

5-9-2013 – REGULAR BOARD MEETING

Present:

Councilman Cheryl L. Earl
Councilman Daniel L. Miller
Councilman David L. Montgomery
Councilman Douglas J. Morrell

Absent:

Supervisor Mary L. Hannon

Also Present:

Town Clerk Betsy A. Marsh
Approx. 20 guests

The Sardinia Town Board held its Regular Town Board meeting for May on May 9, 2013 at the Sardinia Town Hall/Community Center. Deputy Supervisor Montgomery called the meeting to order at 6:30 PM, with the Pledge to the Flag and a moment of silence.

The Town Clerk has submitted the minutes of the April 11, 2013 Public Hearing on Unsafe structures, as well as the April 9, 2013 Regular meeting. Those minutes were approved as submitted on a motion by Earl, seconded by Morrell, and carried, 4 ayes, 1 absent, 0 noes.

Departmental Report Included:

Councilman Earl reported that all of her matters are later in the agenda, including the last of the hiring for summer recreation staff and lifeguards, and the new background check policy for employees and others dealing with children, as per the NYS Child Protection Act.

Councilman Miller reported that regarding the Southtowns Community Enhancement Coalition Farm Trails, 2 farms in the Town of Sardinia, the Never Rest Farm and Henhawk Acres, have joined the Coalition. He stated they are working on planning a Farm to Table dinner on September 21st at the Marenthal Inn, and the next planning meeting for that event is scheduled for May 21st.

Councilman Morrell reported that he took care of the bids for the porta-potties, and he attended the April Planning Board meeting.

Deputy Supervisor Montgomery reported that he and Supervisor Hannon attended the tour of the Public safety Building at the Rath Building in Buffalo and stated it was an interesting tour. He stated they are doing flyovers of properties to determine if people are constructing buildings without permits, as a tool for the assessors to find non-permitted buildings.

Mr. Montgomery stated that Supervisor Hannon could not attend tonight's meeting due to a death in the family, but sent along a written report for him to read. She wanted to make the public aware that she will not be seeking re-election to the office of Supervisor this year, but stated she has found this time to be a very valuable and positive experience, and thanked all those who have been supportive of her efforts. The report also stated that, with the help of Attorney Joseph, the Town will not have to pay the \$20,000.00 to Hometown Firefighters for payment of the Firemen's LOSAP Defined Contribution Plan and the funds will be transferred from the Defined Benefit Plan, as discussed at the last Board meeting. She stated this will make the transfer from the last meeting not necessary. The Supervisor's report also stated that Time Warner has expressed interest in renewing their contract with the Town, which is renewable January of 2016, and stated that next month, the Board will begin discussing starting public hearing proceedings. Her report stated that the Town's insurance carrier, NYMIR, has been out and reviewed the Town Highway Garage, and with a few minor recommendations, the Highway Department has done well with the review.

There were no Public Comments.

Abstract #5, including vouchers #260 through #309, and totaling \$36,267.10, of which \$23,907.00 was General Fund expenditure; \$9,779.78 was Highway Fund expenditure, \$1,684.44 was Fire District expenditure, and \$895.88 was Lighting District expenditure, was then approved on a motion by Earl, seconded by Morrell, and carried 4 ayes, 1 absent, 0 noes. Councilman Miller stated his approval is made under protest, since his mileage voucher had been altered, deleting his mileage reimbursement for a meeting he attended without notifying him, in the amount of \$20.00.

In Unfinished Business:

Deputy Supervisor Montgomery stated that the next item on the agenda is the specs package for the Highway Garage roof, but Engineer Mike Metzger was supposed to be on hand and had not yet arrived. Mr. Montgomery stated there are a couple of changes that were asked for by the Attorney for the Town that Mr. Metzger supposed to be aware of, so the matter was tabled until Mr. Metzger is in attendance, on a motion by Morrell, seconded by Earl, and carried, 4 ayes, 1 absent, 0 noes.

Mr. Montgomery stated the next order of business is for approval of the Firemen's contract, and asked if there are any comments. Councilman Earl asked if anyone had received a copy of a new lease for the Genesee Rd. "Hill Hall". According to Fire Company members in attendance, there is no new lease needed, since the original lease binds all heirs. Ms. Earl stated a new lease is needed and the old one is null and void. She stated the Town had asked for one in negotiations. The Fire Company members assured that the old lease is still in effect. Ms. Earl stated she would move adoption of the resolution to approve the Fire Contract with the condition that a new lease for the "Hill Hall" be

put in place to ensure that the residents in that area have adequate fire protection. The following resolution, to be known as Resolution #30 of 2013, was then moved for adoption on a motion by Earl, seconded by Morrell:

**RESOLUTION # 30 - 2013
APPROVAL OF FIRE PROTECTION CONTRACT**

WHEREAS, the Sardinia Town Board has reviewed the fire protection Contract proposal with the Chaffee-Sardinia Memorial Volunteer Fire Department, Inc. and the Town of Sardinia, and

WHEREAS, the Sardinia Town Board has held a public hearing on this date, May 9, 2013 at 6:15 p.m. and reviewed the contract as posted on the town’s website, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves the contract as presented and approves Supervisor Mary Hannon to enter into this contract, with the condition that the Fire Company secure a new lease with Charles Bockhahn for the Genesee Rd. “Hill Hall”.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Morrell, aye, Hannon, absent. So resolved, 4 ayes, 1 absent, 0 noes.

