

11-9-2017 NOVEMBER REGULAR MEETING

Present:

Councilman Cheryl L. Earl
Councilman Leonard R. Hochadel
Councilman Douglas J. Morrell
Councilman Mandy Quinn-Stojek
Supervisor Beverly A. Gambino

Also Present:

Town Clerk Jennifer L Bray
Town Engineer Paul Chatfield
Approx. 14 guests

Supervisor Gambino called the meeting to order at 6:30 PM. The Supervisor stated that there were five sets of minutes from October to be approved. The first was from the October 12th regular board meeting. The rest were from October 26th and were for the Bid opening, the Public Hearing for CDBG funding, the Special Meeting for CDBG funding and the 2018 Budget Work Session. **On a motion by Morrell, seconded by Earl, all of the minutes were approved as submitted. Carried, 5 ayes, 0 noes.**

The Supervisor stated that the next item on the agenda was for approval of the bills for payment. **On a motion by Morrell, seconded by Quinn, Warrant #11 of 2017, including vouchers #580 through #647, totaling \$145,322.38, of which \$69,766.42 was for the General Fund, \$74,526.53 was for the Highway Fund and \$1029.43 was for the Street Lighting Fund was approved for payment. Carried, 5 ayes, 0 noes.**

Supervisor Gambino then introduced Paul Chatfield from Chatfield Engineers. Mr. Chatfield stated that he had a recommendation letter prepared for awarding the contracts for both Contract A for the Boiler Replacement and Contract B for the Exterior Improvements to the building. He gave a copy to the board members and noted that the recommendation was based off of the bid opening that was held at the Town Hall on October 26, 2017. He stated that there had been several bids for each project. He stated that the bids ranged from \$38,892.06 to \$72,900.00. He noted that the low bidder for Contract A for the Boiler Replacements was Vio Plumbing and Mechanical, LLC. He stated that at the bid opening he talked with them and they felt comfortable with their bid. However since that time he feels that they are what is considered a non-responsible / non-responsive bidder. This is due to Vio including a statement of municipal experience and references with their bid. They also have not responded to emails and phone calls requesting the information as well as other information that is needed. He felt this was a great concern. Therefore he looked at the next lowest bidder which was MLP Plumbing and Mechanical. Mr. Chatfield stated that they had included all the needed information and have solid references. Mr. Chatfield noted that he had reached out to the Town's Attorney on this matter who advised that if the Town Board finds the Vio Plumbing and Mechanical does not meet the criteria for a responsive and responsible bidder in part based on the recommendation of the Town's Engineer then the Town can award the contract to the next lowest bidder. With that Mr. Chatfield stated that it was his recommendation to award the Contract A to MLP Plumbing and Mechanical. **Therefore the following resolution, to be known as Resolution #28 of 2017, was moved for adoption by Earl, seconded by Hochadel:**

RESOLUTION #28 – 2017

Award of Contract A: Town Hall Boiler Replacement

Bids were received for the Town of Sardinia Town Hall Boiler Replacement Project on October 26, 2017. The low bidder, Vio Plumbing and Mechanical, LLC did not demonstrate their ability to complete the project by not responding in a timely manner to the Town Engineer's request for information to be provided, has not completed any public works projects and has very limited experience completing similar boiler replacement projects. Therefore, the Town Board hereby rejects the bid received from Vio Plumbing and Mechanical, LLC.

Furthermore, the Town Engineer has reviewed the qualifications of the second bidder, MLP Plumbing & Mechanical, Inc. and have found them to be highly recommended from their references checked, have completed numerous public works projects and appears to be well qualified to complete the project.

Therefore, The Town of Sardinia Town Board hereby accepts the Bid received for the Contract A: Town of Sardinia Town Hall Boiler Replacement from MLP Plumbing & Mechanical, Inc., for the Base Bid in the Amount of \$44,400.00, and awarding the Contract to them.

BE IT SO RESOLVED,

Upon roll call vote: Earl, aye, Hochadel, aye, Morrell, aye, Quinn, aye, Gambino, aye. So resolved, 5 ayes, 0 noes.

Next Mr. Chatfield stated that the bid opening for Contract B for the Town Hall Exterior Improvements was

also held on October 26, 2017. There had been eight bids submitted. The bids ranged from \$215,576.80 to \$489,900.00. He stated that the low bidder was Highland Masonry Restoration, Inc. Mr. Chatfield stated that he had reviewed the qualifications of Highland Masonry and checked the references provide in their bid. Mr. Chatfield stated that they come highly recommended. With that Mr. Chatfield stated that it was his recommendation to award the Contract B to Highland Masonry Restoration. **Therefor the following resolution, to be known as Resolution #29 of 2017, was moved for adoption by Quinn, seconded by Hochadel:**

RESOLUTION #29 – 2017

Award of Contract B: Town Hall Exterior Improvements

Accepting the Bid received for the Contract B: Town of Sardinia Town Hall Exterior Improvements from Highland Masonry Restoration, Inc., for the Base Bid in the Amount of \$215,576.80, and awarding the Contract to them.

