

5-8-2014 – 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:

Highway Superintendent Donald W. Hopkins
Asst. Attorney for the Town David Roach
Town Clerk Betsy A. Marsh
12 guests

The Sardinia Town Board held its Regular Town Board meeting for May on May 10, 2014 at the Sardinia Town Hall/Community Center. Supervisor Gambino called the meeting to order at 6:30 PM. She asked if there was a Veteran present who would like lead the Pledge to the Flag. William Connors then led the Pledge, and a moment of silence followed.

Supervisor Gambino announced that the American Legion's Memorial Day Service at the Sardinia Cemetery will be held on May 26, 2014, at 8:00 AM.

The minutes from the April 10, 2014 Regular Town Board meeting, and the April 24, 2014 Special Meeting Work Session at the Highway Garage and Parks, were submitted by the Town Clerk. On a motion by Councilman Earl, seconded by Councilman Morrell, those minutes were approved. Carried, 5 ayes, 0 noes.

Attorney David Roach was on hand to represent Attorney DiMatteo's office. He stated that there had been a Public Hearing scheduled for this evening relative to the application from Mark I for a rezoning, but it had to be canceled because the notification process was not met and some did not receive the proper notifications. He stated that the Town is now in a position to discuss re-scheduling of the hearing if the Board so chooses. The Supervisor stated she understands that we are still waiting for the NY State Health Dept. and Erie County Health Dept. to approve the water district. Mr. Roach stated that plans have been submitted but there has been no determination from the Health Dept. He stated that the public hearing would be just for the re-zoning issue. Councilman Earl asked if the State and County Health Departments need the re-zoning to go ahead before they will approve the water district plans. Attorney Roach stated that there is no interplay with the re-zoning and the water district, and the Board could proceed with the public hearing on the re-zoning issue. He stated the Board would then have 60 days for a decision or to vote for an extension of the time frame. The following resolution, to be known as Resolution #24 of 2014, was then moved for adoption on a motion by Earl, seconded by Hochadel:

RESOLUTION #24 - 2014

RE-SCHEDULING A PUBLIC HEARING REGARDING THE APPLICATION FOR REZONING CLASSIFICATION OF SBL #327.00-1-11 FROM AN AR AGRICULTURAL RESIDENTIAL DISTRICT TO A BL - BUSINESS LIGHT INDUSTRIAL DISTRICT

WHEREAS, the Town Board of the Town of Sardinia met at a regular meeting at the Town offices of the Town of Sardinia located at 12320 Savage Rd., Sardinia, NY on the 8th day of May, 2014, commencing at 6:30 PM at which time and place all Board members were present, and

WHEREAS, all Board members, having due notice of said meeting, and that pursuant to Article 7, Section 104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, the Town Board has received an Application for Rezoning Classification for SBL #327.00-1-11, situated on Hutchinson Road, from an AR – Agricultural Residential District to a BL – Business Light Industrial District by Manfred Koch of Mark I, LLC; and

WHEREAS, the Application for Rezoning Classification for SBL #327.00-1-11 was received by the Town Planning Board and approved, on approval the Application was sent to the Town Board for recommendation, where the Supervisor stated at the October 10, 2013 meeting that the Planning Board had approved the same; and

WHEREAS, pursuant to and in accordance with 6NYCRR part 617 of the State Environmental Quality Review Act, the Town Board of the Town of Sardinia has declared the status of the environmental review complete; and

WHEREAS, pursuant to Section 239-m of the General Municipal Law, said Application for Rezoning Classification and all supporting documents have been submitted to the Erie County Division of Planning for its review and recommendations; and

WHEREAS, in accordance with Section 115-46 of the Town's Zoning Law and Section 264 of New York State Town Ordinance, written notice will be provided by the Town via mail at least ten (10) days prior to the date of the public hearing to the following:

- 1) Cheryl Ketchum, Clerk, Wyoming County Board of Supervisors
- 2) Sandra Dutton, Clerk, Town of Arcade
- 3) John R. Searles, Clerk, Cattaraugus County Legislature
- 4) Duane Dedrick, Clerk, Town of Yorkshire; and

WHEREAS, the applicant shall notify all property owners by registered mail at least five (5) days prior to the date of the public hearing in accordance with Section 115-46 of the Town's Zoning Ordinance; and

WHEREAS, the Town Board of the Town of Sardinia finds it in the best interest of the Town of Sardinia to hold a public

hearing to consider said Application for Rezoning Classification for Rezoning Classification for SBL #327.00-1-11, situated on Hutchinson Road, from an AR – Agricultural Residential District to a BL – Business Light Industrial District at which time and place all interested parties and citizens for or against the proposed rezone will be heard.

