

TOWN OF CAMBRIA TOWN BOARD

September 10, 2026

The regular meeting of the Town of Cambria Town Board was held at 7:00 pm on the 10th day of September 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
8 Individuals

Following the pledge to the flag there was a moment of silence in remembrance of the 25th anniversary of the 9/11 attacks. 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 Councilwoman Brachmann and seconded by Councilman Musall it was resolved to approve the minutes of the Town Board meetings of August 10 and August 13.

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:

September 10, 2026

ACCOUNT	AMOUNT
Cemetery	\$ 6,204.88
Drainage	\$ 5,449.10
Fire Protection	\$ 21,596.06
General	\$ 170,885.94
Highway	\$ 295,362.42
Refuse	\$ 40,141.25
Sewer	\$ 2,285.40
Water	\$ 35,593.41

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam it was resolved to approve the abstract of audited vouchers dated September 10, 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:

- Obtained DOT approval to go out to bid; Wendel is recommending advertising to go out to bid on October 8, 2026. It will be a 4-week bid period, opening the bids on November 5, 2026, at 11am. Wendel and the DOT need to review the bids before recommending who to award it to, and anticipate having a recommendation for the December Town Board meeting.

Upon a motion duly made by Councilwoman Brachmann and seconded by Councilman Musall it was resolved to approve having Wendel send the bid out for advertising.

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

Cambria Rd. Construction:

- Cambria Road construction is complete. Mr. Walck noted the Engineer fees and construction project both came in under budget.

REPORTS

SUPERVISOR

Supervisor Foe reported as follows:

CYPRESS CREEK UPDATES

Supervisor Foe gave a brief update for Cypress Creek. They have signed and notarized road use agreements for Meahl Road, Comstock Road and six road culverts valuing approximately \$450,000.00.

JUSTICE COURT 2025-2026 APPROVED GRANT

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam it was resolved to accept the approved 2025 Justice Court grant in the amount of \$15,000.00.

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

- There are two new businesses moving into the Town. Supervisor Foe is looking for people that would like to be on a business advisory board for the Town.
- The Town is buying a new excavator, and the first project will be on Andrews Road.

TOWN CLERK REPORTS

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

- | | | |
|---------------------------------------|-----------------|-----------------|
| • Town Clerk Report August: | Total Receipts: | \$ 73,248.20 |
| • Building Inspector Receipts August: | Total Receipts | \$ 6,043.38 |
| • Estimated Value of Construction: | | \$ 1,740,304.96 |

HIGHWAY SUPERINTENDENT REPORTS

Steven Kroening, Highway Superintendent reported as follows:

BUILDING AND GROUNDS

- New carpet has been installed.
- The roof is still leaking, reached out to someone and waiting to hear back.
- Procurement policy purchase for the fuel pumps.

GENERAL 2026-07

1620.04

Diesel and gas fuel pumps

The Pump Doctor Inc. - \$21,205.18

Outdated systems with multiple issues, parts no longer available. There are no other companies in the area that can service our existing system; this is sole source.

Upon a motion duly made by Councilman Musall and seconded by Councilman Roberts it was resolved to approve the purchase of new diesel and gas fuel pumps from The Pump Doctor Inc. in the amount of \$21,205.18.

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

Councilman Musall stated the cost may seem expensive, but the Town dispenses fuel to several departments and fire company; the new system will be more accurate.

SEWER

- No reports.

WATER

- Still fixing lawn damage from the water main breaks.
- Servicing the hydrants.

CEMETERY

- Town has had several recent interments.
- Tombstone Trail Tour was a success.

TOWN PARK

- Procurement policy purchase for the fence.

GENERAL 2026-06

7140.02 - \$9,500.00

7140.04 - \$4,100.08

4' High Galvanized Fence

Fox Fence \$13,600.08 – Sole Source

Upon a motion duly made by Councilman Hurtgam and seconded by Councilwoman Brachmann it was resolved to approve the purchase of 4' high galvanized fence on the east side of the Town property at the Town Park in the amount of \$13,600.08 from sole source Fox Fence.

