

TOWN OF CAMBRIA TOWN BOARD

October 9, 2025

The regular meeting of the Town of Cambria Town Board was held at 7:00 pm on the 9th day of October 2025 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:

Tamara J. Cooper, Town Clerk
Abe Platt, Attorney
Steve Kroening, Highway Superintendent
Approx. 16 interested individuals

Following salute to the flag Supervisor Foe gave a brief report. It has been a busy month with budget preparations, paving Town Park, Fall Harvest Celebration at the Town Park. Supervisor Foe thanked the Recreation Director for the success of that event. He also indicated that the Town Board has received almost 30 people who have volunteered for various committees and thanked those willing to volunteer their time.

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 Hurtgam it was resolved to approve the minutes of the Town Board meetings of September 11, 2025, work and regular; and Fire Company Meeting September 25, 2025.

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 9, 2025

ACCOUNT	AMOUNT
Drainage	\$ 847.26
General	\$ 113,864.06
Highway	\$ 33,833.97
Refuse	\$ 18,609.11
Sewer	\$ 2,069.59
Water Operating	\$ 92,496.36

Upon a motion duly made by Councilman Roberts and seconded by Councilwoman Brachmann it was resolved to approve the abstract of audited vouchers dated October 9, 2025, be approved as read by the Town Clerk.

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

WATER

- Changing out meters.
- Flushing and winterizing hydrants

SEWER

No report.

PARK

- Mowing.
- Will be paving completed on parking areas & roadway.
- Minor drainage issue completed.

BLDGS & GROUNDS

- Mowing.
- Parking area and driveways at municipal garage completed.

ATTORNEY

No report.

TOWN COUNCIL REPORTS

ZONING BOARD OF APPEALS:

Councilwoman Brachmann reported as follows:

- Public Hearings
- Renewing applications for Animal Husbandry
- Permits for building lots

PLANNING BOARD:

Councilman Roberts reported as follows:

- No meeting in September - no report.
- Suggestion: before anyone starts a home project, please check with the Building Department to be sure you have the permits needed.

RECREATION:

Councilman Hurtgam reported as follows:

- Veterans Day program 11/11/2025 at 11:00 am. Invitations will be mailed to Veterans in Town.
- December 6, 2025 - Christmas Community Event Resident's only. Sleigh rides, children's activities, and refreshments.

HIGHWAY/WATER:

Councilman Musall reported as follows:

- Currently going through equipment purchases.
- Preparing budget for possible new equipment and possible upgrades.

NEW BUSINESS

GRANT JUSTICE COURT

**Town of Cambria Resolution
Town Court requesting authorization from the Town Board
to apply for funding from the Justice Court Assistance Program.**

WHEREAS, the Cambria Town Court is requesting authorization from the Cambria Town Board to apply for funding from the Justice Court Assistance Program during the upcoming grant cycle; and

WHEREAS, one required component of that application is a Resolution from the Cambria Town Board authorizing the Cambria Town Court to apply for this funding.

THEREFORE BE IT RESOLVED, that the Board of the Town of Cambria authorizes the Town of Cambria Town Court to apply for a JCAP grant in the 2025-26 grant cycle up to \$30,000.00.

Upon a motion duly made by Councilwoman Brachmann and seconded by Councilman Hurtgam it was resolved to approve the resolution authorizing the Town of Cambria Town Court to apply for a JCAP grant in the 2025-26 grant cycle up to \$30,000.00.

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.

UNPAID WATER, SEWER, REFUSE, AND PROPERTY MAINTENANCE CHARGES FOR TAX LEVY

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.

Upon a motion duly made by Councilman Roberts and seconded by Councilman Hurtgam, it was resolved to place a lien on the Real Property for which services were provided in the amounts of: Unpaid Water: \$12,238.19; Unpaid Sewer: \$1,894.40; Unpaid Refuse: \$1,058.20; Water Late Fee: \$21,300.00. Town Charges: \$787.50 for a grand total of \$37,258.29.

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.

LANGWORTHY RESOLUTION – HOME HEATING CHOICE

**TOWN OF CAMBRIA
A RESOLUTION IN SUPPORT OF CONGRESSMAN NICK LANGWORTHY’S
ENERGY CHOICE ACT (H.R. 3699, S. 1945) AND IN OPPOSITION TO
GOVERNMENT-MANDATED NATURAL GAS BANS**

WHEREAS, affordable and reliable energy is essential to the health, safety, and economic prosperity of New York families, businesses, and communities; and

WHEREAS, natural gas remains a dependable, cost—effective, and clean-burning energy source used by millions of New Yorkers to heat their homes, cook their food, and power their businesses; and

WHEREAS, in 2019, New York State enacted the Climate Leadership and Community Protection Act (CLCPA), which mandates aggressive emissions reductions and serves as the foundation for sweeping energy restrictions, including efforts to phase out natural gas; and

WHEREAS, building on the CLCPA, Governor Kathy Hochul and the New York State Legislature in 2023 enacted provisions in the state budget banning natural gas and other fossil fuel hookups in most new residential and commercial buildings, effective 2026 for smaller buildings, and 2029 for larger buildings, thereby eliminating consumer choice and limiting access to affordable energy; and