BE IT SO RESOLVED,

Upon roll call vote: Earl, aye, Hochadel, aye, Morrell, aye, Quinn, aye, Gambino, aye. So resolved, 5 ayes, 0 noes.

Mr. Chatfield noted that the next step in the process was that his office will send out notice of award to the bidders. They handle preparing the contract agreement between the town and the contractors. They will send the agreements to the contractors for their review and signature. Once the agreements are returned Mr. Chatfield will review all of the documents including the certificates of insurance and bid bonds before forwarding everything to the Town Attorney for review before having the Supervisor sign. Once everything is signed a preconstruction meeting will be set to review the schedule for the work to be done. He noted that the order time for things like the windows may be a few months therefore his company will review the contractor's drawings to make sure that the Town is getting what was asked for so that they can be ordered.

The next item that was discussed was the Pool House. Supervisor Gambino stated that she had been there to look it over with the park caretaker Al Hansen and architect Rob Wolf. After looking at the pool house there are a lot more repairs/upgrade that are needed then were originally thought. She then asked Paul Chatfield to explain further. Mr. Chatfield stated that the original proposal that was submitted for the pool house bathroom upgrade to make it ADA compliant as part of the grant the Town was getting and had been included in the capital improvement plan that they had submitted a few years ago. However after the onsite meeting the scope of service needs to be expanded because of needed repairs and upgrades that go along with the ADA bathroom upgrades. Such as upgrades to the sidewalks and the pool entrance to make them ADA compliant as well as moving the showers outside. Mr. Chatfield then stated that due to the changes in the scope of work they have submitted an amendment to the first proposal. The proposal included additional Engineering and Architectural Fees of \$14,766.00. Councilman Earl asked when the grant funds would be available. Supervisor Gambino stated that bills are submitted for payment as they come in. Councilman Hochadel stated that he was not happy with the increase. Mr. Chatfield explained that there are many steps to be handled in projects like this. He also noted that payments are made as each step is handled and completed. As for the additional fees Mr. Chatfield stated that as the scope of work changes in a project so does engineering and architectural work therefore causing an increase to the fees. Supervisor Gambino stated that as she sees it we are paying for their expertise in making sure that everything is done correctly with this project. Councilman Earl asked if the board could had to make a decision tonight or if they could take time to think it over. The board agreed to table the Amended proposal from Chatfield Engineering for the additional work to the pool house. Councilman Morrell ask if Mr. Chatfield could get the Board an estimate of what the construction costs for the project itself would be.

Departmental Reports were as follows:

Councilman Morrell thanked the Fire Company for putting up the house numbers and noted they look good. Gerry Whittington from the fire company stated he has a couple more to finish but was hoping to be done by the next meeting.

Councilman Quinn had nothing to report.

Councilman Hochadel reported that there was no Springville Control meeting this month. He stated that he was glad to see that Erie County had fixed Savage Rd and he was still working to try and get them to do something with Middle Rd.

Councilmen Earl reported that the new speed limit signs have been put up on the roads that the Town asked for speed reductions on. She then asked when the gym floor refinishing would start. Supervisor Gambino stated that it was scheduled to start on November 29th and would not be done until after December 16th so she noted that the December meeting would need to be held in the kitchen or upstairs. She noted that Krissy Kittleson for the Fire Company had offered the use of the fire hall if needed but felt that the kitchen here would work fine.

Supervisor Gambino then moved on to Public Comment. Resident Kara Kane who is also a representative of Bertrand Chaffee Hospital spoke about the upcoming Rural Health Day which is on November 16th. She stated that she speaks to local audiences about the value of local health care. She stated that in the last 7 years or so that more than 82 rural hospitals have closed. She stated the impact of this financially and

personally devastating to local communities. She noted that there had been an independent analysis of Bertrand Chaffee Hospital that showed that they are responsible for about 47 million dollars if economic impact for the region. They have about 350 employees and they see 1000's of patients each month. She feels this is a true value to local health care. She noted that they had they received a grant this past summer from New York State. It is an 11.3 million dollar investment in local health care which will go mostly to equipment including 3D mammography, a new nuclear medicine camera and a full time MRI machine the will be in a structure on their campus. They are also building a medical arts building on the campus that centralize the primary care service and allow for other specialty services like dialysis or chemotherapy. She closed by saying they would like to hear from the community on what they are doing right and what they can improve. With that Supervisor Gambino presented Kara Kane with a proclamation in honor of Nation Rural Heath Day. Ms. Kane stated that the proclamation would be hung at the Hospital in the Primary Care Center and moved to the new building after it is built.

