

TOWN OF CAMBRIA TOWN BOARD

February 13, 2025

The regular meeting of the Town of Cambria Town Board was held at 7:00 pm on the 13th day of February 2025 at the Town Hall, 4160 Upper Mountain Road, Town of Cambria, New York.

BOARD MEMBERS PRESENT:

Jon T. MacSwan, Supervisor
Louise Brachmann, Councilwoman
Jeffrey S. Hurtgam, Councilman
Benjamin D. Musall, Councilman
Randy M. Roberts, Councilman

ALSO PRESENT:

Tamara J. Cooper, Town Clerk
Abe Platt, Attorney
Tim Walck, Engineer
3 interested individuals

Supervisor MacSwan welcomed everyone to the February 13, 2025 meeting.

Following salute to the flag, Supervisor MacSwan called the meeting to order. Board members took action upon the following matters:

APPROVAL OF MINUTES

Upon a motion duly made by Councilman Musall and seconded by Councilman Roberts it was resolved to approve the minutes of the Town Board meetings of January 9, 2025, work and regular.

Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

APPROVAL OF VOUCHERS

Having been reviewed by the Town Board, the following claims were presented for payment:

February 13, 2025

ACCOUNT	AMOUNT
Cemetery	\$ 1,000.00
Fire	\$ 634,788.00
General	\$ 229,271.44
Highway	\$ 69,373.63
Refuse	\$ 71,061.79
Sewer Operating	\$ 232,360.05
Water Operating	\$ 56,385.31

Upon a motion duly made by Councilman Hurtgam and seconded by Councilwoman Brachmann it was resolved to approve the abstract of audited vouchers dated February 13, 2025, be approved as read by the Town Clerk.

Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

OLD BUSINESS

Wendel Projects:

Tim Walck reported as follows:

- **Baer Road Culvert-** Waiting on the DOT Review of the current step they are on. Wendel has requested that the Town be given an extension so that the project can be BID out this coming winter for work to be done the summer of 2026.
- **Cambria Road Culvert-** Wendel has the DEC permit; Army Corp. has submitted some questions and still under review. Waiting for the Town to decide if they will be doing this project.

There will be a Public Information Meeting at the March Meeting at 7:00 pm for the Stormwater Annual Report which is due April 1st.

REPORTS

SUPERVISOR

Jon MacSwan, Supervisor, reported as follows:

- No report on the proposed Bear Ridge Solar project.
- Dr. Jennifer Garafalo, Budd Road sent in a letter of interest to be on the Planning / Zoning Board. There is an alternate position available on the Zoning Board.

Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Musall it was resolved to approve the appointment of Dr. Jennifer Garafalo, Budd Road as an alternate member to the Zoning Board of Appeals- term to end 12/31/2025.

Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

Public Hearing scheduled for 7:00 pm, March 13, 2025 regarding a Local Law in relation to alternative Veteran's exemption from Real Property Taxation under section 458-a of the Real Property Tax Law.

TOWN CLERK REPORTS

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

- Town Clerk Report January: Total Receipts: \$ 8,827.94
- Building Inspector Report January: Total fees collected: \$ 1,410.00
- Estimated value of construction: \$ 119,579.00
- In receipt of a letter from the Cambria Vol Fire Co. requesting the following:

ADD to active roster:

Taylor Weeks 6035 S Transit Rd. Lockport NY
Atiqur Rahman Hasany 903 Edgewater Dr Buffalo NY
Saravanan Lakshmanan 248 Hartford Rd Buffalo NY

REMOVE from the roster:

William Schmitt Cambria Wilson Road
Victor Aiken Ridge Road
Josh Austin Green Road
Meghan Baughman Lower Mt Rd
Luke Price Allen St Lockport

Upon a motion duly made by Councilman Roberts and seconded by Councilwoman Brachmann it was resolved to approve the additions and removals for the Cambria Volunteer Fire Co. as requested in the above-mentioned letter.

Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

HIGHWAY SUPERINTENDENT REPORTS

Councilman Musall reported as follows:

HIGHWAY:

- Plowing, salting and fixing equipment. Salt supply is okay- not great.

Upon a motion duly made by Councilman Hurtgam and seconded by Councilwoman Brachmann it was resolved to authorize the Highway Superintendent to advertise for BIDS for a Rubber Tire Excavator which will come out of the 2026 Budget.

Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

WATER/SEWER

- Changing out meters.
- Maintenance on equipment, helping Highway with snow removal

PARK

- Consistent snow removal.

BUILDING & GROUNDS

- Clearing snow, parking lots and sidewalks.
- Moved noisy air compressor from shop bay over to truck bay in municipal garage.

ATTORNEY:

Attorney, Abe Platt reported as follows:

- The Town is processing how to respond to state's new short term rental law and seeking out what ever guidance is out there in light of the short nature of the bill. Mr. Platt will report back further with more information.
- Intersection Improvements-NY Route 104 Ridge Rd at NY Route 93 PIN 5045.27, D265162

Resolution Granting the State of New York Authority to Perform the Adjustment for the Owner and Agreeing to Maintain Facilities Adjusted Via State-let Contract

WHEREAS, the New York State Department of Transportation proposes the capital project of Intersection Improvements
NY Route 104 Ridge Road at NY Route 93
Towns of Cambria and Lockport, Niagara County,
PIN 5045.27, D265162; and

WHEREAS, the Town of Cambria will adjust their facilities as part of the above-mentioned project involving the installation of a bracket arm and luminaire on an existing utility pole pursuant to Section 10, Subdivision 24, of the State Highway Law, as shown on the contract plans relating to the project and meeting the requirements of the owner; and

WHEREAS, the service life of the adjusted facilities will not be extended; and

WHEREAS, the State will provide for the monetary reimbursement for the above-mentioned work, as shown as the contract plans relating to the above-mentioned project.

NOW, THEREFORE,

BE IT RESOLVED, That the Town of Cambria approves of the installation of a bracket arm and luminaire on an existing utility pole, as shown on the contract plans.

BE IT RESOLVED, the Town of Cambria will maintain or cause to be maintained the adjusted facilities as shown on the contract plans.

BE IT FURTHER RESOLVED, that the Town Supervisor has the authority to sign, with the concurrence of the Town of Cambria Town Board, any and all documentation that may become necessary as a result of this project as it relates to the Town of Cambria; and

BE IT FURTHER RESOLVED, that the Clerk of the Town of Cambria is hereby directed to transmit five (5) certified copies of the foregoing resolution to the New York State Department of Transportation.

Upon a motion duly made by Councilman Musall and seconded by Councilman Roberts it was resolved to approving the above resolution read by the Town Attorney for installation of a bracket arm and luminaire on an existing utility pole as shown on contract plans.

Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

- The Town is involved in litigation that requires the retaining of an outside law firm due to a conflict of interest at the center of the Article 78 proceedings. The Supervisor has retained Nash Connors Attorney's to represent the Town in this matter.

CONCERNS OF CITIZENS

David Godfrey, Legislator, reported the following:

UPDATES:

- **Claudia Tenney- having a webinar on February 27th at noon for Community Project Funds via Zoom. Special funds for applicants for sewer and water, municipal building and other infrastructure within the town.**
- **Ms. Tenney also has a bill named: SAGA Safe Act Guarantee Act which goes across the country and no one can touch our 2nd amendment right.**
- **Mr. Godfrey will be in Albany to get Niagara County solar/energy issues on Lee Zeldon's radar.**

PROCUREMENT PURCHASES

Highway 2025-02

5130.04

Installation of WIFI in Highway Municipal Building

Sole Provider – **PreCom Corporation Amherst \$4,176.**

Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Roberts it was resolved to approve the work done by PremCom to install wifi in the Highway Municipal Building in the amount of \$4,176.00.

Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

Highway 2025-03

5130.02

Pro Series Full width Equipment Trailer

<i>LOE Trailer Sales NT NY</i>	<i>\$20,500.00</i>
Perinton RV and Trailers Inc. Macedon NY	\$19,814.25
WNY Accessory Shop & Trailer Sales Lockport NY	\$22,495.00

Not the low bid, but the accessories included make it a better purchase.

Upon a motion duly made by Councilwoman Brachmann and seconded by Councilman Roberts it was resolved to approve purchase of a Pro Series full width equipment trailer from LOE Trailer Sales, NT, NY in the amount of \$20,500.000.

Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

WATER RATES

Councilman Roberts indicated that the county has raised water rates because of increasing costs or chemicals etc. Because of this, the Town will increase the water rates in the amount of \$.10 for the first 5,000 gallons and \$.10 each additional 1,000 gallons. If anyone wants a complete list of water rates, please see the Water Clerk.

