

### 3-12-15 – REGULAR BOARD MEETING

Present:

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

Also Present:

Attorney for the Town David DiMatteo  
Highway Superintendent Donald Hopkins  
Town Clerk Betsy A. Marsh  
15 guests

The Sardinia Town Board held its Regular Town Board meeting for March on March 12, 2015 at the Sardinia Town Hall/Community Center. Supervisor Gambino called the meeting to order at 6:30 PM with the Pledge to the Flag, led by Veteran Jim Wiedemann.

**The minutes of the February 12, 2015 Regular Board meeting were submitted by the Town Clerk, and were approved on a motion by Hochadel, seconded by Morrell, and carried, 5 ayes, 0 noes.**

**Warrant #3 of 2015, including vouchers #882 through #932, totaling \$239,145.38, of which the General Fund was \$16,407.03, the Highway Fund was \$13,402.90, the Lighting District Fund was \$1,077.87, and the Fire District Fund was \$208,200.58, was approved for payment on a motion by Morrell, seconded by Hochadel, and carried, 5 yes, 0 noes.**

**Departmental Reports:**

Supervisor Gambino stated that the Attorney for the Town would be a little late, but will be here to talk about the barn on Rt. 39. She then reported that Chatfield Engineers, who were here in January to inspect the problems with the Town Hall roof, but were unable to due to the sub-zero temperatures and icy conditions, would be coming here again. She stated that the roof is leaking into the elevator and the circuit board has been blown out twice due to water damage. She stated that NYMIR will cover some of the damage, but not all. Supervisor Gambino stated that she would like to have the Engineers assess the whole building to see what needs to be done to bring it up to code, and the cost of that assessment, with an architect along, to do the assessment, a 10 year plan, and a wish list, would be \$3,650.00. **Supervisor Gambino then made a motion, seconded by Morrell, to have Chatfield Engineers do an assessment of the Town Hall, at a cost of \$3,650.00. Carried, 5 ayes, 0 noes.** The Supervisor stated she has also received a letter from the Fire Company requesting permission to use the Genesee Rd. Town Park from June 22, 2015, through June 30, 2015, for their annual Carnival. **On a motion by Hochadel, seconded by Earl, the use of the Park by the Fire Company on those dates was approved. Carried, 5 ayes, 0 noes.** She stated she had also received a letter from the Fire Co. asking permission to have the Park bathrooms open for the annual Carnival on June 26, 2015 through June 28, 2015. **On a motion by Earl, seconded by Hochadel, the Fire Company was granted permission to use the Park restrooms during the Carnival on those dates. Carried, 5 ayes, 0 noes.** The Supervisor stated that she has also received a request from the Senior Citizens for funding for a trip to the Buffalo Philharmonic and other stops in Buffalo on May 22, 2015, in an amount not to exceed \$4,000.00, with the cost of the trip being \$98.00 per person. **On a motion by Earl, seconded by Montgomery, the funding for the Seniors' trip was approved, and carried 5 ayes, 0 noes.** The Supervisor reminded the Senior Citizens group that a receipt from Horizon Tours was needed by her office for auditing purposes. Concerning the pool house, the Supervisor stated that the roof leaks badly, we applied for a CDBG grant back in October, and did not receive that funding. She stated that she has learned that Senator Gallivan's office has some money available for grants, approximately \$50,000.00, and feels that the Town should try for funding through that avenue. She stated that the Pool Director and staff, as well as the Board, have suggested moving the showers outside and making the current pool office into a handicapped accessible restroom. She asked the Board to think about whether or not they would like to pursue the funding. Councilman Hochadel suggested the Town contact Legislator Mills' office, also, to see if there is any funding available there. Concerning the Recreation Program, Supervisor Gambino stated that there are 20 plus kids in the gym participating in the Dancefit Program, and there have been up to 30 participants. She suggested that the Board extend the program for 2 more weeks, as discussed when it was first approved. **On a motion by Gambino, seconded by Earl, the Dancefit Program will be extended for two more weeks, through April 6<sup>th</sup>. Carried, 5 ayes, 0 noes.**

Councilman Earl reported that she had talked to Hometown Fire Fighters, and Gene Heater is on vacation, but the office informed that the new applicants for the Fire Co. are not eligible for the LOSAP Program until they are 18. She stated that she also had the Senior Citizens request, which has already been discussed. She stated that she had called about 2 street light outages, and they have been repaired.

Councilman Hochadel reported that the Springville Control Center meeting for February had been cancelled due to bad weather. He commended the Highway Dept. for a good job during the unusually bad winter, and thanked them for removing the snowbanks around the stop signs and in traffic sight lines.

Councilman Morrell stated he had nothing to report, but stated he would like to see the roof be fixed, at least a temporary fix, to get the elevator in working order.

Councilman Montgomery stated he would like to do the water testing in April, and will advertise for signups. He stated he will have them call the Clerk's office or himself for the testing. Mr. Montgomery also noted that Savage Rd. is a mess, with all the potholes and the road breaking up, and stated it is badly in need of repair. He suggested that the Town write a letter to the County demanding that it be fixed. Councilman Hochadel stated he would contact Legislator Mills' office, and the Supervisor will draft a letter for signatures of Board members.

Town Attorney DiMatteo was now on hand, and reported that the Board needs to hold an Executive Session on potential litigation this evening. He also stated that his office has been working on the Diamond Saw assessment matter, and some Board members will be personally addressed in the Zielonka matter.

