

11-8-2012 – REGULAR BOARD MEETING

Present:

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

Also Present:

Attorney Alicia Rood
Highway Superintendent Donald Hopkins
Town Clerk Betsy A. Marsh
Approx. 40 guests

The Sardinia Town Board held its Regular Town Board meeting for November on November 8, 2012 at the Sardinia Town Hall/Community Center. Supervisor Hannon called the meeting to order at 6:30 PM, with the Pledge to the Flag and a moment of silence in honor of Veterans Day and all of our Veterans.

The Town Clerk has submitted the minutes of the October 11, 2012 Budget Work Session, the October 11, 2012 CDBG Public Hearing, and the October 11, 2012 Regular Board meeting, all of which were approved as written on a motion by Montgomery, seconded by Morrell, and carried, 5 ayes, 0 noes.

Departmental Reports included:

Supervisor Hannon reported that:

- She and Councilman Earl met with Gernatt and the attorneys to discuss the legalities of the overlay district and to discuss questions they had;
- She met with our CEO and the contractor for the septic system, and stated the project should be done next week;
- She stated that Councilman Montgomery has discussion on the agenda for later in the meeting for the septic system.
- She met with the Town's insurance Agent Eric Slocum to review next year's insurance cost, which will decrease.
- She and Councilman Earl attended a conference on broadband internet service on November 2nd. She stated that she has talked to many people who all seem to be in favor of getting it here, but has not had time to look at the results of the exit poll survey done on Election Day, and will get to it soon because she is very interested in the results.
- She announced that there will be a Springville G. I. Education Foundation fundraising event this Saturday from 6 PM til 8 PM to benefit the Springville Boys & Girls Club, and Springville Youth Inc.

Councilman Morrell stated that on October 18 & 19, they had a very successful defensive driving course. He stated that the instructor was very good and it was well worth the time. Has stated he has now received three quotes for glass block repair. He stated that Buffalo Glass Block has quoted \$2,491, plus \$240 to rent a lift, if needed; Thomas Satcher quoted \$3,593, with \$950.00 off that price if we remove the old ones ourselves; and Edward Sisson, Jr. has quoted \$1,116. The Supervisor stated she would like to look at the quotes and come back to that issue later.

Councilman Montgomery stated that Food For All was here on October 15th and she had 6 people from the Town of Sardinia who were serviced, and several from out of the County, who had to be turned away. Mr. Montgomery reported that at the Flu Clinic, 86 vaccinations were given, and at the rabies clinic, 70 vaccinations were given. Mr. Montgomery also reported that he received only two quotes out of the 6 different companies he talked to asking for quotes for the interior plumbing for the septic system project. He explained that there needs to be a line run from a pump underneath the kitchen sink downstairs, a pit installed, and in the downstairs bathroom, the plumbing needs to be changed so it gets pumped out to that pit. Councilman Earl noted that there was a large difference between the two quotes, and asked if they had been quoting on the same work. She was assured they were. Mr. Montgomery asked if the Board wanted to accept one of these two quotes, or wanted him to get a third quote. No one had a problem going with the lower quotes, which was nearly \$6,500.00 lower than the other quote received. It was felt that the Building Caretaker, Al Hansen, should review the quotes himself. It was also felt that in order to get the project completed, the Board should accept the quote. **Therefore, on a motion by Montgomery, seconded by Morrell, the Board awarded the work to Thomas Randall Plumbing, with a quote in the amount of \$2,100.00, pending the approval of the Building Caretaker, Al Hansen, that he can do the remainder of the work. Carried, 4 ayes, 0 noes.** The Supervisor stated that if Mr. Hansen does not approve, the Board can hold a Special meeting at as later date.

Councilman Earls reported that Friday Night Recreation is underway every Friday night here in the gym; she attended a seminar on Broadband with Supervisor Hannon, and found it very interesting; met with Gernatt's representatives, along with the Supervisor, on the Proposed Overlay District, and had many of their questions answered, but nothing is set in stone.

