

10/10/2019 OCTOBER REGULAR MEETING

Present:

Councilwoman Jamie Emmick
Councilman Leonard R. Hochadel
Councilwoman Mandy Quinn-Stojek
Supervisor Beverly A. Gambino

Absent:

Councilman Douglas Morrell

Also Present:

Highway Superintendent Donald Hopkins
Town Clerk Jennifer L. Bray
Approx. 13 guests

Supervisor Gambino opened the regular October meeting at 6:32 immediately following the CDBG Public Hearing.

Supervisor Gambino stated that the first item on the agenda was for approval of the minutes from the September 12th regular board meeting. **On a motion by Emmick, seconded by Hochadel, the minutes were approved, as submitted. Carried, 4 ayes, 0 noes, 1 absent.**

Supervisor Gambino stated that the next item on the agenda is to approve the payment of the bills. **On a motion by Hochadel, seconded by Emmick, Warrant #10 of 2019, including vouchers #553 through #608, totaling \$156,696.06, of which \$22,138.32 was for the General Fund, \$133,478.28 was for the Highway Fund and \$1,079.46 was for the Street Lighting Fund was approved for payment. Carried, 4 ayes, 0 noes, 1 absent.**

Supervisor Gambino introduced Legislator John Mills who was attending the meeting to update the board and residents on topics from Erie County. Legislator Mills introduced Nancy Heath from his office and stated that if anyone had any concerns on County issues that they could reach out to Nancy. Legislator Mills then spoke about the condition of some of the County roads in the area including work that had recently been done on Middle Rd in the Town of Sardinia. Legislator Mills noted that the new County Budget had a slight decrease over last year. Lastly Legislator Mills talked about some flyers that he would be leaving with the Town Clerk including the Yellow Dot program flyers and the Fishing Hot Spot Map.

Departmental Reports were as follows:

Councilwoman Quinn had nothing to report.

Councilwoman Hochadel had nothing to report but stated that the Sheriff's office would be patrolling Middle Rd. so people don't speed on it now that the road has been redone.

Councilwoman Emmick reported that there was nothing new from the Recreation Department at his time. Councilwoman Emmick voiced concern over the gate at Veterans Park being open at night and cars being in the park.

Superintendent Hopkins updated the Town Board on a numbers of topics including the Erie County Sheriff's Office prisoner work detail helping with brush cleanup at Veterans Park, the condition of the basketball courts at Veterans park and getting prices to reseal them, the status of the New Plow truck, sand and salt prices and the closing of Manion Park for the winter once the weather gets colder. Lastly Superintendent Hopkins stated that every year he has to complete a form 284 Agreement to Spend Highway Funds. Superintendent Hopkins stated that this form is to show what was spent on roads for repairs. **Therefore on a motion by Hochadel, seconded by Quinn the Town Board accepted and signed the Highway Form 284 Agreement to Spend Highway Funds. 4 ayes, 0 noes, 1 absent**

Supervisor Gambino reported that Councilman Morrell was absent due to a broken ankle but asked her to report that he was not able to get a veterinarian to do the rabies clinic this year therefore there would not be a rabies clinic this year. Supervisor Gambino noted that the annual flu clinic would be held on October 25th from 9am-noon and that Waste Management would be providing breakfast. Next Supervisor Gambino noted that the Code books that have been being redone are complete and stated that each board member had been given a copy to review so that the Code book could be adopted next month. Lastly Supervisor Gambino stated that she had discussed with Councilman Hochadel and Councilwoman Emmick the need to have an additional attorney separate from the Town Attorney to handle and advise the Town on matters with the planned future solar farm and Article 10 issues. Supervisor Gambino requested that the Town Board appoint David DiMatteo. Supervisor Gambino stated that Mr. DiMatteo is very knowledgeable with Article 10 issues and projects. Supervisor Gambino stated that the cost per hour for Mr. DiMatteo would be \$250.00, his partner Dave Roche was also \$250.00 per hour and if the two had to be at anything together it would be \$350.00 per hour. **Therefore on a motion by Emmick, seconded by Hochadel, the Town Board appointed David DiMatteo and Dave Roche as attorneys to handle solar issues and Article 10 issues. 4 ayes, 0 noes, 1 absent**

Supervisor Gambino stated that the next item on the agenda was a resolution requesting to override the Tax Cap. Supervisor Gambino noted that this override was only for the street lighting special district and that there was still no town tax. **Therefore the following resolution, to be known as Resolution #35 of 2019, was moved for adoption on a motion by Hochadel, seconded by Quinn:**

Resolution #35 – 2019

REQUEST TO “OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-C

WHEREAS, Chapter 97 of the Laws of 2011 – “The Property Tax Cap” add a new section 3-c to the General Municipal Law that provides that the amount of real property taxes that may be levied by or on behalf of any local government shall not exceed two percent (2%); and
WHEREAS, in order to adopt a budget that requires a tax levy that is greater than the tax levy limit for the coming fiscal year, only if the Town Board first enacts, by a vote of sixty percent (60%) of the total voting power, a resolution to override such limits for such coming fiscal year only, and
WHEREAS, that the Town Board of the Town of Sardinia feels it is in the best interests of the Town of Sardinia to adopt said resolution, and.
RESOLVED, that the Town Board of the Town of Sardinia feels it is in the best interests of the Town of Sardinia to override the Tax Cap.

