

2-13-2014 – REGULAR BOARD MEETING

Present:

Councilman Cheryl L. Earl
Councilman Lenard R. Hochadel
Councilman David L. Montgomery
Councilman Douglas J. Morrell
Supervisor Beverly Gambino

Also Present:

Town Clerk Betsy A. Marsh
Approx. 20 guests

The Sardinia Town Board held its Regular Town Board meeting for February on February 13, 2014 at the Sardinia Town Hall/Community Center. Supervisor Gambino called the meeting to order at 6:30 PM. She asked if there was any members of the American Legion present that would like lead the Pledge to the Flag. James H Wiedemann led the Pledge, and a moment of silence followed.

The minutes from the January 16, 2013 Organizational Meeting for 2014, and the January 16, 2014 Regular Board Meeting, were submitted by Deputy Town Clerk Jennifer Bray. A motion was made to approve by Councilman Earl, seconded by Councilman Hochadel, and carried, 5 ayes, 0 noes.

The Supervisor introduced Nick Fodero from Aurora Consulting Group, the Town's new IT firm. He was asked by the Supervisor to provide a bid for 6 new work stations, with Microsoft Office installed. He stated that the computers, with boxed editions of the software, off the State bid, will cost between \$795.29 and \$1129.46 each, depending on his time. He explained that the computers need replacement because, as of April 9, 2014, Windows XP will no longer support any of the State or County programs, and users will have to have Windows 7 on their computers. Supervisor Gambino asked for approval to go ahead and order the computers. On a motion by Morrell, seconded by Earl, the following resolution, to be known as Resolution #6 of 2014, was moved for adoption:

RESOLUTION #6 - 2014 APPROVAL OF COMPUTER/SOFTWARE UPDATES FOR TOWN HALL

WHEREAS, the Town has been working with Aurora Consulting Group for the upgrade of six computers located at the Town hall, and

WHEREAS, Aurora Consulting has provided an inspection and assessment of the current computers and software, and

WHEREAS, the current operating system which is Windows XP, will be obsolete and Microsoft will not provide any updates after April 2014, and

WHEREAS, it is advantageous and critical to have the town computers up to date so that services will not be interrupted to the public and records can be maintained without problems, and

WHEREAS, Aurora Consulting has been working with and providing quoted prices off of the New York State bid sheet

NOW, THEREFORE, BE IT RESOLVED, that the purchase of six computers along with Office Suit software, and the cost of installation be approved at the cost not to exceed \$7,000.00, through Aurora Consulting Group.

Upon roll call vote: Earl, aye, Hochadel, aye, Montgomery, aye, Morrell, aye, Gambino, aye. Carried, 5 ayes, 0 noes.

Supervisor Gambino then introduced Karl Simeth, the representative from Assemblyman DiPietro's office, who stated he will be trying to meet with each Town on a monthly basis, and if anyone has any issues, he will be available on behalf of the Assemblyman, and gave his cell phone number, 725-7732, to anyone that would like to contact him. Supervisor Gambino thanked him for his attendance.

Committee and Department Reports:

Highway Superintendent Donald Hopkins was absent, but had asked Supervisor Gambino to read a brief report from him. She stated he had started with pickup truck bids in December, and there were problems with awarding the bid because there was not a quorum for the Special meeting to award, and then in January, the prices went up on the trucks. Mr. Hopkins is asking for that the bids be removed from the table. **On a motion by Earl, seconded by Hochadel, the pick up truck bids were removed from the table. Carried, 5 ayes, 0 noes.** The Supervisor stated that she wanted to report that the Blue Cross & Blue Shield policy currently in effect for the Highway employees would no longer exist as of March 1st. She stated they had to pick a new policy, which is a lot different than the current policy, and the good news is that it will save the Town over \$26,000.00 on their health insurance. The Supervisor also informed that, concerning the TRUST payments distributed last fall, the Town's accounting firm of Drescher & Malecki has now put out a position memo stating that 1099's will not be issued. She stated that the Town is not saying the school tax rebates are taxable or not taxable, and that those who received the payments should talk to their accountants or tax preparers about that issue. She stated that a copy of that memo is available at the front table. Supervisor Gambino also reported that she has received a request from Meals on Wheels to meet here next Friday at noon to discuss that program. She stated that the Southtowns Meals on Wheels program has been taken over by the Western New York Meals on Wheels program, and meals must now be picked up by the drivers at either East Aurora or North Collins instead of in Springville. She stated that puts a large burden on the volunteer drivers who don't want to have to go that far. She stated she would like to see what they have to say about the new program, and invited anyone interested to come and sit in and talk to the representative.

