

2-14-2019 – FEBRUARY REGULAR MEETING

Present:

Councilman Jamie Emmick
Councilman Leonard R. Hochadel
Councilman Douglas Morrell
Supervisor Beverly A. Gambino

Absent:

Councilman Mandy Quinn-Stojek

Also Present:

Highway Superintendent Donald Hopkins
Town Clerk Jennifer Bray
Approx. 7 guests

Supervisor Gambino opened the regular February meeting at 6:30, with the Pledge to the Flag led by John Schiener.

Supervisor Gambino stated that the first item on the agenda was the approval of the minutes from January. She noted that there are three sets to be approved. There are as follows. The 2019 Organizational meeting, the January 10, 2019 Regular meeting and January 29, 2019 Work Session minutes. **On a motion by Emmick, seconded by Morrell, the minutes were approved as submitted. Carried, 4 ayes, 0 noes, 1 absent.**

Supervisor Gambino stated that the next item on the agenda is for the payment of the bills. **On a motion by Hochadel, seconded by Morrell, Warrant #2 of 2019, including vouchers #25 through #96, totaling \$52,466.56, of which \$33,124.70 was for the General Fund, \$16,673.00 was for the Highway Fund, \$1,402.49 was for the Fire Protection fund and \$1,266.37 for the Street Lighting Fund was approved for payment. Carried, 4 ayes, 0 noes, 1 absent.**

Departmental Reports were as follows:

Councilman Morrell had nothing to report.

Councilman Hochadel stated he was still working on the music in the park.

Councilman Emmick stated that she is working with Chris Warner to set up the dates for the town wide garage sale. Councilman Emmick also noted that Mr. Warner will be starting the interview and hiring process for summer recreation in the next few weeks. Next Councilman Emmick reported that she would be working with Supervisor Gambino on the next steps for the grant at Manion Park. Lastly Councilman Emmick stated that she is also still working on getting the information for the new playground equipment.

Superintendent Hopkins reported that New York State has a new code that requires any one doing underground digging with an excavator must now be trained and certified. He stated that he needs to look into what the cost will be and when they will be held but would like to get permission now to set up the class for the highway employees when he finds a class. **Therefor on a motion by Gambino, seconded by Hochadel, Superintendent Hopkins was given permission to find and enroll the highway employees in a NYS dig safely excavator certification program. Carried, 4 ayes, 0 noes, 1 absent.** Next Superintendent Hopkins noted that the pool tile and resurfacing would be stating as soon as the weather would allow. Councilman Emmick asked what the status of the fence project at Manion Park was. Superintendent Hopkins stated he has the names and numbers of a couple more companies for Councilman Hochadel to get pricing from but that can't be done until the snow is gone. Councilman Emmick stated she would like to help when the snow melts to get the project done.

Supervisor Gambino started by thanking Waste Management. She stated that she received the annual air space check from them in the amount of \$501,298.00. She also noted that the Town would be receiving one more environmental fund check next year in the amount of \$25,000.00.

Supervisor Gambino stated that the next item on the agenda was a resolution to fund a petty cash fund to make change for tax collection. She stated it was based on the recommendation of the town auditors and was the same as 2018. **Therefore the following resolution, to be known as Resolution #5 of 2019, was moved for adoption on a motion by Emmick, seconded by Morrell:**

Resolution #5 – 2019

PERMISSION TO FUND TAX COLLECTION PETTY CASH

WHEREAS, from advise from the Town Auditors the Town Clerk is asking for a petty cash fund for use in the upcoming Tax Collection, and

WHEREAS, the Town Clerk is asking for a petty cash fund of \$250.00 to fund the Tax Collection for the 2019 year, and

WHEREAS, at the end of the Tax Collection period the cash fund will be returned to the Supervisor's office and deposited back into the Town's Money Market account,

NOW, THEREFORE, BE IT RESOLVED, that the Sardinia Town Board approves the funding of the Tax Collection fund for \$250.00 (two hundred and fifty dollars).

DULY ADOPTED, this 14th day of February, 2019 by the following vote: Emmick aye, Hochadel, aye, Morrell, aye, Quinn, absent, Gambino, aye. So resolved, 4 ayes, 0 noes, 1 absent.