WHEREAS, Governor Hochul has publicly supported these bans and related measures as part of her administration’s climate and energy agenda, despite widespread concerns that such mandates will increase costs, strain grid reliability, and restrict energy diversity; and

WHEREAS, these top—down policies undermine affordability, threaten reliability during peak demand, and strip away the freedom of consumers and businesses to choose the energy sources that best meet their needs; and

WHEREAS, Congressman Nick Langworthy of New York and Senator Jim Justice of West Virginia introduced the Energy Choice Act (HR. 3699, S. 1945), federal legislation that ensures state and local governments cannot restrict consumer access to natural gas and other affordable energy sources, thereby protecting freedom of choice for New Yorkers and all Americans; and

WHEREAS, the Energy Choice Act would safeguard households, small businesses, hospitals farmers, and manufacturers from harmful government overreach and preserve access to an “all- of—the-above” energy strategy that strengthens reliability and affordability;

NOW, THEREFORE, BE IT RESOLVED, that the TOWN OF CAMBRIA TOWN BOARD strongly supports the Energy Choice Act as introduced by Congressman Langworthy (H R 3699) and Senator Justice (S. 1945) and stands firmly opposed to New York State’s natural gas bans, the CLCPA—driven restrictions, and other state energy mandates that eliminate consumer choice; and

BE IT FURTHER RESOLVED, that the Town of Cambria Town Board urges Congress to pass the Energy Choice Act to defend consumer choice, protect energy affordability, and preserve reliable access to natural gas for New Yorkers; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to Congressman Nick Langworthy, Senator Jim Justice, the New York Congressional Delegation, Senators Chuck Schumer and Kirsten Gillibrand, Governor Kathy Hochul, and leadership of the New York State Legislature.

Upon a motion duly made by Councilman Musall and seconded by Councilwoman Brachmann, it was resolved to approve the resolution in support of Congressman Nick Langworthy’s Energy Choice Act (H.R. 3699, s. 1945) and in opposition to Government-Mandated Natural Gas Bans.

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

TOWN BOARD ASSIGNMENTS FOR COMMITTEE INTERVIEWS

Ethics Board and Farm Agri-tourism Interviews:
Councilman Musall and Councilman Hurtgam

Comprehensive Plan and Zoning Interviews:
Councilwoman Brachmann and Councilman Roberts

APPROVAL FOR VOLUNTARY NYS COMPTROLLER AUDIT

Town of Cambria Resolution to initiate a voluntary New York State Office of the State Comptroller Audit.

WHEREAS, the Town of Cambria Town Board wishes to obtain an independent, objective assessment of the Town's financial and municipal program stewardship so as to ensure the proper procurement of goods and services and to verify compliance with state law and regulations.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby authorizes the Town Supervisor to take any and all actions required to initiate a voluntary New York State Office of the State Comptroller audit for the purpose identifying ways to improve municipal program performance and operations, reduce costs and contribute to public accountability.

Upon a motion duly made by Councilman Musall and seconded by Councilman Hurtgam it was resolved to authorize the Town Supervisor to take any and all actions required to initiate a voluntary New York State Office of the State Comptroller audit for the purpose identifying ways to improve municipal program performance and operations, reduce costs and contribute to public accountability.

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.

BUDGET WORK MEETINGS

October 14, 2025- Community Room and October 16, 2025, at 7:00 pm at the Town Hall. If a 3rd meeting is needed it will be held on October 20, 2025- Community Room at 7:00 pm at the Town Hall.

TRANSFER FUNDS

Supervisor Foe indicated that the Town Board must do a line-item transfer in the amount of \$40,000.00 from 5130.02 Highway Equipment Line to 5130.04 Contractual.

Upon a motion duly made by Councilwoman Brachmann and seconded by Councilman Musall it was resolved to approve the line-item transfer in the amount of \$40,000.00 from 5130.02 Highway Machinery Equipment Line to 5130.04 Machinery Contractual.

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.

NOVEMBER TOWN BOARD MEETING CHANGE

November meeting change:

Because of the Election, Supervisor Foe announced the work meeting for November will be moved to Monday, November 3, 2025, at 6:30 pm; and the regular meeting will be moved to Thursday, November 6, 2025, at 7:00 pm at the Town Hall.

Upon a motion duly made by Councilwoman Roberts and seconded by Councilman Hurtgam it was resolved to approve the date change for November Town Board Meeting: Work- Monday, November 3, 2025, at 6:30 pm Town Hall; and the Regular- Thursday, November 6, 2025, at 7:00 pm at the Town Hall.

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

Vouchers will be due from Department Heads the week prior to the meeting.

ADDITIONAL MATTERS

Councilman Foe reported that at the Monday work meeting there was a discussion with the person who is attempting to purchase property on Unicorn Drive. They would like to construct 140 or so town homes. The sale has not been completed; it has been since 12/6/2024. Supervisor Foe indicated the Town would like its money, and as a taxpayer he feels it is inappropriate for someone to expect the Town of Cambria to be a bank to the tune of approximately \$440,000.00. The Town's attorney will be in contact with the purchaser's attorney.