DULY ADOPTED, this 10th day of October, 2019 by the following vote: Emmick aye, Hochadel, aye, Morrell, absent, Quinn, aye, Gambino, aye. So resolved, 4 ayes, 0 noes, 1 absent.

Supervisor Gambino stated that the next item on the agenda was a resolution for approval for the Rural Transit Van under the Community Block Grant. **Therefore the following resolution, to be known as Resolution #36 of 2019, was moved for adoption on a motion by Hochadel, seconded by Emmick:**

Resolution #36 – 2019

COMMUNITY BLOCK GRANT APPROVAL

WHEREAS, at a meeting of the Sardinia Town Board held on October 10, 2019, the Board authorized the Town Supervisor, to sign, submit and execute a contract with Erie County Community Development Block Grant (ECCDBG) program for the following project(s) upon approval of ECCDBG.

1. Rural Transit Van Program Consortium

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board authorizes the Town Supervisor to sign, submit and execute with the ECCDBG program for the above listed project(s) upon approval of ECCDBG.

DULY ADOPTED, this 10th day of October, 2019 by the following vote: Emmick aye, Hochadel, aye, Morrell, absent, Quinn, aye, Gambino, aye. So resolved, 4 ayes, 0 noes, 1 absent.

Supervisor Gambino stated that the next item on the agenda was a resolution for approval of funding for the Sardinia Senior Citizens Thanksgiving Dinner. Supervisor Gambino noted that last year the Town paid for 85 meals and asked the board if they would like to put a limit on the number of meals this year. They did not. **Therefore the following resolution, to be known as Resolution #37 of 2019, was moved for adoption on a motion by Hochadel, seconded by Emmick:**

Resolution #37 – 2019

APPROVAL OF SARDINIA SENIOR CITIZENS THANKSGIVING DINNER

WHEREAS, the Sardinia Town Board has received a request from the Senior Citizens to contribute to the cost of the annual Thanksgiving Dinner to be held on November 21st 2019 at 12:00 p.m. at the Holland Willows, and
WHEREAS, the cost of this dinner is \$13.50 per person; Waste Management will contribute \$ 5.00 per person the remainder \$8.50 per person is requested from the Town of Sardinia for this event, and
WHEREAS, the Town of Sardinia has annually contributed to this event and has the funds available in the budget for this, and
NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby authorizes the payment to the Holland Willows for the purpose of the Sardinia Senior Thanksgiving Dinner to be held on November 21, 2019 at 12:00 p.m. at the Holland Willows.

DULY ADOPTED, this 10th day of October, 2019 by the following vote: Emmick aye, Hochadel, aye, Morrell, absent, Quinn, aye, Gambino, aye. So resolved, 4 ayes, 0 noes, 1 absent.

Supervisor Gambino stated that the last item on the agenda was a resolution for approval of the new Town seal that the board had requested the public vote on. Supervisor Gambino stated that there were ballot boxes at the town hall as well as at the concerts in the park over the summer. **Therefore the following resolution, to be known as Resolution #38 of 2019, was moved for adoption on a motion by Emmick, seconded by Hochadel:**

Resolution #38 – 2019

APPROVAL OF NEW TOWN SEAL

WHEREAS, the Sardinia Town Board has received five different new Town Seals for use by the Town of Sardinia, and

WHEREAS, it was decided by the Sardinia Town Board to seek the publics opinion of which seal to use, and

WHEREAS, the percentage of votes cast were as follows: #1 – 32%, #2 -2%, #3 – 14%, #4 – 41%, #5 – 11%, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby authorizes the use of seal # 4, pictured below, as the official seal for the Town of Sardinia.



DULY ADOPTED, this 10th day of October, 2019 by the following vote: Emmick aye, Hochadel, aye, Morrell, absent, Quinn, aye, Gambino, aye. So resolved, 4 ayes, 0 noes, 1 absent.

There being no further business to come before the Board, on a motion by Quinn, seconded by Emmick, the meeting was adjourned at 6:52 PM. Carried, 4 ayes, 0 noes, 1 absent.

Respectfully Submitted,

Town Clerk