers this matter to the Town Planning Board and authorizes the completion of the General Municipal Law Section 239-m referral to the Niagara County Planning Board and General Municipal Law Section 239-nn and/or Town Law Section 264 referral to the neighboring municipalities; and be it further

RESOLVED, a public hearing will be held on November 5, 2026, at 7:00 p.m. at Cambria Town Hall, 4160 Upper Mountain Road, Sanborn, New York to hear and consider a 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."

Upon a motion duly made by Councilwoman Brachmann and seconded by Councilman Roberts it was resolved introduce the local law 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.

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

Keep the public hearing open until November 5, 2026 to make the necessary referrals to the neighboring Towns.

BE IT RESOLVED, that the Cambria Town Board keeps the public hearing open regarding the Local Law for the year 2026 presently under consideration, entitled, "A Local Law Amending the Town of Cambria Zoning Ordinance by Transferring Special Use Permit Jurisdiction to the Planning Board;" and be it further

RESOLVED, that the Town Board authorizes the completion of the Town Law Section 264 referral to neighboring municipalities; and be it further

RESOLVED, that the Town Board shall undertake the SEQR environmental review process relative to the subject Local Law; and be it further

RESOLVED, the public hearing shall be continued on November 5, 2026, at 7:00 p.m. at Cambria Town Hall, 4160 Upper Mountain Road, Sanborn, New York, to allow for any comment by the neighboring municipalities and other interested parties regarding the Local Law for the year 2026 presently under consideration, entitled, "A Local Law Amending the Town of Cambria Zoning Ordinance by Transferring Special Use Permit Jurisdiction to the Planning Board."

Upon a motion duly made by Councilman Hurtgam and seconded by Councilwoman Brachmann it was resolved to keep the public hearing open for A Local Law Amending the Town of Cambria Zoning Ordinance by Transferring Special Use Permit Jurisdiction to the Planning Board until November 5, 2026.

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

Keep the public hearing open until November 5, 2026 to make the necessary referrals to the neighboring Towns.

BE IT RESOLVED, that the Cambria Town Board keeps the public hearing open regarding the Local Law for the year 2026 presently under consideration, 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;" and be it further

RESOLVED, that the Town Board authorizes the completion of the Town Law Section 264 referral to neighboring municipalities; and be it further

RESOLVED, that the Town Board shall undertake the SEQR environmental review process relative to the subject Local Law; and be it further

RESOLVED, the public hearing shall be continued on November 5, 2026, at 7:00 p.m. at Cambria Town Hall, 4160 Upper Mountain Road, Sanborn, New York, to allow for any comment by the neighboring municipalities and other interested parties regarding the Local Law for the year 2026 presently under consideration, 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."

Upon a motion duly made by Councilman Roberts and seconded by Councilman Musall it was resolved keep the public hearing open for 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 until November 5, 2026.

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

LIASION REPORTS:

Zoning Board:
Councilwoman Brachmann – a couple of special permits for new accessory buildings and renewals for chickens.

Planning Board:
Councilman Roberts – approved Mr. Nye's sub-division, representatives from Forsyth Tavern were there to talk about their application for zoning change, site plan approval, an online retailer from route 104 was referred to the Planning Board.

Recreation:
Councilman Hurtgam-

- The new walking path is not to be used on the east side at this time.
- Recreation the Halloween activities were a success and well attended; October 16th a Lego night and November 11th a Veteran's Day ceremony here at Town Hall.

Highway:
Councilman Musall –

- The Highway Superintendent covered it all.

NEW BUSINESS

- Resolution to make Supervisor the responsible local official for the Baer Ridge Culvert project that has various DOT documents that requires the Town Supervisor to sign.

Upon a motion duly made by Councilwoman Brachmann and seconded by Councilman Musall it was resolved to make the Town Supervisor the responsible local official.

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

- Town security system update – looking to move to a new vendor and getting a proposal.
- Meeting with Representative Tenney's office next week to discuss potential grant opportunities available and what her office can offer the Town of Cambria.

CONCERNS OF THE CITIZENS

David Godfrey, Niagara County Legislator reported the following:

- The county has voted to opt in to provide 100% veterans disability exemption.
- Spoke to our Recreation Director and he can offer her a little under $2,400 towards our Christmas event.