NOW ON MOTION OF Councilman Earl, which has been duly seconded by Councilman Hochadel, be it

RESOLVED, that the Town Board of the Town of Sardinia will hold a public hearing on the 12th day of June, 2014, at 6:00 PM at the Town Offices in the Town of Sardinia, to consider an Application for SBL #327.00-1-11, situated on Hutchinson Road, from an AR – Agricultural Residential District to a BL – Business Light Industrial District; and

BE IT FURTHER RESOLVED, in accordance with Section 115-46 of the Town's Zoning Law and Section 264 of New York State Town Ordinance, written notice will be provided by the Town via mail at least ten (10) days prior to the date of the public hearing to the following:

- 1) Cheryl Ketchum, Clerk, Wyoming County Board of Supervisors
- 2) Sandra Dutton, Clerk, Town of Arcade
- 3) John R. Searles, Clerk, Cattaraugus County Legislature
- 4) Duane Dedrick, Clerk, Town of Yorkshire; and

BE IT FURTHER RESOLVED, that the applicant shall notify all property owners by registered mail at least five (5) days prior to the date of public hearing in accordance with Section 115-46 of the Town's Zoning Ordinance.

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

Attorney Roach stated he also understands that there are unsafe houses that need to be razed, and stated that unless they are an imminent danger to the public, the Town would need to go to the Supreme Court and lay out the facts explaining why they need to be demolished. He asked how many there are and was told that for now, there is only one. It was explained to him that the owner has been deceased for about 10 years, and the taxes remain unpaid since then, therefore, Erie County has large tax lien on the property. Mr. Roach stated it would cost approximately between \$2,000 and \$6,000 to have the property razed, the demolition would have to be put out for bid, and the Town would need permission from the court. He stated he will contact Erie County Real Property Tax Service.

Committee and Department Reports:

Councilman Montgomery stated that, regarding the streetlights, he signed the paperwork with NYSEG, and they will now be invoicing the Town, and then will proceed with the installation of the lights. Mr. Montgomery also reported that he has received a letter from the Senior Citizens requesting funding for a trip to Erie, PA. on July 15th, at a cost not to exceed \$3,500.00. **On a motion by Supervisor Gambino, seconded by Councilman Hochadel, the Board approved the funding of the trip, at a cost not to exceed \$3,500.00. Carried, 5 ayes, 0 noes.**

Councilman Morrell stated that the driving course was well attended with 26 people attending. He stated it was very interesting and informative. Mr. Morrell stated that Building Caretaker Al Hansen is getting quotes for the elevator repair work needed, apparently piston repairs, and he still needs 1 more quote. Mr. Morrell stated the price range is around \$4,000.00, and he will know more when the last quote is received, hopefully for the next meeting in June.

Councilman Hochadel stated that the Town signs have been ordered and as soon as they come in, they will be put up. He also noted that the meeting at the Town Board was very informative and helpful to Board members.