Supervisor Gambino stated that the next item on the agenda was a resolution allowing Town Clerk Jennifer Bray to attend the annual Town Clerks training conference. Supervisor Gambino noted that the Town Clerk had received a scholarship in 2018 and would be applying for one again this year. **Therefore the following resolution, to be known as Resolution #6 of 2019, was moved for adoption on a motion by Hochadel, seconded by Morrell:**

Resolution #6 – 2019

AUTHORIZATION FOR TOWN CLERK JENNIFER BRAY TO ATTEND CONFERENCE

WHEREAS, Town Clerk Jennifer Bray has requested to attend the NYS Clerks Association Conference from May 5th 2019 through May 8th 2019 in Syracuse, New York at a cost of \$ 875.00 for room, meals and training,

WHEREAS, the Sardinia Town Board recognizes the importance of training and gaining educational tools to assist in completing one's performance of his/her job, and

WHEREAS, a scholarship of \$400.00 was granted last year for this Conference and the Town Clerk will be applying again this year 2019, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby authorizes the payment of \$ 875.00 for room, meals and training, for Jennifer Bray to attend the NYS Clerks Association Conference in Syracuse, New York from May 5th 2019 through May 8th 2019 in Syracuse, New York.

DULY ADOPTED, this 14th day of February, 2019 by the following vote: Emmick aye, Hochadel, aye, Morrell, aye, Quinn, absent, Gambino, aye. So resolved, 4 ayes, 0 noes, 1 absent.

Supervisor Gambino stated that the next item on the agenda was a resolution to be approved opposing cuts to AIM (Aid and Incentives to Municipalities) funding from the state. Supervisor Gambino noted that this cut would cost the Town of Sardinia \$24,819.00. **Therefore the following resolution, to be known as Resolution #7 of 2019, was moved for adoption on a motion by Hochadel, seconded by Morrell:**

Resolution #7 – 2019

RESOLUTION STRONGLY OPPOSING THE UNPRECEDENTED CUTS TO UNRESTRICTED STATE REVENUE SHARING PROGRAM KNOWN AS AIM (AID AND INCENTIVES TO MUNICIPALITIES)

WHEREAS, Governor Cuomo's proposed 2020 NYS Budget includes unprecedented cuts to unrestricted State Revenue Sharing program known as Aid and Incentives to Municipalities (AIM) in the amount of \$49 million for all municipalities in the State of New York, effectivity eliminating the program, and

WHEREAS, this proposed cut would result in a loss of \$24,819 from the Town of Sardinia's general budget, and

WHEREAS, funding has not been increased in the last several years as unfunded mandates and cost of Town and Village services have risen, and

WHEREAS, if these cuts go through, a shocking 91% of Towns and Villages will permanently lose their AIM funding, and

WHEREAS, incentives for shared services, consolidation, and infrastructure remediation directed by consent orders in no way replace the needed financial assistance to fund and manage the increasing costs of day to day services and capital projects needed in sustainable Town and Village planning and management, and

WHEREAS, the proposal to eliminate AIM funding unfairly punishes State residents, making financial planning aligned with the NYS Tax Cap virtually impossible, and

WHEREAS, the Governor is proposing to make the Tax Cap permanent, discontinue the \$65 Million in Extreme Winter Recovery Program and proposes no increase for CHIPS funding, for which there has been widespread vocal support, and

WHEREAS, the proposal to eliminate AIM funding is not proactive, but a method to cut a small percent from the State Budget, yet a significant amount of revenue to Town and Village budgets.

NOW, THEREFORE, BE IT:

RESOLVED, that the Town of Sardinia strongly opposes the elimination of AIM funding, and be it further

RESOLVED, the AIM funding benefits all of our residents not only in the Town of Sardinia but throughout New York State and eliminating it could result in reduction of services, program cuts and layoffs. Every dollar that the State shared is a dollar that doesn't have to be levied on backs of local taxpayers, and be it further,

RESOLVED, that a certified copy of this resolution be forwarded to Honorable Governor Andrew M. Cuomo, Honorable Senator Patrick Gallivan, Honorable Assemblyman David DiPietro, Honorable Legislature John Mills and Erie County Executive Mark Poloncarz

DULY ADOPTED, this 14th day of February, 2019 by the following vote: Emmick aye, Hochadel, aye, Morrell, aye, Quinn, absent, Gambino, aye. So resolved, 4 ayes, 0 noes, 1 absent.