- Helping Pekin Fire Company to purchase masks for animal rescue; donating $1,000 towards that purchase.
- This Saturday is a paint collection in Newfane Highway garage from 9am-1pm..

ADDITIONAL MATTERS

UNPAID WATER, SEWER, REFUSE CHARGES FOR TAX LEVY

The Town Board was provided with a listing of the unpaid Water/Sewer/Refuse/Town charges to be placed as a lien upon the real property for which services were provided. A copy of the listing is on file in the office of the Town Clerk. There were 148 delinquent letters sent out, 80 of those accounts will be turned over to the County for collection.

Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Roberts, it was resolved to place a lien on the Real Property for which services were provided in the amounts of: Unpaid Water: $16,718.79; Unpaid Sewer: $10,743.18; Unpaid Refuse: $512.00; Water Late Fee: $24,000.00 for a grand total of $51,973.97.

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.

Supervisor Foe reported the Ag District #7 for the County, is now subject to a 8-year review, maps are on file and available for inspection at Cornell Co-Op, questions about this should be directed to Amanda Henning.

Councilman Musall reported the Town is lacking in their HR and employment law and he has been working on this for about 6 months looking to get a firm in here to help with these issues, would like to move forward with Alcott HR.

WHEREAS, the Town of Cambria desires to ensure that the Town is in compliance with all relevant labor laws and regulations, update the Town's numerous HR policies and procedures and streamline the Town's payroll/benefits tracking and administration and hereby determines that the services of a Human Resources and Employee Management Services firm are required in order to ensure that the Town is in compliance with all relevant labor laws and regulations, update the Town's numerous HR policies and procedures and streamline the Town's payroll/benefits tracking and administration, and

WHEREAS, in recognition of such need, the Town seeks to contract with a Human Resources and Employee Services firm for the purposes of ensuring legal labor compliance, updating of the Town's numerous HR policies and procedures and payroll/benefits tracking and administration, and

WHEREAS, a vendor hired to perform the Human Resources and Employee Management Services described above would, by default, have access to certain sensitive Town of Cambria information, and as such the Town requires a relationship of trust and confidence due to the need to maintain a high level of confidentiality, and

WHEREAS, the duties and responsibilities of a Human Resources and Employee Management Services firm would require not only specialized skills and expertise but also intangible qualities such as judgment and discretion, the prudent exercise of which is very often related to the success or failure of such a service provider, and

WHEREAS, the Town, having conducted an extensive search of several different Human Resources and Employee Services firms local to Western New York, is now desirous of entering into a contract with Alcott HR to provide Human Resources and Employee Management services; Now, therefore, be it

RESOLVED, that the Town of Cambria determines that provision of the required Human Resources and Employee Management Services described above is a "professional service," as such term has been defined and interpreted according to New York State Law, and as such the procurement of such a vendor is an exception from the competitive bidding requirements of General Municipal Law §§ 103 and 104; and be it further

RESOLVED, that the Town of Cambria be and hereby is authorized to enter into a contract with Alcott HR, 350 Essjay Road, Buffalo, New York 14221, to provide for the Human Resources and Employee Management Services described above, for the following fee structure: Management Fee - $28.85 Bi-Weekly Per Employee; Employer Taxes/SUTA TBD; Implementation Fee $1,500.00; New Hire Fee Ongoing $50.00, and such additional sums should the Town require further assistance following the implementation of the services contemplated herein; and be it further

RESOLVED, that the Town Supervisor is authorized to execute any such relevant contracts contingent on approval by the Town Attorney.

Councilman Roberts expressed his concerns with the Alcott HR firm and is not in support of this company.

Councilman Hurtgam asked how long we would have to sign up for? Councilman Musall stated it is a one-year contract.

The Attorney stated this is a shared service, they would make sure the Town policies are compliant with current law, administered fairly and equitably.

Supervisor Foe said the Town is in desperate need of a HR representative here. Being a one-year contract, if we decide they are not meeting our needs we can look elsewhere next year.

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 NO

The resolution was thereupon declared duly adopted.

ADJOURNMENT

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

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

Respectfully submitted,

Paula N. Jones, Deputy Town Clerk