Engineer Mike Metzger arrived at the meeting at this point, and discussion was held on the bid specs. Mr. Metzger stated he had received an e-mail from the Attorney for the Town with some wording that she would like added to the package. He stated they were good points and will be added, and stated that the next step would be to work with the Town Clerk’s office to advertise for bids, to make contact with contractors who may want to bid, to up a date, and bring them back to the Board for an awarding. The following resolution, to be known as Resolution #31 of 2013 was then moved for adoption on a motion by Earl, seconded by Miller:

**RESOLUTION #31 - 2013
APPROVAL OF ROOF BIDS**

WHEREAS, the Sardinia Town Board has reviewed the roof bid specs for the highway garage as presented by Mr. Mike Metzger, Engineer, and

WHEREAS, the Sardinia Town Board has agreed to the roof bid specs, with the changes suggested by the Attorney for the Town concerning insurance matters and prevailing wage rates,

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves the roof bid specs as submitted by Mr. Mike Metzger, Engineer and requests that Mr. Metzger oversee the bidding procedures to take place as soon as possible, with the Attorney for the Town’s comments incorporated into the documents.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Morrell, aye, Hannon, absent. So resolved, 4 ayes, 1 absent, 0 noes.

Deputy Supervisor stated the next resolution is for hiring of summer staff. The following resolution, to be known as Resolution #32 of 2013 was moved for adoption by Earl, seconded by Miller:

**RESOLUTION #32 - 2013
APPROVAL OF POSITIONS**

WHEREAS, the Sardinia Town Board has received recommendations from the Sardinia Youth Board to fill the following positions with individuals listed at the pay rate posted:

<u>POSITION</u>	<u>NAME</u>	<u>RATE OF PAY per hour</u>
Lifeguard – Return	Sarah Krolick	\$11.14
Lifeguard – Return	Jena Boza	\$11.14
Lifeguard – New	Brittany Pleace	\$10.08
Recreation Attendant New	Megan Hanrahan	\$ 9.57
Recreation Attendant New	Sidney Danielson	\$ 9.57
Recreation Attendant New	Nicole Tucker	\$ 9.57

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves the above listed personnel for the 2013 summer recreation season.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Morrell, aye, Hannon, absent. So resolved, 4 ayes, 1 absent, 0 noes.

The Deputy Supervisor stated that the next resolution is to approve the policy concerning background checks for those who work with the Youth. Councilman Earl explained that this policy is necessary due to the NYS Safe Child Act, and background checks will be conducted by the Town. The following resolution, to be known as Resolution #33 of 2013, was then moved for adoption by Earl, seconded by Morrell:

**RESOLUTION #33 - 2013
APPROVAL OF NEW EMPLOYEE POLICY FOR
BACKGROUND CHECKS FOR THOSE WHO WORK WITH THE YOUTH**

WHEREAS, the Sardinia Town Board has reviewed a policy which addresses a necessary background check for those employees or volunteers who are supervising/working with youth in the Town of Sardinia, and

WHEREAS, the Sardinia Town Board agrees that this service should be mandatory for all employees/volunteers who are representing the Town of Sardinia and who supervise/work with the youth in the Town of Sardinia; and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves the new policy for background checks for those employees or volunteers who are representing the Town of Sardinia and supervising/working with the youth in the Town of Sardinia.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Morrell, aye, Hannon, absent. So resolved, 4 ayes, 1 absent, 0 noes.

Mr. Montgomery stated that the town is in receipt of the Fire Company's March 2013 minutes and its March 2013 Treasurer's report.

Mr. Montgomery also reported that Senator Gallivan's representative, Susan Johnson, will be coming to the August 8, 2013 Town Board meeting.

Mr. Montgomery also reminded that the Fire Company's upcoming fundraising events scheduled for 2013 are the annual Firemen's Carnival on June 28, 29, and 30th and the annual Tool Raffle will be held on September 8th.

Under New Business:

Mr. Montgomery stated that Mr. Clinton Salmon was awarded the honor of Erie County Senior Citizen of the Year, and then awarded him a Certificate of Appreciation by the Town. Mr. Montgomery read the certificate, which listed some of Mr. Salmon's accomplishments, including the founding of the Sardinia Senior Citizens in 1989, being a member of the Chaffee-Sardinia Kiwanis for over 50 years, being a member of the American Legion for over 40 years, lifetime membership in the Arcade VFW, and working with the Southtowns Meals on Wheels for 14 years, and a driver for the Rural Transit Van Service. Mr. Salmon thanked both his wife and the Supervisor for nominating him for the award, and thanked the Clerk for her help, thanked Jim and Dave Montgomery and Dan Miller for their service with the Rural Transit Van, thanked all the volunteers who deliver Meals on Wheels, stating that they have the best organized Meals on Wheels program in the entire Southtowns program.

Deputy Supervisor Montgomery stated that notice was received from Assessor Thelma Hornberger that a Local Law needs to be adopted to keep Grievance Day on the first Tuesday in June. The Clerk briefly explained that this needs to be done because Grievance Day in Erie County was moved to the 4th Tuesday in May several years ago, but because some Towns share an Assessor, as we do, and the Assessor can't be in 2 places a month, the Town needs to adopt a Local Law. She stated that at the time, in 2009, a resolution was adopted, but the State Office of Real Property Tax Service now wants a Local Law. Therefore, a Public Hearing and a Special meeting need to be held. The hearing and the Special meeting were scheduled for May 30th at 10:00 AM at the Town Hall. The Clerk stated she would take care of publishing the necessary notice of those meetings.

There being no further business to come before the Board, on a motion by Earl, seconded by Montgomery, the meeting was adjourned at 7:02 PM. Carried, 4 ayes, 1 absent, 0 noes.

Respectfully Submitted,

Town Clerk

