

9-11-2014 – 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:

Attorney for the Town David DiMatteo
Town Clerk Betsy A. Marsh
Approx. 20 guests

The Sardinia Town Board held its Regular Town Board meeting for September on September 11, 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. Councilman Hochadel then led the Pledge, which was then followed by a Moment of Silence to remember the victims of the 9-11-2001 Trade Center attacks.

The minutes of the August 14, 2014 Regular Town Board meeting were submitted by the Town Clerk. On a motion by Councilman Morrell, seconded by Councilman Hochadel, those minutes were approved. Carried, 5 ayes, 0 noes.

Warrant #9 of 2014, including vouchers #514 through #568, totaling \$122,253.32, of which the General Fund was \$22,415.48, the Highway Fund was \$97,788.25, the Fire District Fund was \$2,049.59, and the Lighting District Fund was \$937.13, was approved for payment on a motion by Earl, seconded by Morrell, and carried, 5 ayes, 0 noes.

Supervisor Gambino then welcomed Erie County Legislator John Mills to the meeting. Mr. Mills updated those present on the County Budget process, which is upcoming, stating that the Legislature wants more money put in for roads, bridges, and culvert repairs; stated that the County has patched, oiled and chipped Middle Rd. and Pratham Rd., along with replacing a culvert on Pratham Rd.; and will be milling and resurfacing portions of Genesee Rd. Mr. Mills also brought along several items, which included Scenic Byways maps, his Community Resource Guides, Yellow Dot Program brochures and Hot Spot Fishing maps for Erie and Niagara Counties, and explained each program and item. These will be available in the Town Clerk's Office. Legislator Mills stated that since becoming the Majority Leader, he has tried to run the Legislature like a business. Mr. Mills urged everyone to call Karen at his office if they have any questions or concerns. Robert Church asked Mr. Mills if there was anything that could be done about young, able bodied people using handicapped parking spots, and Mr. Mills stated he would discuss additional patrols and enforcement of the problem with the Sheriff. Eugene Parzych asked Mr. Mills if he is aware of the natural gas pipeline coming into Sardinia. Mr. Mills was not aware, and Mr. Parzych stated he will keep him informed. He Supervisor thanked Legislator Mills for his attendance.

Departmental Reports:

Councilman Morrell had nothing new to report.

Councilman Montgomery stated that Allen Rd. will be closed until late fall, with the second bridge to be repaired when the first one is finished. Concerning the new Streetlights, he asked if the NYSEG invoice had been paid, and was told it was paid at the end of August, and was sent along with the Certified Resolution approving the lighting. The Supervisor stated that if the Board members ever have a question concerning a payment, the vouchers are available in the Conference room and they can review them at any time.

Councilman Earl stated that the pool is closed, and revenues were down this year due to the cold rainy summer, however, the payroll was also down because of the weather. She stated that at the Work Session in April, when the Board visited the Highway Garage and the Parks, it was decided that several of the Park shelter roofs needed shingling. She stated that Parks Caretaker Al Hansen states that Shelter #3 in Veteran's Park, and Shelter #2 at Manion Park are in the worst shape, and has gotten costs for materials for each. Shelter #3 at Veteran's Park would cost \$1,700.00, and Shelter #2 at Manion Park would cost \$1,017.80. She stated he also got costs for Shelter #4 at Veteran's Park, which is also in bad shape, and that costs would be \$2,040.00, but is not as bad. Mr. Hansen stated he and Highway Superintendent Hopkins could do the work, and wouldn't strip the old shingles off, but would add a second layer on each. Councilman Montgomery stated he would rather see the old shingles stripped off. Councilman Morrell stated that he would like them to check the posts, also, to make sure they are secure. **On a motion by Gambino, seconded by Earl, the Board voted to have Shelter # 3 at Veterans Park and Shelter #2 at Manion Park stripped of the old shingles, and re-shingled by the Highway Superintendent and the Parks Caretaker, and to have them check the posts and replace or repair, if necessary. Carried, 5 ayes, 0 noes.** Councilman Earl continued her report, stating that Friday Night Recreation will start up again in late October, after the Pioneer Central School's football program has ended for the year, and the Rec program will run with the Pioneer School's calendar. Chris Warner will once again be running the program. She stated she has also received the in-service training report for the staff, and the comment sheets from residents, all of which were positive.