Councilman Earl then noted that she has seen Spectrum cable working in town and that when you check the Public Service Commission's web site there are address's including hers that say they will be built to that address in the next 12 month. In the past it has always said no service.

Supervisor Gambino than reported that at the budget work session the board had talked about the cost of our Springville Control service and looking into other options that might be less expensive. She stated that she has talked with East Aurora and Hamburg so far but is still waiting on prices. Supervisor Gambino noted that she had also asked the Town Attorney to look at the contract to make sure there was no conflict with changing before any decision was made. She stated that she has also spoken with Dan Neaverth Jr. from Erie County who said he would help with any transition if needed. Next Supervisor Gambino stated that the Town Attorney was also working on the Capital Equipment Reserve for the Highway Department that was also talked about at the budget work session. She hoped to have that back from him by the December meeting. Next Supervisor Gambino stated that the she would like to look at having the building re-keyed. She noted that there are troopers, sheriffs and others who have keys and are no longer working or need them. So it was her feeling that since the newly elected Town Clerk is responsible for the keys that the first of the year would be a good time to redo that locks so that she has a current list of who has keys. Supervisor Gambino stated that she had a quote from Austin Locksmith is \$627.50. She also noted that Superintendent Hopkins would like to get a quote from them to redo his locks as well. She then asked for a motion to approve having the building re-keyed at the first of the year. **Therefor on a motion from Earl, seconded by Quinn, the Board agreed to have the locks re-keyed at the first of the year by Austin Locksmith for \$627.50. Carried, 5 ayes, 0 noes.** Next Supervisor Gambino reported that she had received an email from the NYS DOT. After being here and listening to the publics comments on the restriping project for Rt. 16 they have decided instead of ending the center turn lane at Hutchinson Rd. that they would continue the center turn lane to the intersection of Rt. 16 and West Yorkshire Rd. The Supervisor then noted that Friday night Rec had started and the movie night for December has to be rescheduled do to the gym floor work so it is going to be later in December or after the first of the year. The next item Supervisor Gambino reported on was also from the budget work session and was for two hand dryers for the bathrooms at Veteran's Park to replace the current paper towel dispensers. Which in the long term would help cut down on the mess and expense of the paper towels. The cost for the hand dryers is \$430.00 each for a total of \$860.00. **Therefor on a motion from Earl, seconded by Hochadel, the Board agreed to have purchase two hand dryers for Veteran's Park. Carried, 5 ayes, 0 noes.**

Supervisor Gambino then stated that the next item on the agenda was for the approval of the 2018 Town Budget. She asked the board if they had anything that they would like to add. They did not. **Therefor the following resolution, to be known as Resolution #30 of 2017, was moved for adoption by Hochadel, seconded by Morrell:**

RESOLUTION #30 – 2017

APPROVAL OF 2018 BUDGET

WHEREAS, the Sardinia Town Board has reviewed the 2018 Preliminary Budget, and **WHEREAS**, the Sardinia Town Board approves the 2018 Budget with the following changes (if applicable), and **NOW, THEREFORE, BE IT RESOLVED**, the Sardinia Town Board hereby approves the 2018 Budget for the Town of Sardinia as presented to the Town Board with the noted changes, (if applicable), and

Be it so resolved,

Upon roll call vote: Earl, aye, Hochadel, aye, Morrell, aye, Quinn, aye, Gambino, aye. So resolved, 5 ayes, 0 noes.

Supervisor Gambino then stated that the next item on the agenda was for approval of the contract between the Town and the Historical Society. Supervisor Gambino stated that Councilman Earl had talked with Dan DeGolier and come to an agreement on a new contract. She stated that in the past the Town has given them \$25,000.00 per year. She stated that the new contract will be for \$20,000.00 for the first year and \$15,000.00 a year for the next two. Councilman Earl stated that the Historical Society has been very good with the money the Town has given them each year and that they have built a nice savings to help with expenses and projects that may need to be done.