Councilman Miller stated he has a request letter from the Chaffee-Sardinia Kiwanis asking the Town for \$850.00 to help offset the cost of the this year's Senior Citizens Christmas dinner. Supervisor Hannon noted that there was more than enough left in the Senior Citizens budget to cover that cost. **On a motion by Miller, seconded by Montgomery, the Board approved the donation of \$850.00 to the Chaffee-Sardinia Kiwanis for the Senior's Christmas Dinner.**

Carried, 5 ayes, 0 noes. Mr. Miller also reported that the Southtowns Community Enhancement Coalition met on November 1st and has accepted the Town's membership in that group, with the stipulations that the Town must border a Coalition community, which is the Town of Concord, that the Town must attend monthly meetings, must host at least one meeting per year, must provide a list of tourism assets within two months of membership. He stated that the Town must provide a resolution naming a Town representative. He stated will be the Town's representative, but must name an alternate, also. Mr. Miller stated that other businesses, such as the golf course on Rt. 16, and others, can also be listed as tourism assets, as well as the Agri-businesses in Town. Both Supervisor Hannon and Councilman Earl stated they would be willing to be alternates to attend those meetings. **On a motion by Miller, seconded by Montgomery, the Board accepted membership in the Southtowns Community Enhancement Coalition, with Councilman Miller as the Town's representative to that group, and with Supervisor Hannon and Councilman Earls as alternate representatives of the Town. Carried, 5 ayes, 0 noes.**

Highway Superintendent Donald Hopkins reported that the roof on the Highway Garage is in need of repair, and stated he contacted a company from Alexander to do a roof survey. He stated they gave two options, a coating, and an overlay. He described each option, and stated that the overlay would be three layers, two Styrofoam layers, and a rubber membrane. Mr. Hopkins stated he has had three companies come and look at the roof, and it is their opinion that what has happened is that the roof had the screws had rubber grommets which are now rotted, and the stainless steel screws are against galvanized, and are now rusted. He stated that the Department has coated about 100 screws. He stated the original roof was guaranteed for only 10 years, and it has now been more than 20 years. Mr. Hopkins stated that the recommendation was that the Town go with the overlay system, and the estimated costs, with a guarantee of 20 years, with actual life of 25 to 35 years. He stated that the quotes he received ranged from \$53,000.00 to \$69,500.00 for the overlay application. He asked for Board approval, stating that if we do nothing, he feels we will have to replace the whole roof in the near future. Mr. Hopkins stated this system provides more insulation, the original roof and existing insulation stays, and the work can be done in cold weather, barring a foot of snow on the roof. He stated that weather will soon become a factor. **The Board members felt it doesn't hurt to maintain the Town's buildings, and on a motion by Earl, seconded by Miller, authorized that the roof replacement be put out for bid. Carried, 5 ayes, 0 noes.**

Attorney Alicia Rood stated that Attorney for the Town Linda Joseph apologizes for not being available to be in attendance this evening, and reported that this month, the firm provided advice on the following topics: provided advice to the ZBA on a pending appeal; Participated in looking at some issues concerning the Gernatt application and the proposed Overlay District; and provided advice to the Planning Board with respect to the Tri-County Business Park/Town Home development.

The Highway Superintendent stated he had a few other issues to report on, and stated he and his crew had taken out the blacktop between the shelters at the Genesee Rd. Park, and seeded the area, and later that night, someone drove through the work they had done, ruining it. He stated they had repaired it again. He stated he would like to meet up there with Councilmen Montgomery and Earl and discuss the possibility of putting in permanent boxes for horseshoe pits, minus the stakes, which people could bring in their own if they wished. He stated that every year, people put stakes in the lawn and leave holes, which become a danger. He also met with Tom Foote concerning a soccer field, discussed the options with him, and he stated that Mr. Foote was very happy with the plan, and brought in soccer nets for next year, which they have stored at the Park. Mr. Hopkins stated that next spring, he will outline the soccer field. He also reported that he and the entire department attended a NYMIR sponsored Snow and Ice safety course in Clarence earlier today, and found it very informative. Mr. Hopkins stated that the sand & salt is now all put up, and they only needed to purchase 1,500 tons because of the surplus from last year, and also reported that the roadside mowing is complete.