Councilman Hochadel reported that the Welcome to Sardinia signs have been painted and are now all finished.

Supervisor Gambino reported that she has met with Joselyn Gordon from the Erie County Land Bank, and there is currently no funding, but they are hoping to get more funding, and Ms. Gordon thinks that if that happens, they may be able to help the Town. She stated she has received information on this year's H.E.A.P. Program, stating that the Furnace repair and replacement portion of the program will start November 10th, the Regular H.E.A.P program starts November 17th, and the Emergency program starts January 2nd, 2015. The Supervisor also stated she has received the Fire Company's reports for the month. Supervisor Gambino stated that Assessor Thelma Hornberger is requesting authorization to attend a mandatory Continuing Education Seminar from October 5th through October 8th in Lake Placid, NY. **On a motion by Earl, seconded by Hochadel, the Assessor was authorized to attend the Continuing Education Seminar in Lake Placid. Carried, 5 ayes, 0 noes.** The Supervisor stated she has also received a letter from S.A.S.I., thanking the Town for the use of the Town Hall

for its School Break Respite Program over the past 4 years, and informing that they will no longer be using the facility due to a change in the program.

Attorney for the Town David DiMatteo reported that he had met with the Town Assessor Thelma Hornberger concerning the Assessment challenge lawsuit by Diamond Saw Works. He stated that she will be doing an inspection of the property with their appraiser and is confident that her assessment is actually low. Mr. DiMatteo also stated that several RFP's for engineering services have been received, and reminded that the engineer will be paid for by Mark I, LLC. He stated that on September 4th, Mr. Koch submitted an application for an Area Variance for the Hutchinson Rd. property. He stated there will be a hearing scheduled on the variance in late October. He explained that after the Town Board denied the re-zoning of the property, Mr. Koch applied for the variance for Lot Density, and the ZBA will now deal with it. Attorney DiMatteo stated there is an item which will need to be discussed in Executive Session.

Unfinished Business:

Supervisor Gambino stated that the next item is a resolution to appoint Nicholas Benstead as a member of the Fire Company. The following resolution, to be known as Resolution #39 of 2014, was then moved for adoption by Hochadel, seconded by Morrell:

**RESOLUTION #39 - 2014
APPOINTMENT OF CHAFFEE-SARDINIA VOLUNTEER FIREMAN**

WHERE AS the Sardinia Town Board is in receipt of the application of Nicholas J. Benstead applying for a volunteer position as a Volunteer Firefighter to the Chaffee-Sardinia Memorial Fire Company, and

WHERE AS the Sardinia Town Board supports and approves this appointment,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board approves the appointment of Nicholas J. Benstead Volunteer Fireman to the Chaffee-Sardinia Memorial Fire Department.

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

The Supervisor stated that the next resolution is for a speed reduction on Genesee Rd. The following resolution, to be known as Resolution #40 of 2014, was then moved for adoption by Earl, seconded by Montgomery:

**RESOLUTION #40 - 2014
REQUEST FOR SPEED STUDY ON GENESEE ROAD**

WHERE AS the Sardinia Town Board has received a request from Hon. John Mills office for the speed limit reduction on the portion of Genesee Road from one mile east of the County Forest/Savage Road, to one mile west of Warner Gulf Road, and

WHERE AS the Sardinia Town Board hereby requests a TE-9a study be done on Genesee Road, a County Highway owned and maintained by Erie County, to lower the maximum speed on that section of Highway, one mile east of the County Forest/Savage Road, to one mile west of Warner Gulf Road

NOW THEREFORE, BE IT RESOLVED, the Sardinia Town Board strongly endorses a speed limit reduction on that portion of Genesee Road.