Supervisor Gambino stated that the next item in the agenda was a resolution adopting a determination of non-significance in regards to SEQR. She stated that this was needed to continue with phase two of the building façade improvements. **Therefore the following resolution, to be known as Resolution #8 of 2019, was moved for adoption on a motion by Hochadel, seconded by Morrell:**

Resolution #8 – 2019

**RESOLUTION ADOPTING A DETERMINATION OF NON-SIGNIFICANCE
SARDINIA TOWN HALL PHASE II FAÇADE IMPROVEMENTS**

WHEREAS, the Town Board of the Town of Sardinia has proposed façade improvements to the east, south and north faces of the Sardinia Town Hall Project, consisting of maintenance or repair involving no substantial change to the building façade and is considered rehabilitation of the facility to extend the useful life of the structure, and does not exceed any Type I threshold, and

WHEREAS, the Town Board of the Town of Sardinia is duly qualified to act as lead agency and has declared itself lead agency with respect to compliance with SEQR which requires environmental review of certain actions undertaken by local government; and

WHEREAS, MRB Group, the Town's Engineering firm has reviewed the referenced project in accordance with the State Environmental Quality Review (SEQR) Act, and believe this project is considered a Type II action under SEQR regulations, specifically as outlined in Sections 617.5(c) (1 and 2), and

WHEREAS, the proposed action appears to be a Type II action pursuant to the rules and regulations of the State Environmental Quality Review Act and that no further environmental review is required, and

NOW, THEREFORE, BE IT,

RESOLVED, that the Town Board of the Town of Sardinia concurs with the recommendation of MRB Group, D.P.C. and has determined that this project is a Type II (Exempt) Action under Section 617.5(c) (1 and 2) of the NYSDEC SEQR law. Therefore, this action completes the SEQR process.

DULY ADOPTED, this 14th day of February, 2019 by the following vote: Emmick aye, Hochadel, aye, Morrell, aye, Quinn, absent, Gambino, aye. So resolved, 4 ayes, 0 noes, 1 absent.

Supervisor Gambino stated that the next item in the agenda was a resolution adopting a determination of non-significance in regards to SEQR. She stated that this was needed to continue with the pool house renovation project. **Therefore the following resolution, to be known as Resolution #9 of 2019, was moved for adoption on a motion by Emmick, seconded by Morrell:**

Resolution #9 – 2019

**RESOLUTION ADOPTING A DETERMINATION OF NON-SIGNIFICANCE
SARDINIA VETERANS MEMORIAL PARK POOL HOUSE IMPROVEMENTS**

WHEREAS, the Town Board of the Town of Sardinia has proposed improvements to the Town of Sardinia Veterans Memorial Park Pool House, the project consists of the construction of a single-story building addition of approximately 650 square feet to the existing pool house structure. This addition will house an American with Disabilities (ADA) compliant bathroom, office and entrance, and

WHEREAS, the proposed improvements to the Town of Sardinia Veterans Memorial Park Pool House is considered construction or expansion of a primary or accessory appurtenant, non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and is consistent with local land use controls, and

WHEREAS, the Town Board of the Town of Sardinia is duly qualified to act as lead agency and has declared itself lead agency with respect to compliance with SEQR which requires environmental review of certain actions undertaken by local government; and

WHEREAS, MRB Group, the Town's Engineering firm has reviewed the referenced project in accordance with the State Environmental Quality Review (SEQR) Act, and believe this project is considered a Type II action under SEQR regulations, specifically as outlined in Sections 617.5(c) (9) and

WHEREAS, the proposed action appears to be a Type II action pursuant to the rules and regulations of the State Environmental Quality Review Act and that no further environmental review is required, and

NOW, THEREFORE, BE IT,

RESOLVED, that the Town Board of the Town of Sardinia concurs with the recommendation of MRB Group, D.P.C. and has determined that this project is a Type II (Exempt) Action under Section 617.5(c) (9) of the NYSDEC SEQR law. Therefore, this action completes the SEQR process.

DULY ADOPTED, this 14th day of February, 2019 by the following vote: Emmick aye, Hochadel, aye, Morrell, aye, Quinn, absent, Gambino, aye. So resolved, 4 ayes, 0 noes, 1 absent.