Town of Cambria water rates:

Quarterly (domestic, small consumers) *

0 minimum charge – 1” 5,000 gallons \$11.10 p/quarter
0 next 10,000 gallons \$ 2.20 p/1,000 gal.
0 next 100,000 gallons \$ 1.85 p/1,000 gal.
0 all over 115,000 gallons \$ 1.65 p/1,000 gal.
*irrigation consumers using 500,000 gallons or less, per year, use above rates

Quarterly (industrial & large consumers) **

0 minimum charge – 1” 2,000 gallons \$13.55 p/quarter
0 next 4,000 gallons \$2.10 p/1,000 gal.
0 next 34,000 gallons \$1.75 p/1,000 gal.
0 next 960,000 gallons \$1.55 p/1,000 gal.
0 all over 1,000,000 gallons \$1.50 p 1,000 gal.
*irrigation consumers using more than 500,000 gallons per year, use above rates

Irrigation meter – rental rates p/year:

¾” meter \$30.00
¾” meter w/rpz \$55.00

1” meter \$50.00
1” meter w/rpz \$75.00
1-1/2” meter \$65.00
2” meter \$80.00
3” & 4” meter \$100.00

***water rates go into effect 1st qtr billing cycle for 2025*
information as per the Water Department 2/13/2025*

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam it was resolved to approve the increase in the water rates in the amount of \$.10 for the first 5,000 gallons and \$.10 each additional 1,000 gallons.

Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

WATER/SEWER CHARGES-ADMINISTRATION FEE

Upon a motion duly made by Councilman Hurtgam and seconded by Councilman Roberts, it was resolved to increase the administrative fee to \$300.00 to recover the costs incurred by the Town/District in the processing of unpaid water bills for collection by the County. This fee will be for all 3rd Quarter unpaid bills \$100.00 and above.

Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

FEE SCHEDULE

RECREATION DAY PROGRAM

Resident increase to \$200 per child

Non-Resident increase to \$ 300 per child

COMMUNITY ROOM FEE

Upon a motion duly made by Councilwoman Brachmann and seconded by Councilman Hurtgam, it was resolved to increase the Recreation Day Program Fees for Residents to \$200.00 per child and Non Residents \$300.00 per child and the fee to rent the Community Room increase from \$75.00 to \$100.00, effective immediately.

Ayes: MacSwan, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

EAGLE SCOUT PROCLAMATION CHRISTIAN BATTAGLIA

Whereas, the Boy Scouts of America was founded on February 8, 1910, in the United States of America; and

Whereas, in 2013, Christian A. Battaglia joined Cambria Cub Scouts Pack 8; and

Whereas, Christian earned his Arrow of Light in April 2018, and crossed over to Cambria Boy Scout Troop 8; and

Whereas, Christian has earned 33 merit badges and the Ad Altare Dei religious emblem, served his Troop as Patrol Leader, Senior Patrol Leader, member of the Order of the Arrow, Order of the Arrow Troop representative and Chaplain Aide; and

Whereas, Christian has exemplified leadership qualities, organizational skills and strength of character while completing his Eagle Scout Project; building (5) bluebird cedar bird houses on free standing replaceable posts for the Cambria Town Park ; and

Whereas, as a member of Troop 8, Christian, through his hard work and personal commitment, attained the rank of Eagle Scout on November 12, 2024, the highest and most prestigious rank offered by the Boy Scout Program; and

Whereas, Scouts believe it is their duty to love their country, to support its Constitution, to obey its laws, to respect its flag, and to defend it against all enemies; and

Whereas, character, participation and leadership are the basis of good citizenship; therefore, be it

Resolved, the Town of Cambria is proud of your achievement, advancement to the rank of Eagle Scout, and shares with you in one of the greatest occasions, not merely of your career as a Scout, but of your whole life, and honors you this day by resolution of the Town Board on February 13, 2025.

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Upon a motion duly made by Councilwoman Brachmann and seconded by Councilman Hurtgam it was resolved to approve the Eagle Scout Proclamation for Christian Battaglia.

Ayes: MacSwan, 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 Roberts. Time: 7:25 pm.

Ayes: MacSwan, Brachmann Hurtgam, Musall, Roberts

-Motion Carried-

Respectfully submitted,

Tamara J. Cooper, Town Clerk