Councilmen Earl reported that, concerning the baseball fields, last year the Board discussed making the baseball diamond at the Genesee Rd. Park an A field for Youth Baseball. She stated the work was approved last year. She has asked for a donation of bleachers for that field and should be hearing back soon on that. She stated that the Youth leagues have asked for a home run fence at Manion Park so they can host the championships at that field, and suggested that a home run fence be erected on the field out behind the Town Hall, also, and stated she has requested the fencing for those fields from Gernatt Asphalt, but has received no response on that, either, but should know by next month, and the Town can go from there. She stated she has spoken to Highway Superintendent Hopkins about the fence being installed here, and there is the issue of the septic system, but the set back is different from the Genesee Rd. diamond due to the different size of the teams. Councilman Earl stated that the Youth baseball league has also requested permission to put up a scoreboard at Manion Park. **On a motion by Hochadel, seconded by Morrell, the Youth Baseball League was given permission to put up a scoreboard at Manion Park. Carried, 5 ayes, 0 noes.** Councilman Earl stated she has received a request for use of the soccer field at Veteran's Park on Genesee Rd. for soccer games from April 2014 through August 2014, stating that the request actually was received last September, but was put off for decision by the new Board. She stated that Mr. Foote is aware of the baseball diamond work, and that the soccer field, currently directly behind that field, will be moved farther west, toward the softball field. **On a motion by Earl, seconded by Morrell, the Arcade Express Soccer Club was given permission to train and hold games at the Genesee Rd. Park from April through August, 2014. Carried, 5 ayes, 0 noes.** Councilman Earl stated that the Lessons and Recreation program will start July 2nd, the pool will tentatively open June 21st, and the Townwide Garage Sale has been scheduled for July 11th, 12th, and 13th. She stated that the Girl Scouts would like to place seasonal potted plants outside the Town Hall as a project, and **on a motion by Earl, seconded by Hochadel, they were given permission to do so. Carried, 5 ayes, 0 noes.** Councilman Earl asked for permission to place ads for lifeguards, WSI's and recreation staff during the month of March. **On a motion by Montgomery, seconded by Morrell, permission to place ads for summer staff was granted. Carried, 5 ayes, 0 noes.** The Councilman stated that the Youth Baseball League has also asked permission to sell advertising and place it on the homerun fences. **On a motion by Hochadel, seconded by Morrell, the Board gave the Baseball League permission to place ads on the homerun fences. Carried, 5 ayes, 0 noes.**

Councilmen Hochadel reported that he and Councilman Morrell have looked at the Sardinia signs coming into the Town, and stated that they are all in bad shape and all need to be replaced. He stated he will get bids for new signs. Councilman Earl stated that the State passed a law in October and public Parks are now non smoking, and we may need to add that to our park signs. It was agreed that the sign in front of the Town Hall should be replaced to match all the others.

Councilmen Morrell reported that he has now set up a Defensive Driving course through AARP. He stated it has been scheduled for April 29th and 30th from 6 to 9 PM both nights, and those who sign up must attend both nights. Councilman Morrell stated the cost will be \$20.00 for AARP members and \$25.00 for non-AARP members. He stated there is a 30 person limit for the course, and those taking it will have to pay by check. Councilman Morrell he would also like to suggest that the Town install time clocks at the pool and at the Town Hall, feeling it would be easier for the bookkeeper and easier for the employees, who would no longer have to fill out time sheets. **After brief discussion, on a motion by Earl, seconded by Hochadel, the Town will look into prices for time clocks. Carried, 5 ayes, 0 noes.**

Councilmen Montgomery reported that the Southtowns Planning and Development meeting was canceled due to weather. He also stated that there is no streetlight at the intersection of Foot and Pratham Roads, and would like to check into the cost of installation. Councilman Earl stated that the Davis Hill and Pratham Rd. intersection does not have a light, either. **On a motion by Morrell, seconded by Earl, the cost of lights for both of those intersections will be looked into. Carried, 5 ayes, 0 noes.**

Warrant #2 of 2014, including vouchers #41 through #100, totaling \$73,145.77, of which the General Fund was \$56,756.11, the Highway Fund was \$13,786.86, Fire District Fund was \$1,475.03 and the Street Lighting was \$1,127.77, was approved for payment on a motion by Earl, seconded by Morrell, and carried, 5 ayes, 0 noes.