Councilman Earl reported that the Townwide Garage Sales have been scheduled for July 11, 12, & 13 and the Clerk's office is now taking sign ups. She stated that the Youth Board is receiving requests for pool rentals and has received a request for shared services from the Town of Freedom. She stated there has been discussion about them joining with Sardinia for the Beach Party Wow Bash, and possibly splitting the \$295.00 cost with Freedom. Ms. Earl stated that the Youth Board also discussed the scheduled field trips, noting that not all Town residents can participate in the Recreation Program, and therefore, opening the field trips up to all Town residents at the same group prices, and asked the Board their thoughts on the matter. **On a motion by Gambino, seconded by Morrell, the Board voted to allow Town residents not participating in the Rec Program to be allowed to go on the filed trips at the same reduced rates. Carried, 5 ayes, 0 noes.** Councilman Earl stated that the Town's Pool Safety Plan needs to be updated this year, and stated that Pool Director Danielle Scott is working on that plan. She also stated that at the April 24th Special Meeting/Work Session, after touring the Town Highway Garage, the Board toured the Town Parks. She reported that the home run fence is now up at the ball diamond there, and the set of bleachers for the Genesee Rd. ball diamond are being put at Manion until after the annual Carnival. One of the other suggestions was concerning the lack of parking at Manion Park, and she stated that it was suggested that the Highway Department could take the sod off and gravel the side lawn along the north side of the driveway into that Park. Discussion was held and the Highway Superintendent stated he thought it would cost around \$8,000 for the project. Councilman Earl stated she has approached Gernatt for cut rate gravel but has so far not heard any response back. Supervisor Gambino stated there is about \$7,500 in the Meals on Wheels budget that will not be used this year, and Councilman Earl stated that the Playground Equipment Fund has about \$4,000, and after the Parks tour, it was felt that the equipment is in good shape and that money would not be needed this year. It was felt that money could be used for the Manion Park parking area project. **On a motion by Gambino, seconded by Hochadel, the Board voted to go ahead with the Manion Park parking area project, at a cost not to exceed \$7,000.00. Carried, 5 ayes, 0 noes.** Highway Superintendent Hopkins estimated the work would take a couple of days. Councilman Earl also stated that the Tuesday Night Men's basketball program needs to be re-visited by the Board. She stated that the majority of those attending are people not from the Town of Sardinia. She stated that, since we really have no idea who is coming into the building and when, there may be a liability issue and felt the Board should decide if they wish to continue the program, and asked them to be thinking about it for the fall.

Highway Superintendent Donald Hopkins stated that David Turner from the State Insurance Fund came in April and did the annual inspection of the Highway Garage, and found no problems, giving them an A+. He stated that Mr. Turner then came

back and trained the Highway Dept. employees on Hazardous Communications pictograms they will have to have on their trucks starting in 2015. He stated that Mr. Turner was happy that they took part in the training. Mr. Hopkins informed that the Paper Retriever recycling bin is now gone from in front of the Town Hall, and stated that the Supervisor and Clerk could explain better why it was removed. He stated that to offset the complaints of not having a place to drop off paper to be recycled, Waste Management has donated a large roll-off dumpster for co-mingled recyclables, which is now in the parking lot at the Highway Garage, and can accept paper, cardboard, cans, bottles, etc. Mr. Hopkins stated that if it gets to be a problem with household garbage dumped, or materials being left on the ground or blowing around or being scattered, they will move it out. The Supervisor and Clerk explained that Paper Retriever had notified that the rebate program, which was \$15.00 per ton going to Mercy Flight, was being suspended for at least a year, and with the problems of having them not empty the bin when full, papers blowing around, etc., it was decided there was no longer a benefit to having it at the Town Hall. John Schiener of Sardinia noted that the Pioneer Marching Band takes paper and cardboard for recycling on the first Saturday each month, for fund raising purposes, if anyone would like to take theirs there. Highway Superintendent Hopkins stated that he felt the Special Meeting/Work Session was very productive, and wishes there could be more during the year. He stated that they had discussed the Town's pick up trucks. He stated that they currently have 2, ¾ ton pickups, a 2004 and a 2001, and he would like to get rid of the 2001 and put out to bid for a new ½ ton pickup as soon as possible. He stated that he would like to trade in his 1 ton Dodge truck chassis, also, while it is still worth something, and put out to bid for a new chassis and plow package. **On a motion by Montgomery, seconded by Morrell, the Board gave the Highway Superintendent permission to look into those items. Carried, 5 ayes, 0 noes.** The Supervisor mentioned that she would like the Board to look at the updated Purchasing Policies drafted by Attorney DiMatteo and see if something could be put into place next month, so the Town could get some decent prices and vendors in place for the bidding process. Mr. Hopkins also stated he would like to put in a fuel containment bumper around the gas pumps, and would like to do that project first. He stated he has spoken to a company that he can rent concrete forms from, the site is already there, electric service would need to be run to it, and he would like to put a roof over it. He would like to look into prices for that project. **On a motion by Earl, seconded by Gambino, Mr. Hopkins was given permission to look into prices for a fuel containment system at the Highway Garage. Carried, 5 ayes, 0 noes.** The Highway Superintendent continued his report by stating that he would like to send some of the Highway Dept. scrap, including 3 or 4 barrels of scrap metal, and 2 old plows, one of which is very bent. He made 4 phone calls for scrap prices, and the price varied from \$200.00 to \$265.00 per ton for short scrap, and from \$230.00 to \$275.00 per ton for long scrap, which would be the plows. Mr. Hopkins also addressed Attorney Roach, explained the situation with the roller that was sold almost 2 years ago now, but never picked up despite repeated phone calls and a registered letter from Attorney DiMatteo, and stated he would also like to include the roller with the other scrap metal. He then gave of list of the scrap dealers and their prices per ton, as follows:

	<u>Long scrap</u>	<u>Short scrap</u>
Preivity Auto Wrecking in Bliss	\$200.00	\$230.00
R & S Salvage	\$215.00	\$250.00
Ed Arnold Scrap	\$265.00	\$275.00

Mr. Hopkins stated that the forth scrap dealer gave him gross tonnage prices, which means they take off 12%, so the amount we would get is less than the above. Attorney Roach suggested that at least one more letter be sent to the purchaser of the old roller, since he has seen years go by, and the buyer still prevails in court. He will check with Attorney DiMatteo, and then the Board should adopt a resolution stating that the roller will be salvage on a specified date, and send that to the buyer. **On a motion by Earl, seconded by Montgomery, Highway Superintendent Hopkins was authorized to take the scrap metal and plows, with the exception of the old roller, to the highest quoted scrap dealer, Ed Arnold Scrap. Carried, 5 ayes, 0 noes.** Mr. Hopkins also stated that he has received prices for a new welder, and the best deal was for a Millermatic 252 Mig welder, and the dealers and prices were as follows:

Abbott Welding	\$2,582.88	including the lease for the tank
United Alloys	\$2,600.00	without the tank
Strait Welding	\$2,447.00	including the tank

Mr. Hopkins recommended that the Board go with the Strait Welding price. **On a motion by Earl, seconded by Hochadel, the Board approved the purchase of a Millermatic 252 Mig welder from Strait Welding at a cost of \$2,447.06. Carried, 5 ayes, 0 noes.**

Supervisor Gambino reported that a request has been received from Mandy Quinn, who has rented a shelter at the Genesee Rd. Park for a birthday party, to be able to have a bounce house at the party on May 25th. Discussion was held, with Attorney Roach pointing out the liability issues, and stating that if the Board decides to allow, it should secure a Certificate of Insurance naming the Town as an additional insured, and relaying the information to the Town's insurance agent. **After further discussion, the Board was polled, and the Board voted unanimously to not allowing a bounce house to be set up at the Town Park. Ms. Quinn will be notified that her request is denied.** Supervisor Gambino also reported that the new computers are being installed in the very near future, and she has spoken to the installer, Nick Fodero, who informed her that Time Warner Business Class offers better deals on high speed internet and phone service. She stated she then investigated, and got quotes. Time Warner would offer phone service for the Town Hall at \$290.00 per month, plus tax, and in January, the phone bill from Verizon was \$529.00 for the month, and February's bill was \$522.00. She stated it would drop the Town's cost down for all of the phone service, including the Highway Garage and Pool, to approximately \$300.00 per month if the Town went with Time Warner. The Supervisor stated that if Time Warner also ran cable to the Highway Barn, they would want a 3 year contract. This would also included unlimited long distance service. Supervisor Gambino stated she has also had the Town's Disaster Coordinator Gerry Whittington check into the repair of the 9-1-1 call box on the front of the Town Hall, which has a dead phone line, and the installation of the same 9-1-1 call boxes at the Genesee Rd. and Manion Parks. She stated that currently there is a pay phone at the Genesee Rd. Park, which costs the Town about \$100.00 per month, but hardly ever is used, and there is currently no phone at Manion Park. The call 9-1-1 call box at the Genesee Rd. Park would replace the pay phone, saving the \$100.00 per month cost. Mr. Whittington is still waiting to hear back from Verizon about the call boxes. **On a motion by Earl, seconded by Hochadel, Supervisor Gambino was authorized to enter into a 3 year contract with Time Warner for the Town's phone service and cable to the Highway garage. Carried, 5 ayes, 0 noes.** Supervisor Gambino continued, stating that last month, Assistant Parks Caretaker Mark Stevens was hired again for the summer, and on the agenda, it stated that he would be making \$14.26 per hour. She stated it was either a typo or figured wrong, but in any case, the hourly rate should have been \$14.19 per hour, and asked for a motion to correct that rate. **On a motion by Earl, seconded by Montgomery, the Board corrected Mark Stevens' pay rate per hour to \$14.19, not \$14.26. Carried, 5 ayes, 0 noes.** Concerning employee time clocks, the Supervisor stated that Councilman Morrell asked her to contact Liberator Time Clocks in West Seneca, who informed her that the finger print models are very unreliable, and she stated that for \$995.00, the Town could get a key fob model, which comes with software