Highway Superintendent Hopkins stated that he had spoken to the County Highway Department Foreman, and was informed that they would be here tomorrow, Friday, to cold patch the potholes on Savage Rd. He stated that he told the Foreman and the County Engineer that Savage Rd. needs to be milled down and repaved. Mr. Hopkins suggested that when the Town send the letter to the County, they also send a copy to the County Engineer, Bill Geary, and the Commissioner of Public Works John LoFreddo. He also stated they have inspected the Town roads, and they are in good shape, with maybe a pickup truck load of cold patch needed for repairs. He also reminded that we need to take pictures of the roof when we are able to get up there. The Supervisor stated that the engineers will be coming to assess what needs to be done as soon as we can get up there, also. Mr. Hopkins asked if the date of the pool opening was still June 20<sup>th</sup>. The Supervisor stated she hasn't heard for sure, and Rec Administrator Chris Warner hasn't mentioned it to her. Mr. Hopkins stated he needs to know when to schedule the work to get the pool ready.

Supervisor Gambino stated that she, the Highway Superintendent, and Disaster Coordinator Jerry Whittington had met with FEMA representatives here and all of the Town's information was submitted. She asked Mr. Whittington to speak on the matter and Mr. Whittington stated that the Town is looking for reimbursement for the Highway Dept. hours during the Erie County declared State of Emergency timeframe during the November snowstorm. He explained that the County wants all of the expenses lumped together with theirs. He stated that our Fire Company's expenses don't meet the \$3,000.00 threshold and the County may want those all lumped together, also. He stated we have to wait and see what happens.

Supervisor Gambino stated that in Unfinished business, the approval of the software contract for the Supervisor's accounting and payroll programs contract is the first resolution. **On a motion by Hochadel, seconded by Morrell, the following resolution, to be known as Resolution #10 of 2015, was moved for adoption:**

**RESOLUTION #10 – 2015  
APPROVAL OF SOFTWARE CONTRACT**

**WHEREAS**, the Sardinia Town Board has previously approved the purchase of the Williamson Law Book software for payroll and for Municipal Account, and

**WHEREAS**, an annual contract must be approved for support for these software programs, and

**WHEREAS**, the cost of the Payroll software program for one year is \$770.00 and the cost of the Municipal Accounting software program for one year is \$825.00, and

**NOW, THEREFORE, BE IT RESOLVED**, the Sardinia Town Board hereby approves the payment of \$1595.00 to William Law Book Company for the software support for one year on both the Payroll and the Municipal Accounting programs, and

**BE IT FURTHER RESOLVED**, that the Sardinia Town Board approves Supervisor Beverly Gambino to enter into contract with Williamson Law Book Company for this agreement.

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

The Supervisor stated that St. Jude's Church has sent a letter requesting use of the gym for their annual Chinese Auction on September 25<sup>th</sup> and 26<sup>th</sup>, and the next resolution is for approval of that use. **On a motion by Gambino, seconded by Hochadel, the following resolution, to be known as Resolution #11 of 2015 was moved for adoption:**

**RESOLUTION #11 - 2015  
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 gym for the purpose of holding their annual Chinese Auction to be held on September 26, 2015, along with the set-up date of September 25, 2015 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 gym on the day of September 26, 2015 and for set-up on September 25, 2015 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. So Resolved, 5 ayes, 0 noes.**

Supervisor Gambino stated that the next resolution is for approval of 4 new members of the Fire Company. On a motion by Hochadel, seconded by Earl, the following resolution, to be known as Resolution #12 of 2015, was moved for adoption:

**RESOLUTION #12 – 2015  
APPOINTMENT OF CHAFFEE-SARDINIA VOLUNTEER FIREMAN**

**WHEREAS**, the Sardinia Town Board is in receipt of the application of,  
David P. Van Ocker residing at 12720 Route 39, Chaffee, NY, and  
Lyndon M. Plewa residing at 11390 Olean Road, Chaffee, NY, and  
Benjamin A. Gasper, residing at 11430 Olean Road, Chaffee, NY, and  
Gregory S. Benstead, residing at 10899 Matteson Corners Road, Holland, NY,  
All whom have applied for a volunteer position as a Volunteer Firefighter to the Chaffee-Sardinia Memorial Fire Company, and  
**WHEREAS**, the Sardinia Town Board supports and approves these appointment(s),

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Board approves the appointment of David P. Van Ocker,  
Lyndon M. Plewa, Benjamin A. Gasper and Gregory S. Benstead as Volunteer Fireman to the Chaffee-Sardinia Memorial Fire  
Department.

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

Supervisor Gambino stated that the next order of business is the appointment of Danielle Scott as Pool Director and Mark Stevens as Seasonal Caretaker. **On a motion by Earl, seconded by Montgomery, Danielle Scott was appointed Pool Director for the 2015 Summer Recreation Season, at the hourly rate of \$13.86; and Mark Stevens was appointed as Seasonal Caretaker, to return in early to mid-April 2015, at the hourly rate of \$14.95. Carried, 5 ayes, 0 noes.**

**On a motion by Earl, seconded by Morrell, the Board then moved into Executive Session at 6:50 PM to discuss potential litigation. Carried, 5 ayes, 0 noes.**

**The Board returned to Regular Session at 7:25 PM on a motion by Earl, seconded by Hochadel, and carried, 5 ayes, 0 noes. No action was taken.**

**There being no further business to come before the Board, on a motion by Earl, seconded by Morrell, the meeting was adjourned at 7:26 PM. Carried 5 ayes, 0 noes.**

Respectfully Submitted,

Town Clerk