The Supervisor stated that four appointments needed Board approval, and were approved as follows:

On a motion by Hochadel, seconded by Earl, on the recommendation of the Friday night Recreation participants, who have given the Town Board a very positive feedback and having been volunteering his time previous to this appointment, Chris Warner was appointed to Recreation Administrator with the hourly rate of \$16.32 an hour. Carried, 5 ayes, 0 noes.

On a motion by Montgomery, seconded by Morrell, Vicki Hansen was appointed to the Ethics Committee. Carried, 5 ayes, 0 noes.

On a motion by Earl, seconded by Hochadel, on the recommendation of the Sardinia Historical Society, Ted Wiedemann was appointed to Town Historian with an annual salary of \$1250.00. Carried, 5 ayes, 0 noes. Councilman Montgomery asked if it is Town Law that the Town appoints the Historian, and stated that his theory is that if the Historical Society could take over appointing the Historian and save the Town the payroll taxes. After discussion, the Supervisor stated she would look into it for next year's budget, but for this year, it is already budgeted.

On a motion by Earl, seconded by Morrell, that on the recommendation of The Sardinia Justice Court, Larry Becker was appointed Constable with the hourly rate of \$14.50 per hour. Carried, 5 ayes, 0 noes.

Supervisor Gambino stated the next item is a resolution to approve the agreement with the Chaffee-Sardinia Little League, with a contractual payment in the amount of \$2,000.00. The resolution, to be known as Resolution #7 of 2014, was moved for adoption by Earl, seconded by Hochadel:

RESOLUTION #7 - 2014
APPROVAL OF CHAFFEE-SARDINIA LITTLE LEAGUE AGREEMENT

WHEREAS, the Chaffee-Sardinia Little League has again requested to enter into contract with the Town of Sardinia to provide services to the Town in regards to a little league team, and

WHEREAS, the Town has been satisfied with the services provided by Chaffee-Sardinia Little League, and

NOW, THEREFORE, BE IT RESOLVED, the Supervisor is authorized to execute into a contract with the Chaffee-Sardinia Little League in the amount of \$2000.00.

Upon roll call vote, Earl, aye, Hochadel, aye, Montgomery, aye, Morrell, aye, Gambino, aye. Carried, 5 ayes, 0 noes.

The Supervisor stated that the next resolution was approval of the Muckdogs Little League Travel Team to use the Town's baseball fields. The following resolution, to be known as Resolution #8 of 2014, was moved for adoption by Earl, seconded by Hochadel:

RESOLUTION #9 - 2014
APPROVAL OF MUCKDOGS LITTLE LEAGUE TRAVEL BASEBALL TO USE TOWNS BASEBALL FIELDS AND GYM

WHEREAS, the Muckdogs Little League Travel Baseball program would like to use the Town's baseball fields and gymnasium for the 2014 baseball season, and

WHEREAS, the Sardinia Town Board has supported and allowed the "Muckdogs" to use the Town's facilities in the past,

NOW, THEREFORE, BE IT RESOLVED, that the Sardinia Town Board approves the Muckdogs Little League Travel Baseball League to use the Town's baseball fields and gymnasium.

Upon roll call vote, Earl, aye, Hochadel, aye, Montgomery, aye, Morrell, aye, Gambino, aye. Carried, 5 ayes, 0 noes.

Supervisor Gambino stated that the next resolution is for approval of St. Jude's Church to use the Town Hall for their annual Chinese Auction on September 27th. The following resolution, to be known as Resolution #10 of 2014, was moved for adoption by Earl, seconded by Hochadel:

RESOLUTION #10 - 2014
APPROVAL OF ST. JUDES CHURCH UTILIZING THE TOWN HALL

WHEREAS, the Sardinia Town Board has received and reviewed a letter from Ann Feraldi of the St. Jude's Altar Rosary Society requesting the use of the Sardinia Town Hall for the purpose of holding their annual Chinese Auction to be held on September 27, 2014, along with the set-up date of September 26, 2014 and

WHEREAS, the Sardinia Town Board has approved this request and recommends approval by the Sardinia Town Board, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves the St. Jude's Altar Rosary Society the use of the Sardinia Town Hall on the day of September 27, 2014 and for set-up on September 26, 2014 pending an updated copy of their Certificate of Insurance, and

BE IT FURTHER RESOLVED, the Sardinia Town Board hereby waives the rental fee for this event and organization.