Therefor the following resolution, to be known as Resolution #31 of 2017, was moved for adoption by Earl, seconded by Morrell:

RESOLUTION #31 – 2017

APPROVAL OF CONTRACT WITH TOWN OF SARDINIA AND SARDINIA HISTORICAL SOCIETY

WHEREAS, the Sardinia Town Board agrees that the Historical Society does provide a service to the Town and agrees to provide the amount of \$20,000.00 FOR THE YEAR 2018, \$15,000.00 FOR THE YEAR 2019, AND \$15,000.00 FOR THE YEAR 2020 for a period to financially support such services and to aid in the maintenance of the Meeting House building, and

WHEREAS, the Sardinia Town Board gives permission to renew the contract which was previously held between the Town of Sardinia and the Sardinia Historical Society, giving the Supervisor permission to sign the renewed contract, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves a contract with the Sardinia Historical Society and will provide the amount of \$20,000.00 FOR THE YEAR 2018, \$15,000.00 FOR THE YEAR 2019, AND \$15,000.00 FOR THE YEAR 2020 as stated in the terms of the contract; and

Be it so resolved,

Upon roll call vote: Earl, aye, Hochadel, aye, Morrell, aye, Quinn, aye, Gambino, aye. So resolved, 5 ayes, 0 noes.

Supervisor Gambino stated that the next item was for approval of fund transfers to be able to zero out accounts and close the books for the year. **Therefor the following resolution, to be known as Resolution #32 of 2017, was moved for adoption by Earl, seconded by Quinn:**

RESOLUTION #32 – 2017

APPROVAL OF FUND TRANSFER

WHEREAS, the Town of Sardinia Board approves the following transfer of funds:

<u>TRANSFER FROM</u>	<u>AMOUNT</u>	<u>TRANSFER TO</u>
A1620.440 Operations Buildings/Repair	\$3043.14	A1620.490 Operations Building/Other
A5132.440 Garage Building Repairs	\$619.75	A5132.490 Garage Other Expenses
A7110.400 Park Contractual	\$1039.57	A7020.400 Recreation Adminstr Contr
DA5110.140 General Repairs Part Time	\$2897.09	DA5110.130 General Repairs
	Overtime	
DA5110.450 General Repairs Sidewalk Const	\$982.40	DA5110.120 General Repairs Personal Serv
DA5110.420 General Repairs Fuel	\$17,160.26	DA5110.440 General Repairs Road
	Construction	
SF9010.800 Retirement LOSAP	\$789.38	SF3410.440 Fire Protection Dispatch

Be it so resolved,

Upon roll call vote: Earl, aye, Hochadel, aye, Morrell, aye, Quinn, aye, Gambino, aye. So resolved, 5 ayes, 0 noes.

Lastly, Supervisor Gambino stated that the next item was for approval for her to sign the contract with Code Publishers and to start working on updating the Town Code books. She stated the funds for this project have been put in the budget for next year but that she would like to get thing started now. She noted that the total cost for this project is \$13,900.00 but that it is not due all at once but due as the stages of the project are completed. **Therefor the following resolution, to be known as Resolution #33 of 2017, was moved for adoption by Earl, seconded by Morrell:**

RESOLUTION #33 – 2017

APPROVAL FROM GENERAL CODE FOR PROPOSAL FOR CODIFICATION SERVICES

WHEREAS, the Code of the Town of Sardinia was originally published by General Code in 1989, but has not been updated since 1996, and

WHEREAS, Presently, the Town of Sardinia wishes to undertake a comprehensive review and updating of the 1989 Code and include all legislation of a general and permanent nature through Local Law No. 1-2017, and

WHEREAS, the scope of services is to include research and editorial and legal review to identify conflicts, inconsistencies and other problem areas in need of updating or correction; the incorporation of any necessary revisions; the creation of an index; the printing of 5 copies of the Code in an 8 1/2 by 11 inch page format; and the preparation of Code adoption materials and a disposition list to document the final disposition of all Code-relevant legislation., and

WHEREAS, the Town is also interested in a fully searchable online version of the Code,

NOW, THEREFORE, BE IT RESOLVED, The Sardinia Town Board wishes to accept this proposal from General Code for the recommended solution at a cost of \$13,900.00 and grants the Town Supervisor permission to sign the agreement and have General Code commence with this proposal beginning in 2018.

Be it so resolved,

Upon roll call vote: Earl, aye, Hochadel, aye, Morrell, aye, Quinn, aye, Gambino, aye. So resolved, 5 ayes, 0 noes.

There being no further business to come before the Board, on a motion by Hochadel, seconded by Earl, the meeting was adjourned at 7:16 PM. Carried, 5 ayes, 0 noes.

Respectfully Submitted,

Town Clerk