Supervisor Gambino stated that the next item on the agenda was a resolution to approve for the Town to provide a partial funding donation for the Meals on Wheels program. Supervisor Gambino stated that the amount of the donation is set at \$2,000.00 for this year. **Therefore the following resolution, to be known as Resolution #10 of 2019, was moved for adoption on a motion by Emmick, seconded by Hochadel:**

Resolution #10 – 2019

APPLICATION FOR FUNDS FROM MEALS ON WHEELS FOR WESTERN NEW YORK

WHEREAS, The Town of Sardinia has supported Meals on Wheels for numerous years and **WHEREAS**, Meals on Wheels for Western New York mission remains the same "seeking to take care of the homebound in our community and keep our neighborhoods strong" and

WHEREAS, since 1969, Meals on Wheels in WNY has taken pride in their ability to enrich the lives of seniors by offering nutritious food and a friendly visit, and

WHEREAS, Meals on Wheels is facing a double-edged sword of explosive increases in food costs and increasing demand for services, and

WHEREAS, it costs Meals on Wheels approximately \$3,000 per person to provide one year of meal service based on 2018 numbers, and

WHEREAS, based on 2018 numbers 3,054 meals were served in the Town of Sardinia for a total value of \$17,896, and

NOW THEREFORE, BE IT RESOLVED that the Sardinia Town Board generously donates **\$2,000.00** to Meals on Wheels for Western New York Inc. to support our residents who rely on Meals on Wheels for their daily nutritional needs.

DULY ADOPTED, this 14th day of February, 2019 by the following vote: Emmick aye, Hochadel, aye, Morrell, aye, Quinn, absent, Gambino, aye. So resolved, 4 ayes, 0 noes, 1 absent.

Supervisor Gambino stated that the next item on the agenda was a resolution to approve the Shelter Lease Agreement with the Dog Control Officer Duane DeGolier. **Therefore the following resolution, to be known as Resolution #11 of 2019, was moved for adoption on a motion by Emmick, seconded by Morrell:**

Resolution #11– 2019

**APPROVAL OF SHELTER LEASE AGREEMENT WITH
DOG CONTROL OFFICER**

WHEREAS, the lease entered into between the Town and Mr. Duane DeGolier to provide care and shelter to dogs seized by the Town's Dog Control Officer expires on or about March 8, 2019;

WHEREAS, the Sardinia Town Board has received and reviewed a copy of the current lease; and

WHEREAS, the Town has been satisfied with the services provided by Mr. DeGolier and approves the lease as stands, and;

NOW THEREFORE BE IT RESOLVED, that the Supervisor is authorized to execute the Shelter Lease Agreement between the Town of Sardinia and Mr. Duane DeGolier for the services to provide care and shelter to dogs seized by the Dog Control Officer; and

DULY ADOPTED, this 14th day of February, 2019 by the following vote: Emmick aye, Hochadel, aye, Morrell, aye, Quinn, absent, Gambino, aye. So resolved, 4 ayes, 0 noes, 1 absent.

Supervisor Gambino stated that the item on the agenda was a resolution giving approval for the Pioneer Little League to use the Town Hall gym for practices for their T-Ball teams (4 years-6 year olds) and Rookie teams (6 years-8 year olds). Supervisor Gambino noted that they have already provided a certificate of insurance and would need to sign a facilities use agreement if approved. **Therefore the following resolution, to be known as Resolution #12 of 2019, was moved for adoption on a motion by Emmick, seconded by Hochadel:**

Resolution #12– 2019

APPROVAL OF PIONEER LITTLE LEAGUE TO USE GYM

WHEREAS, the Pioneer Little League Baseball program would like to use the Town's gymnasium on Monday, Wednesday, and Thursday, beginning March 4th 2019 – April 25th 2019 for their T-ball (4-6yr olds) and Rookie (6-8yr olds) to teach then the fundamentals of baseball, and

WHEREAS, with the Town Boards approval it would allow the opportunity to get the younger kids some consistent instruction in a controlled indoor environment by eliminating the weather as a factor, and

WHEREAS, the time that the Pioneer Little League will be using the gymnasium will be from 6pm through 8pm, and

WHEREAS, the Sardinia Town Board has its Regular Scheduled Meetings on the 14th of March, and April 11th, and Pioneer Little League is aware that they do not have permission to use the gymnasium on these nights, and furthermore if for some unforeseeable reason the Town Board should need the use of the gymnasium for a meeting, a timely notice will be given to the Pioneer Little League of the night/day that the gymnasium will be unavailable for their use, and

WHEREAS, the Pioneer Little League will be required to sign a Facilities and Grounds Agreement, which will allow them one key, and also require them to have a certificate of insurance, and

NOW, THEREFORE, BE IT RESOLVED, that the Sardinia Town Board approves the Pioneer Little League to use the Town's baseball gymnasium March 4th 2019 through April 25th 2019 on Monday, Wednesday and Thursday evenings from 6pm through 8pm.