Upon roll call vote, Earl, aye, Hochadel, aye, Montgomery, aye, Morrell, aye, Gambino, aye. Carried, 5 ayes, 0 noes.

The Supervisor stated that the next resolution is to approve the contract with the Historical Society. On a motion by Earl, seconded by Montgomery, the following resolution, to be known as Resolution #11 of 2014 was moved for adoption:

RESOLUTION #11 - 2014
APPROVAL TO SUBMITT PAYMENT FROM CONTRACT ENTERED INTO WITH SARDINIA HISTORICAL SOCIETY

WHEREAS, The Sardinia Historical Society has entered into a contract on September 12th, 2013 with the Town of Sardinia and

WHEREAS, the Town of Sardinia is desirous of encouraging "Community based organizations" and supporting the study of the "History of Sardinia" and "Americanism" for the Town of Sardinia, County of Erie, State of New York and

WHEREAS, The Historical Society has had a history of supporting the study of the History of Sardinia and enhancing the quality of life in Sardinia through its community affiliations and its works, as well as supporting Americanism, and

WHEREAS, The Town of Sardinia will support the Sardinia Historical Society annual funding in the amount of \$25,000.00 which would be subject to a one-year contractual agreement between the Town and the Historical Society commencing on January 1, 2014

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves the consideration/payment of \$25,000.00 payable to the Sardinia Historical Society.

Upon roll call vote, Earl, aye, Hochadel, aye, Montgomery, aye, Morrell, aye, Gambino, aye. Carried, 5 ayes, 0 noes.

Supervisor Gambino stated the next resolution is to allow the Fire Company to conduct an elevator rescue drill at the Town Hall. The following resolution, to be known as Resolution #12 of 2014, was moved for adoption on a motion by Hochadel, seconded by Earl:

RESOLUTION #12 - 2014
APPROVAL FOR CHAFFEE SARDINIA FIREMAN TO UTILIZE ELEVATOR AT TOWN HALL FOR TRAINING

WHEREAS, the Chaffee Sardinia Fireman have requested the use of the Town Hall to utilize the elevator in the building with regards to their training, and
WHEREAS, the fire company has requested a walk through with Al Hansen at 7:30pm on March 10th, 2014, and
WHEREAS, the actual training will take place on March 15th, 2014
NOW, THEREFORE, BE IT RESOLVED that the Sardinia Town Board hereby approves the use of the Sardinia Town Hall specifically the utilization of the elevator on March 10th and March 15th for training purposes for the Chaffee Sardinia Fireman.

Upon roll call vote, Earl, aye, Hochadel, aye, Montgomery, no, Morrell, aye, Gambino, aye. Carried, 4 ayes, 1 no. Mr. Montgomery asked if the Firemen will be covered under the HIPPA Law. There was no response.

The Supervisor stated that the next two things on the agenda are transfers, the first is to pay back the Fire District fund, stating that the former Supervisor wanted the Firemen to look like account has a deficit due to the LOSAP program payments. Per the Town's accounting firm, that money needs to be put back into the Fire District Fund, and to do it the right way. She stated the amount is \$98,353.00 that needs to be transferred into the Fire District Fund for the purpose of forgiving the interfund loan between the two. She stated that the money for the Fire District was never put into the Fire District Fund, as it should have been, and only the money taken out of that Fund was shown. The following resolution, to be known as Resolution #13 of 2014, was then moved for adoption by Hochadel, seconded by Morrell:

RESOLUTION #13 - 2014
APPROVAL OF INTERFUND TRANSFER FOR FORGIVENESS OF INTERFUND LOAN

WHEREAS, the Fire Protection District Fund has maintained an interfund balance owed to the General fund in the amount of \$98,353; and
WHEREAS, the Fire Protection District Fund revenues are derived from transfers in from the General Fund; and
NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves the transfer of \$98,353 from the General Fund to the Fire Protection District Fund for the purpose of forgiving the interfund loan between the two funds.

Upon roll call vote, Earl, aye, Hochadel, aye, Montgomery, aye, Morrell, aye, Gambino, aye. Carried, 5 ayes, 0 noes.