and hooks to the Town's computer server, and is hard wired in. This type could be used at the Town Hall, and a battery operated model, which could be brought to the Town Hall and the information downloaded to a computer here, could be purchased for \$495.00. She stated that 10 additional key fobs can be purchased for \$60.00, and the prices for the time clocks include one year of service. **On a motion by Earl, seconded by Hochadel, the Board authorized the Supervisor to purchase the time clocks from Liberator Time Clock. Carried, 5 ayes, 0 noes.** Supervisor Gambino reported that the Disaster Coordinator Gerry Whittington, besides working on the call boxes, is also getting quotes for house numbering signs, and has almost got those prices in place; is working with the County for a right-of-way for the posts; and has informed that he is re-working the Town's Disaster Preparedness Plan, and should have that done by the end of the month. The Supervisor stated that she just wanted to touch briefly on the Work Session, and stated that the Highway Garage was very well kept, nice and neat, and a nice looking place. She stated that the Parks look good, and there were just a few small items to be taken care of, including putting the last section of overhead electrical wiring underground, running water to one shelter that currently doesn't have water to it, and a small request that the Firemen's shed needs a little sprucing up, including some repair and some paint, if that could happen. She stated she has received the Fire Company's P & L statement for the month. Councilman Earl asked if they had an audit this year, and Fire Company Treasurer John Schiener stated it has been done, and the reports should be here by the end of the month. Supervisor Gambino stated she has received correspondence from the H.E.A.P. Program concerning their Home Cooling Assistance Program, which will run from May 1st through August 29th, and they give out air conditioners, based on income guidelines. She will make the information available in the Clerk's office. She informed that National Fuel has requested use of the Town Hall on May 28th at 7:00 PM for an informational meeting concerning a potential pipeline project that would travel through several Counties, and will be notifying landowners, and will probably run a notice of the meeting in the papers. The Supervisor also received notice from the Historical Society that they will be holding their annual Plant Sale on Saturday, May 17th, from 10 AM until 5 PM at the Meeting House; received Erie County's Free Rabies Clinic information from Gerry Whittington, including one in September in Springville; and received a letter from Fire Company President Danny Heineman with a listing of their upcoming fund raising events, including their annual Carnival ad book, the Carnival on June 27th, 28th, and 29th, and their annual Tool Raffle on September 7th at the Rt. 39 Fire Hall. Supervisor Gambino stated she has also received an e-mail informing that, since 1969, the first full week of May has been designated Municipal Clerk's Week in NY State and Erie County. The Town Clerk informed that the Supervisor had been nice enough to buy lunch for her and her Deputy. The Supervisor then presented a framed, Town of Sardinia Proclamation, from the Supervisor's office, to the Town Clerk, and read aloud the Proclamation, as follows:

**Office of the Town Supervisor
Town of Sardinia Proclamation**

WHEREAS, The Office of the Municipal Clerk, a time honored and vital part of local government exists in the Town of Sardinia and through out the world, and

WHEREAS, the office of the Municipal Clerk is the oldest among public servants, and

WHEREAS, the office of the Sardinia Town Clerk provides the professional link between its citizens, the governing Board, and agencies of government at numerous levels, and

WHEREAS, Betsy Marsh has pledged to be ever mindful of her neutrality and impartiality, rendering equal service to all, and

WHEREAS, the office of the Sardinia Town Clerk serves as the information hub of our local government and community, and

WHEREAS, The Town of Sardinia is extremely fortunate to have the experience, knowledge and helpfulness of a well-educated Municipal Clerk,

Now, therefore, I, Beverly Gambino, Supervisor of the Town of Sardinia, do recognize the week of May 4th through May 10th, 2014, as Municipal Clerks Week and further extend appreciation to our Municipal Clerk, Betsy Marsh, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent. And call upon our fellow residents to pay tribute to this week that is valued in our community.