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

HIGHWAY:

- Procurement policy purchase for the guardrail on Shunpike Rd.

HIGHWAY 2026-08

5112.02

Guide rail and box beam for Shunpike Road.

Pavillion Drainage Supply Co. Inc. - \$8,094.37

Replacing existing old guide rail and box beam, County Bid 26-11, #606100003.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam it was resolved to approve the replacement of the guide rail and box beam for Shunpike Road, from Pavillion Drainage Supply Co. Inc. in the amount of \$8,094.37.

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

- Shunpike Rd. construction need to finish shoulders and driveways and striping.
- Still working on lawn and driveway culverts.
- Still helping neighboring towns paving projects.
- Brush pick-up has resumed.
- Procurement policy purchase.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam it was resolved to approve a line-item transfer from 5110.04 General Repairs to 5130.02 Machine Equipment in the amount of \$180,000.00 to fund the difference between our trade-ins and the excavator price.

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

HIGHWAY 2026-09

5130.02

New 2026 John Deere 230 P-Tier Excavator

Five-Star Equipment - \$179,224.05

Replacing an antiquated unit that needs major rebuilding and parts. Resale value at the end of the machine's life and operator comfort. State Bid Sourcewell Contract 011723-JDC-178157 (John Deere Exc.) and State bid Sourcewell Contract 010925-FAE (FAE Forestry Head).

RESOLUTION AUTHORIZING THE PROCUREMENT OF ONE (1) CRAWLER EXCAVATOR AND ONE (1) MULCHER HEAD ATTACHMENT THROUGH THE SOURCEWELL COOPERATIVE PURCHASING PROGRAM PURSUANT TO GENERAL MUNICIPAL LAW § 103(16)

WHEREAS, the Town of Cambria Highway Department has identified a critical operational need for a heavy-duty excavator and a compatible mulcher head attachment for roadside right-of-way clearance and stormwater drainage maintenance, among other tasks; and

WHEREAS, New York State General Municipal Law § 103(16) permits political subdivisions, including Towns, to purchase goods and apparatus through certain contracts let by the United States or any state or political subdivision therein (commonly referred to as 'piggybacking'), provided that the originating contract was let to the lowest responsible bidder or on the basis of best value in a manner consistent with New York State procurement laws; and

WHEREAS, Sourcewell (formerly NJPA) is a national public procurement cooperative and unit of government organized under Minnesota law that solicits, evaluates, and awards cooperative procurement contracts through a competitive solicitation process, and that makes each such contract available for use by other governmental entities, including political subdivisions of the State of New York; and

WHEREAS, the Sourcewell contracts identified below were each competitively solicited and awarded by Sourcewell, a governmental unit, on the basis of best value in a manner consistent with General Municipal Law § 103, and were made available for use by other governmental entities, thereby satisfying the prerequisites of GML § 103(16); and

WHEREAS, because the Sourcewell contracts were awarded on the basis of best value, and because GML § 103(16) permits a town to procure through such a best-value contract only if the town has first adopted a local law, rule, regulation, or resolution authorizing the use of best value pursuant to General Municipal Law § 103(1), the Town Board wishes by this resolution to authorize the use of best value for the awarding of purchase contracts; and

WHEREAS, procurement through the Sourcewell contracts does not relieve the Town of any applicable minority- and women-owned business enterprise (MWBE) program mandates or the preferred-source requirements of New York State Finance Law § 162, and the Highway Superintendent shall confirm compliance with any such requirements before executing the purchase; and

WHEREAS, the acquisition includes a trade-in of the Town's used equipment, valued at \$166,000.00, which trade-in constitutes a disposition of surplus municipal personal property that the Town Board finds is no longer needed for Town purposes; and

WHEREAS, the equipment sought by the Highway Superintendent is available under separate, valid Sourcewell cooperative purchasing agreements as follows:

1. Equipment Item A: **One 2025 John Deere 230 P-Tier Excavator (ID# 178157)**
Vendor/Dealer: **Five Star Equipment, Inc.**
Sourcewell Contract Number: **011723-JDC**
Total Purchase Price: **\$279,233.53**
2. Equipment Item B: **One (1) FAE BL4/EX/Sonic-125 Mulcher Head Attachment**
Vendor/Dealer: **Five Star Equipment, Inc.**
Sourcewell Contract Number: **010925-FAE**
Total Purchase Price: **\$65,990.52; and**

WHEREAS, the Town Highway Department obtained a consolidated quote from Five Star Equipment, Inc., 284 Ellicott Road, West Falls, New York 14170, dated August 31, 2026, Quote ID# 2484930, for the total purchase price of \$345,224.05, less the trade-in value of the Town's equipment as set forth in said quote, to wit, the sum of \$166,000.00, for a grand total cost for the two aforementioned pieces of equipment, with accoutrements, of \$179,224.05; and

WHEREAS, sufficient funds have been appropriated and are currently available for this heavy equipment capital procurement under Highway Budget Account Code DB.5130.0200 – Machinery & Equipment;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Cambria, Niagara County, New York, hereby authorizes the use of best value, as defined in New York State Finance Law § 163, for the awarding of purchase contracts by the Town pursuant to General Municipal Law § 103(1); and be it further

RESOLVED, that the Town Board finds and determines that the Sourcewell contracts identified above (Contract No. 011723-JDC and Contract No. 010925-FAE) were each let by Sourcewell, a governmental unit, on the basis of best value in a manner consistent with General Municipal Law § 103 and were made available for use by other governmental entities, and that the requirements of General Municipal Law § 103(16) are therefore satisfied; and be it further

RESOLVED, that the Town Board hereby authorizes the Highway Superintendent and/or Town Supervisor to procure the equipment described above through the aforementioned Sourcewell contracts pursuant to General Municipal Law § 103(16), without further local competitive bidding, subject to confirmation of compliance

with any applicable MWBE mandates and the preferred-source requirements of State Finance Law § 162; and be it further

RESOLVED, that the Town Board hereby declares the Town's used equipment being traded in, valued at \$166,000.00, to be surplus property no longer needed for Town purposes, and authorizes the Highway Superintendent and/or Town Supervisor to dispose of such equipment by trade-in in connection with this acquisition; and be it further

RESOLVED, that the Highway Superintendent and/or Town Supervisor are authorized to execute all necessary purchase orders, contracts, and financial documents required to complete the acquisition of the 2025 John Deere 230 P-Tier Excavator, with accoutrements, and the FAE BL4/EX/Sonic-125 mulcher head, with accoutrements, from the authorized dealer, Five Star Equipment, Inc., 284 Ellicott Road, West Falls, New York 14170, in an aggregate amount not to exceed \$179,224.05.

Upon a motion duly made by Councilman Musall and seconded by Councilwoman Brachmann it was resolved to approve the purchase of a new 2025 John Deere 230 P-Tier Excavator from Five-Star Equipment in the amount of \$179,224.05.

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

ATTORNEY

Abraham Platt, Town Attorney reported as follows:

- Mr. Platt stated this change will save the applicant time and duplicative work and will streamline the process. This change will make it easier for new businesses coming into Town.

Upon a motion duly made by Councilman Musall and seconded by Councilman Roberts it was resolved to introduce the Local Law for the year 2026, entitled, “A Local Law Amending the Town of Cambria Zoning Ordinance by Transferring Special Use Permit Jurisdiction to the Planning Board.

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

WHEREAS, a Local Law for the year 2026, entitled, “A Local Law Amending the Town of Cambria Zoning Ordinance by Transferring Special Use Permit Jurisdiction to the Planning Board” has been introduced; now, therefore be it

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, a public hearing will be held on October 8, 2026, at 7:00 p.m. at Cambria Town Hall, 4160 Upper Mountain Road, Sanborn, New York to hear and consider a Local Law for the year 2026, entitled, “A Local Law Amending the Town of Cambria Zoning Ordinance by Transferring Special Use Permit Jurisdiction to the Planning Board.”