Supervisor Gambino stated that the next transfer is to put money into the insurance account, which was not budgeted for enough money. The following resolution, to be known as Resolution #14 of 2014, was then moved for adoption by Earl, seconded by Morrell:

RESOLUTION #14 - 2014
APPROVAL OF FUND TRANSFER FOR UNALLOCATED INSURANCE

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

<u>TRANSFER FROM</u>	<u>AMOUNT</u>	<u>TRANSFER TO</u>
A1990.400	\$737.90	A1910.400

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board approves the above mentioned transfer of funds for 2013.

Upon roll call vote, Earl, aye, Hochadel, aye, Montgomery, aye, Morrell, aye, Gambino, aye. Carried, 5 ayes, 0 noes.

The Supervisor stated that the next resolution is to approve her attendance at a grant writing seminar being presented by Southern Tier Regional Planning and Development. She stated that the State is now requiring that grants be applied for on line. The seminar is being held on March 18th and 19th in Salamanca at a cost of \$445.00. The following resolution, to be known as Resolution #15 of 2014, was moved for adoption by Earl, seconded by Morrell:

RESOLUTION #15 - 2014
APPROVAL OF SUPERVISOR TO ATTEND ESSENTIAL GRANT SKILLS CLASS

WHEREAS, New York State has streamlined and created several grant reform initiatives that are intended to increase the timeliness of the grant contract processes, and
WHEREAS, New York State has created the "Grants Gateway Online System" which as of January 2014 grant funds will be made available through the Gateway, and Grantees will need to apply online, and
WHEREAS, Southern Tier West Regional Planning and Development Board is offering a Essential Grant Skills Class though the Grantsmanship Center in Salamanca on March 18th & 19th 2014 at the cost of \$445.00,
NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board approves the Supervisor to register and attended the Essential Grant Skills Class in Salamanca on March 18th & 19th 2014.

Upon roll call vote, Earl, aye, Hochadel, aye, Montgomery, aye, Morrell, aye, Gambino, aye. Carried, 5 ayes, 0 noes.

Supervisor Gambino stated that the next resolution is to approve the use of the gym, requested by Chris Warner, for a 2 hour birthday party on March 8th. The following resolution, to be known as Resolution #16 of 2014, was moved for adoption by Earl, seconded by Hochadel:

RESOLUTION #16 – 2014
APPROVAL OF GYMNASIUM TO BE USED FOR BIRTHDAY PARTY

WHEREAS, Chris Warner has requested the use of the Town Hall gymnasium on Saturday March 8th 2014, at 1: pm for two hours for his son's birthday party, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board approves the use of the town gymnasium on March 8th 2014 at 1pm for two hours.

Upon roll call vote, Earl, aye, Hochadel, aye, Montgomery, aye, Morrell, aye, Gambino, aye. Carried, 5 ayes, 0 noes.

Under New Business:

The Supervisor stated that Manfred Koch has sent a letter concerning his rezoning application for the Hutchinson Rd. Townhouses. She stated that Attorney DiMatteo has stated that the application needs to be referred to the Erie County Sept. of Planning and Development per Section 239-m. The Attorney also stated that for his Tri-County Water and Tri-County Sewer companies, the Attorney does not feel that the Town has jurisdiction, that the Erie County and State of NY Health Departments have jurisdiction over those matters.

Supervisor Gambino stated that, concerning EJ Properties' request to place U-Haul Trucks at the Mini-Storage units on Rt. 39 near the Concord Town line, the Code Enforcement Officer stated it needed to go to the ZBA, the ZBA felt it should go to the Town Board, and the Attorney's opinion is that it needs to go to the ZBA. She then asked for a motion to send the application back to the ZBA on the advice of the Attorney for the Town. On a motion by Hochadel, seconded by Montgomery, the application by EJ Properties was referred back to the ZBA. Carried, Hochadel, Montgomery, Morrell, and Gambino voting aye, and Earl abstained due to personal interests.

The Supervisor stated that the Board needs to go into Executive Session on an item of potential litigation. On a motion by Earl, seconded by Montgomery, the Board entered into Executive Session at 7:07 PM. Carried, 5 ayes, 0 noes.

On a motion by Montgomery, seconded by Earl, the Board resumed regular session at 7:23 PM. Carried, 5 ayes, 0 noes. The Supervisor stated that no action had been taken.

There being no further business to come before the Board, on a motion by Councilmen Earl, seconded by Councilmen Hochadel, the meeting was adjourned at 7:24 PM. Carried, 5 ayes, 0 noes.

Respectfully Submitted,

Betsy Marsh, Town Clerk