Dated this 8th day of May 2014
Beverly Gambino, Supervisor

The Supervisor stated she also has a Proclamation for the Deputy Clerk, Jennifer Bray, who was unable to attend this evening.

Warrant #5 of 2014, including vouchers #231 through #290, totaling \$27,437.52, of which the General Fund was \$12,506.67, the Highway Fund was \$13,922.60, and the Street Lighting was \$1,008.25, was approved for payment on a motion by Earl, seconded by Montgomery, and carried, 5 ayes, 0 noes.

Supervisor Gambino stated she has been contacted by WNY Meals on Wheels, who took over the Southtowns Meals on Wheels Program, of which we were a part. She stated that the Town paid mileage to our volunteer drivers, about \$8,000.00 in reimbursements per year and the 2014 Budget includes \$10,000.00 which will not be needed, since the Program has changed this year, and the Town will not be paying that mileage reimbursement. She stated they are asking for a donation from the Town in the amount of \$2,000.00 for the program. She stated that the number of Town residents getting the meals is between 7 and 10 people. She stated that the next item is a resolution to approve the donation. The following resolution, to be known as Resolution #25 of 2014, was moved for adoption by Earl, seconded by Hochadel:

**RESOLUTION #25 - 2014
APPLICATION FOR FUNDS FROM MEALS ON WHEELS FOR WESTERN NEW YORK**

WHEREAS, The Town of Sardinia has supported Southtowns Meals on Wheels for numerous years and

WHEREAS, Meals on Wheels for Western New York has picked up the same service area previously managed by Southtowns Meals on Wheels, and the 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 \$2800 per person to provide one year of meal service, and

WHEREAS, based on 2013 numbers, 7 to 12 people a year are served in the Town of Sardinia for a total value of between \$19,600 to \$33,600, 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.

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 item is to provide a smoke free Youth and Recreation environment at the Parks, and was asked for by Councilman Earl. The Supervisor stated she had met with Jenna Brinkworth with Roswell Park Cancer Institute. She stated the resolution is a combination of those from Roswell and what other Towns have in place, including Springville, Orchard Park, Niagara Park, Elma, etc. and she offered to allow anyone who would be interested, to look at the packet she received from Roswell Park, and noted that the resolution also includes E-cigarettes. She stated we were given free stickers and signs for the ball diamonds and playgrounds and other areas where children will be playing. Councilman Montgomery stated he had a problem with the resolution, stating he feels it doesn't go far enough and should included alcohol, drugs, and medical marijuana. It was pointed out that drugs and marijuana are illegal now. Mr. Montgomery stated that when medical marijuana is legalized, it should be included in what you can't smoke in the Parks. He stated we should get one step ahead of the County. Councilman Earl stated that this is geared to the kids at the ball diamonds and playgrounds, and is a beginning step, and because we don't have a local law, it is a policy enforced through voluntary compliance. Councilman Earl stated that to drink and drive is not legal, and Mr. Montgomery stated the Board would be making it legal. The Supervisor stated this is to protect the kids. Mr. Montgomery asked “How about us old-timers?” He asked if someone had something against the grownups in this community. Councilman Earl stated this is to protect the kids, and she thinks our Parks need smoke-free zones, and made a motion to adopt the following resolution, to be known as Resolution #26 of 2014, as follows:

**RESOLUTION #26 - 2014
SMOKE FREE YOUTH AND RECREATION FACILITIES**

WHEREAS, The Town of Sardinia agrees to the adoption of the following policy designating all parks, and recreation spaces under its jurisdiction to be 100% smoke-free, and

WHEREAS, smoking is responsible for the premature deaths of over 430,000 Americans each year from lung cancer, heart disease, respiratory illness and other diseases, and

WHEREAS, secondhand smoke is responsible for over 50,000 deaths among nonsmokers each year, and

WHEREAS, tobacco kills more Americans each year than alcohol, cocaine, crack, heroin, homicide, suicide, accidents, fire and AIDS combined, and