DULY ADOPTED, this 14th day of February, 2019 by the following vote: Emmick aye, Hochadel, aye, Morrell, aye, Quinn, absent, Gambino, aye. So resolved, 4 ayes, 0 noes, 1 absent.

Supervisor Gambino stated that the next item on the agenda was a resolution to approve the use of the Town Hall gym for a special needs child to use after school with his mental health worker to burn of energy as needs during bad weather. Supervisor Gambino noted that he would be supervised at all times and this would be during regular Town office hours so there would be no need to issue a key. Supervisor Gambino stated that if approved a certificate of insurance would need to be provided as well as a facilities use agreement filled out. **Therefore the following resolution, to be known as Resolution #13 of 2019, was moved for adoption on a motion by Hochadel, seconded by Morrell:**

Resolution #13 – 2019

APPROVAL OF GYM FOR SPECIAL NEEDS CHILD

WHEREAS, the Town Board has received a request from Darlene Hediger, for the use of the gym for her son Kobe, and

WHEREAS, Kobe would always be with his Mental Health worker, Kate and never unsupervised, and

WHEREAS, this request would be just for the winter to burn energy (he goes to the park during good weather) between the times of 2:15pm and 4pm, and

WHEREAS, a certificate of insurance and a signed Facilities and Grounds Agreement are required, and

NOW, THEREFORE, BE IT RESOLVED that the Sardinia Town Board approves the use of the gym from 2:15pm – 4pm during the winter months for Darlene Hediger's son Kobe.

DULY ADOPTED, this 14th day of February, 2019 by the following vote: Emmick aye, Hochadel, aye, Morrell, aye, Quinn, absent, Gambino, aye. So resolved, 4 ayes, 0 noes, 1 absent.

Supervisor Gambino stated the last item on the agenda was a resolution to approve St. Judes Church to use the Town Hall gym for their annual Chinese Auction to be held on September 28, 2019 and set up to be held on September 27th. Supervisor Gambino noted that if approved they would need to provide a certificate of insurance and complete a facilities use agreement. **Therefore the following resolution, to be known as Resolution #14 of 2019, was moved for adoption on a motion by Emmick, seconded by Morrell:**

Resolution #14 – 2019

APPROVAL OF ST. JUDES CHURCH UTILIZING THE TOWN HALL

WHEREAS, the Sardinia Town Board has received and reviewed a letter from Philip Feraldi of the St. Jude's Altar Rosary Society requesting the use of the Sardinia Town Hall gym for the purpose of holding their annual Chinese Auction to be held on September 28, 2019, along with the set-up date of September 27, 2019 and

WHEREAS, the Sardinia Town Board has approved this request in previous years and St. Jude's Alter Rosary Society has always been respectful of the Town Hall, 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 gym on the day of September 28th 2019 and for set-up on September 27, 2019 pending an updated copy of their Certificate of Insurance, and a signed copy of the Facilities and Grounds Agreement, and

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

DULY ADOPTED, this 14th day of February, 2019 by the following vote: Emmick aye, Hochadel, aye, Morrell, aye, Quinn, absent, Gambino, aye. So resolved, 4 ayes, 0 noes, 1 absent.

Lastly Supervisor Gambino stated that she has received a request from the Chaffee Sardinia Fire Company to use the park for their carnival this summer and noted that it would be on next month's agenda as long as the LOSAP points were received. Supervisor Gambino then asked if any board members had anything to add before the meeting was adjourned. Councilman Morrell asked how much the cuts to the AIM finding from the state would affect the Town's budget. Supervisor Gambino stated that the town would lose \$24,819.00. Councilman Morrell then stated that it was a good thing that the Town has Waste Management. **There being no further business to come before the Board, on a motion by Emmick, seconded by Morrell, the meeting was adjourned at 6:46 PM. Carried, 4 ayes, 0 noes, 1 absent.**

Respectfully Submitted,

Town Clerk