Cambria.com will be moving to Cambria.gov:

The paperwork is complete; waiting on the .gov, will take 60 to 90 days.

CONCERNS OF THE CITIZENS

Dave Godfrey – Legislator reported on the following:

SOLAR-It is unfortunate; everyone fought so hard to keep the solar project out of Cambria. Albany has been pushing for a long time and there is no fighting it. The county will do its best to make sure the people in the community are protected.

BUDGET-The County has the worst budget in a long time but working on it the best they can.

EMS- The ambulance is doing very well. Average of 13-minute response and exceeded all of 2024's calls and will almost double that by the end of the year. Looking into a single rig on the night shift.

DREDGING INITIATIVE- This is to keep the harbors open. There are 19 small draft harbors on the south shore lake and five counties that are signed up at the county's expense to keep them open. Niagara County harbors alone generate \$60,000,000.00 in sales tax revenue. This revenue comes into the county and then goes to the towns. Outside of the air base it is the largest tax generator in Niagara County.

Supervisor Foe asked Mr. Godfrey if the rule is still in effect that there will have to be upfront money for the disposal of solar panels. Mr. Godfrey indicated that yes, this is the case at the end of life. That is established based

on the number of panels and it is the manufacturer's responsibility not the builder. If they do not have the money upfront, they can be fined \$100.00 per day per panel. There is a vehicle in place for reinforcement.

Duncan Ross-Townline Rd.

Mr. Ross asked who controls the money coming in from the solar plants.

Mr. Godfrey indicated that the money would go to the county.

Roger Palmer-Subbera Rd.

Mr. Palmer asked Mr. Godfrey if the solar company has contacted the county yet.

Mr. Godfrey indicated they have not.

Karen Kurczynski- Saunders Stmnt. Rd.

Ms. Kurczynski was present to voice her continued concerns with the proposed solar project and its effect on the surrounding land, rain/water runoff and wildlife. Her home will be surrounded by solar panels on 3 sides. Also concerned about plans in case of fire. Ms. Kurczynski also mentioned the mess surrounding the solar panels on Summit St. in Lockport and hopes the ones in Cambria will be maintained.

Tom Gertz- Saunders Stmnt. Rd.

Mr. Gertz reported that local solar fields are not working out the way expected and a lot of the money is going down the drain. He asked the Town Board if anyone was for this solar project in Cambria.

None of the Town Board is for the solar project.

Mr. Platt, Town Attorney indicated that he was not the attorney on that case. Lipus Mathias represented the Town and has for many years. Very few municipalities the size of Cambria tried the fight, and Cambria took it to the end. The hail Mary hope was that maybe in Rochester in the appellate division there would be a split and the court of appeals would agree to take up the case. Because they did not go the Town's way, the Court of Appeals, the highest court in NY, declined to hear the appeal. This is the end of the legal road. Very few municipalities even took the chance to push back; Cambria fought hard for a long time.

Duncan Ross-Townline Rd.

Mr. Ross asked when the solar money comes into the Town, what will it be used for.

Supervisor Foe indicated that until the Town determines how much is available, he cannot answer that question. It will be used for public good. The Town will not tax and spend.

Charlotte Patterson- Townline Rd.

Ms. Patterson asked if the Town Board will be keeping two building inspectors in the office. Mr. MacSwan indicated to her that the reason Mr. McCann is staying on is because Matt needed help with the Unicorn Drive project. Ms. Patterson indicated that it sounded as if Mr. MacSwan thought the Unicorn Project was a little further along than it was or will ever be. She wanted to confirm what he said vs. what may be the truth.

Supervisor Foe indicated that it is a personnel issue that the Town Board will be taking up. There should be some answers within a month or two.

Alora Brusino- Burch Rd.

Ms. Brusino asked when people will be contacted if they have applied for one of the committees and how will they be contacted.

Supervisor Foe is leaving that up to the interviewers and he would think the contact would be by phone within the next week.

Mary Brenzel-Thrall Rd.

Ms. Brenzel asked the Town Board how the public will know about the work meeting content if the information via minutes is not posted prior to the regular Town Board meeting.

Supervisor Foe encourages everyone who is able, attend those meetings.

Duncan Ross suggested technology tools that can be used for transcription of the minutes.

Charlotte Patterson asked if the Town would ever be interested in doing live streaming.

Supervisor Foe couldn't answer that question at that time, but perhaps in the future.

Johnathan Strassheim-Plank Rd.

Mr. Strassheim indicated that there is a serious problem on his road with cars speeding. People are using that road as a cut off. He feels that the average speed is 60 MPH in a 45 MPH.

Supervisor Foe requested that Mr. Kroening, Highway Superintendent, contact the Sheriffs Department to be more active in that area.

ADJOURNMENT

As there was no further business, the meeting was adjourned by motion made by Councilman Musall and seconded by Councilman Hurtgam. Time: 8:00 pm.

Ayes: Foe, Brachmann, Hurtgam, Musall, Roberts

-Motion Carried-

Respectfully submitted,

Tamara J. Cooper, Town Clerk