Upon a motion duly made by Councilman Musall and seconded by Councilwoman Brachman it was resolved set the public hearing for October 8, 2026, at 7pm.

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

- Mr. Platt stated the changes will try to conform our law with NYS Ag and Markets law.

Upon a motion duly made by Councilwoman Brachmann and seconded by Councilman Hurtgam it was resolved to introduce 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.

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

WHEREAS, a Local Law for the year 2026, 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” has been introduced; now, therefore be it

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, a public hearing will be held on October 8, 2026, at 7:00 p.m. at Cambria Town Hall, 4160 Upper Mountain Road, Sanborn, New York to hear and consider a Local Law for the year 2026, entitled, “A Local Law 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 Musall and seconded by Councilman Roberts it was resolved set the public hearing for October 8, 2026, at 7pm.

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

The Town Clerk will post copies of the draft laws on the website, the first law will have a mark up version so you can see the changes and then a clean copy to look at side by side.

The Town Board is in receipt of a Site Plan from Tyler Booth regarding the recent rezoning.

Upon a motion duly made by Councilman Hurtgam and seconded by Councilwoman Brachmann it was resolved to refer the Site Plan application to the Planning Board for consideration and recommendation.

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried

LIASION REPORTS:

Zoning Board:

Councilwoman Brachmann – a public hearing for 2 new businesses coming into Town of Cambria, approved a variance and one special permit renewal.

Planning Board:

Councilman Roberts – approved 2 minor sub-divisions.

Recreation:

Councilman Hurtgam-

- Town Park fence was mentioned by the Highway Superintendent.
- Recreation has a few events coming up September 18 a movie night, Halloween at the Town Park October 4th from 12-4; October 16th a Lego night and November 11th a Veteran’s Day ceremony here at Town Hall.

Highway:

Councilman Musall –

- Thanked Jonathan for his help getting the excavator, it’s been a few months of work.
- The Town Park has been wet, the guys have done a great job keeping it up.
- PABA football is practicing over there.

NEW BUSINESS

Supervisor Foe announced the Town Board will meet with the Fire Companies next week Wednesday, September 16, 2026, at 6:30pm. The public is encouraged to attend.

JUSTICE COURT 2026-2027 GRANT SUBMITTAL

Upon a motion duly made by Councilman Musall and seconded by Councilwoman Brachmann it was resolved to allow the Justice Court to submit for the 2026 - 2027 Justice Court grant up to \$30,000.00.

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

The tentative budget is due to the Town Clerk by September 30. The presentation to the Town Board will be October 5, 2026, at 2pm.

CONCERNS OF THE CITIZENS

David Godfrey, Niagara County Legislator reported the following:

- Announced the passing of former County Legislator William Ross.
- Helped Pekin Fire Company obtain a new sign.
- He still has funds available for the park or events, just reach out to him.
- Presented a proclamation for 15 years of business to A Gust of Sun winery.
- Announced several County events including the 9/11 stair climb, employment fair, Office of the Aging and paint/hazardous waste collections.

ADDITIONAL MATTERS

BOARD OF ASSESSMENT REVIEW

Upon recommendation from the Town Assessor a motion duly made by Councilman Roberts and seconded by Councilman Musall, it was resolved to re-appoint Rae Ann Amacher, Raymond Road to the Board of Assessment Review for a term to expire September 30, 2031.

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

HIGHWAY SUPERINTENDENT

Upon a motion duly made by Councilwoman Brachmann and seconded by Councilman Hurtgam it was resolved to amend the appointment of Steven Kroening, Cambria Road, to Highway Superintendent term ending at 11:59 12/31/2026.

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

ADJOURNMENT

As there was no further business, the meeting was adjourned by motion made by Councilman Musall and seconded by Councilman Hurtgam. Time: 7:39 pm.

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

Respectfully submitted,

Paula N. Jones, Deputy Town Clerk