WHEREAS, 80% of smokers started smoking before the age of 18, and the average initiation is 12 years old, and

WHEREAS, everyday an estimated 3,900 young people under the age of 18 try their first cigarette and one-third of these children will die prematurely from tobacco-related illnesses, and

WHEREAS, to help role model non-smoking behavior to children and youth; to provide children, youth and their families with a safe, smoke-free environment,

THEREFORE BE IT RESOLVED that the Town of Sardinia in the State of New York is committed to providing a high quality of living to all residents, and

BE IT FURTHER RESOLVED, the Town of Sardinia believes

1. There is no safe level of exposure to secondhand smoke. It can cause asthma, respiratory infections, cancer and cardiovascular disease. Children should be able to play and exercise in the Town of Sardinia Parks without being exposed to harmful effects of secondhand smoke.
2. Tobacco products use in the proximity of children, youth and adults engaging in or watching recreational activities is unhealthy and detrimental to the health of both the participants and observers.
3. Tobacco products, once consumed in public spaces, are often discarded on the ground, thus posing a risk of ingestion to children and causing a litter problem.

AND BE IT FURTHER RESOLVED, that all Town of Sardinia parks, and recreation areas adopt a 100% smoke free policy, including the use of electronic cigarettes. Designating the following locations be deemed Smoke Free Zones,

- Veteran's Park
- Manion Park
- Recreation facilities at 12320 Savage Road, Sardinia (Town Hall)
-

BE IT FURTHER RESOLVED, Smoke Free Zone extends to within 25 ft. of all public entranceways, all areas with the

building(s) and to all recreational buildings, and

BE IT FURTHER RESOLVED, that smoking is also prohibited in all Town of Sardinia-owned buildings located within the borders of the town within 25 ft. of windows that open and ventilation intakes that serve an enclosed or partially enclosed area when smoking is prohibited, and

BE IT FURTHER RESOLVED, that this policy be enforced though voluntary compliance. The Town of Sardinia park land, park facilities and open space will be signed indicating that the designated areas are smoke-free.

BE IT FURTHER RESOLVED, that town officials, employees, community organizers, leaders, coaches and town residents be responsible for promoting awareness of this policy.

Upon roll call vote, Earl, aye, Hochadel, aye, Montgomery, no, Morrell, aye, Gambino, aye. So Resolved, 4 ayes, 1 no. So Resolved.

Supervisor Gambino stated that the next resolution is for the approval of positions for the 2014 Summer Swim and Rec Programs as the Park. The following resolution, to be known as Resolution #27 of 2014 was then moved for adoption by Earl, seconded by Montgomery:

**RESOLUTION #27 - 2014
APPROVAL OF POSITIONS**

WHEREAS, the Sardinia Town Board has conducted interviews with the Sardinia Youth Board to fill the following positions, the following individuals are recommended and listed with the pay rate posted:

<u>POSITION</u>	<u>NAME</u>	<u>RATE OF PAY per hour</u>
Lifeguard/WSI – return	Casie Neil	\$12.51
Lifeguard/WSI – return	Nicole Schwab	\$12.51
Lifeguard – return	Jenna Boza	\$11.42
Lifeguard – return	Brittany Czerwinski	\$11.42
Lifeguard – return	Andrew Mumbach	\$11.42
Lifeguard – return	Kenny Dabolt	\$11.42
Lifeguard – return	Shane Ellis	\$11.42
Lifeguard – return	Heather Slomba	\$11.42
Lifeguard – new	Kourtney Keys	\$10.34
Lifeguard – new	Noah Pincoski	\$10.34
Rec. Attendant – return	Sidney Danielson	\$10.34
Rec. Attendant – return	Megan Hanrahan	\$10.34
Rec. Attendant – new	Molly Darling	\$9.81
Rec. Attendant – new	Shania Hilts	\$9.81
Rec. Director - new	Courtney Wittmeyer	\$12.51

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves the above listed personnel for the 2014 summer recreation season.

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

There being no further business to come before the Board, on a motion by Councilmen Earl, seconded by Councilmen Morrell, the meeting was adjourned at 7:43 PM. Carried, 5 ayes, 0 noes.

Respectfully Submitted,

Betsy Marsh, Town Clerk