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

Supervisor Gambino stated that the Girl Scouts have sent a letter requesting the use of the Town Hall for several extra activities. On a motion by Earl, seconded by Montgomery, the following resolution, to be known as Resolution #41 of 2014, was moved for adoption:

**RESOLUTION #41 - 2014
ENCHANTED MOUNTAINS NE GIRL SCOUT TROOP SERVICE REQUEST USE OF TOWN HALL**

WHERE AS the Enchanted Mountains NE Girl Scout Troop Service Unit requests the use of the gym, cafeteria/kitchen and bathrooms for a Girl Scout Event Lock In from April 10-11, 2015 and a Mother/Daughter Bake off on May 3, 2015, and

WHERE AS the Enchanted Mountains NE Girl Scouts Troop also request use of the Town Hall on November 8, 2014 for a Harvest Event that will have a canned food and sock drive, and

WHERE AS the Enchanted Mountains NE Girl Scouts have always been respectful of the building and clean up after their events.

NOW THEREFORE, BE IT RESOLVED that the Sardinia Town Board approves the use of the Town Hall on these mentioned days.

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

The Supervisor stated that a letter has been received from the Arcade Area Express Soccer Club asking for use of Veterans Park from September 2014 through August 2015. On a motion by Hochadel, seconded by Earl, the following

resolution, to be known as Resolution #42 of 2014, was moved for adoption:

**RESOLUTION #42 - 2014
REQUEST FROM ARCADE EXPRESS SOCCER CLUB FOR USE OF VETERANS PARK**

WHERE AS the Arcade Express Soccer Club has presented a formal proposal/submission for the use of Veterans Park from September 2014 through August 2015 – exact dates as of yet for both practices, games and clinics are not known at this time.

WHERE AS the Arcade Express Soccer Club would like to continue to use and develop the back area near the diamond that was used last season and,

WHERE AS Arcade Express Soccer Club has already submitted their liability insurance.

NOW THEREFORE, BE IT RESOLVED that the Sardinia Town Board approves the use of Veterans Park for the 2014 -2015 soccer training/games for the Arcade Express Soccer Club.

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

Supervisor Gambino stated that the next resolution is for necessary fund transfers within the 2014 General Fund Budget. The following resolution, to be known as Resolution #43 of 2014, was moved for adoption on a motion by Earl, seconded by Montgomery:

**RESOLUTION #43 - 2014
APPROVAL OF FUND TRANSFERS**

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

TRANSFER FROM	AMOUNT	TRANSFER TO
A1410.200 Town Clerk –Equip.	\$4500.00	A1410.400 Town Clerk Contr.
A1620.220 Oper.Building Town Hall Improvment	\$1932.35	A1620.440 Oper. Building –repair
A7180.200 Special Recreat Facilities – Equip	\$52.10	A7180.400 Special Rec.Facilities Contract.

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

Supervisor Gambino stated, concerning the RFP's sent out for engineering on the Tri-County Business Park sewer and water project, five engineering firms have sent back proposals. They are:

Wendel Duchscherer, Architects & Engineers, Amherst, NY
\$110 to \$215 per hour, depending on the Engineer
Kheops Architecture, Engineering, & Survey, Buffalo, NY
\$125 per hour flat rate
CRA Infrastructure & Engineers, Buffalo, NY
Negotiated Retainer fee and fixed monthly or hourly rates
MDA Consulting Engineers, Ellicottville, NY
\$120 per hour; \$42 per hour for Clerical
Chatfield Engineers, Rochester, NY
\$108 per hour; \$58 per hour for Clerical

Attorney DiMatteo was asked if he had worked with any of these firms, and stated he had worked with 4 of the 5. He suggested that the Board may want to meet with them and get a feel for who they would be working with, but should move quickly. Bob Church asked if the Engineer would be on-call for any project, and he was told this would be specifically for the Tri-County Business Park project. It was noted again that Mark I will need to set up an Escrow account to pay for the engineering before anyone is hired.

On a motion by Montgomery, seconded by Morrell, the Board moved into Executive Session at 7:08 PM to discuss a Contractual issue. Carried, 5 ayes, 0 noes.

The Town Board resumed the Regular meeting at 7:44 PM, on a motion by Montgomery, seconded by Morrell, and carried, 5 ayes, 0 noes.

There being no further business to come before the Board, on a motion by Earl, seconded by Morrell, the meeting was adjourned at 7:45 PM. Carried, 5 ayes, 0 noes

Respectfully Submitted,

Betsy Marsh, Town Clerk