Supervisor Hannon then called up Veterinarian Nancy Pugh, and presented her with a plaque of commendation from the Town for volunteering her time at the recent rabies clinic, and also presented a plaque of commendation to Tom Lewis of Waste Management for that company's once again putting on the breakfast at the annual flu clinic.

The Supervisor then read the quotes for the glass block replacement at the Town Hall, as follows:

Edward Sisson	\$1,116.00
Buffalo Glass Block	\$2,491.00
Sacher Glass Block	\$3,593.00

Upon discussion, Councilman Earl noted a discrepancy in the number of windows to be replaced between some of the quotes, and the Supervisor stated that since the blocks have been broken for quite some time, and Board members agreed that this should be put off for another month so that the quotes can be reworked to all be the same thing.

Under Comments from the Public:

John Schiener of Sardinia, Treasurer for the Fire Company, stated that last month, the Attorney for the Town and the Supervisor were both quoted in the Springville Journal as stating that the Fire Company had not responded to the Town concerning contract negotiations. He stated he didn't know where the Attorney got her thought that the Fire Company had not responded, and wanted it put on the record that the Fire Company has responded to the Town.

Warrant #11 of 2012, including vouchers #708 through #774, totaling \$57,545.92, of which \$14,975.92 was General Fund expenditure, \$41,634.11 was Highway Fund expenditure, and \$935.89 was Street Lighting, was approved for payment on a motion by Earl, seconded by Montgomery, and carried, 5 ayes, 0 noes.

The Supervisor stated that there are several budget transfers necessary. The following resolution, to be known as Resolution #55 of 2012, was moved for adoption by Earl, seconded by Morrell, as follows:

RESOLUTION #55 - 2012 - APPROVAL OF FUND TRANSFER

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

TRANSFER FROM	AMOUNT	TRANSFER TO
A1220.400 – Spv Cont	\$1777.50	A1320.400 - Auditor
A1620.471 – Computer Up	\$ 61.25	A1620.470 - Computer
A1660.470 – Cent Sto	\$ 199.32	A1660.490 - Cent Stor
A1990.400 – Contingency	\$ 109.26	A1650.100 – Sec Pool
A7140.120 – WR PS	\$1127.87	A7020.100 – Rec Admin
A7180.100 – Spec Rec PS	\$1260.82	A7140.120 – Playg SR
A9060.800 - Insurance	\$1092.57	A9040.800 - Workers Comp
DA9010.800 – St Ret	\$1893.18	DA9040.800 - Workers Comp
DA5142.130 – SR OT	\$ 197.46	DA5110.130 – Gen Rep OT
DA5142.140 – SR PT	\$ 35.00	DA5110.140 – Gen Rep PT

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board approves the above mentioned transfer of funds for 2012.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Morrell, aye, Hannon, aye. So resolved.

In Unfinished Business:

Supervisor Hannon stated that a Public Hearing on the Preliminary Budget for 2013 was held earlier this evening, and there were no changes made to the Preliminary Budget, so the Town Board is now in a position to adopt the Preliminary Budget as the Final Budget for 2013. There were no comments from the Board, and the following resolution, to be known as Resolution #56 of 2013, was then moved for adoption on a motion by Earl, seconded by Montgomery:

**RESOLUTION #56 - 2012
APPROVAL OF 2013 BUDGET**

WHEREAS, the Sardinia Town Board has reviewed the 2013 Preliminary Budget, and

WHEREAS, the Sardinia Town Board approves the 2013 Budget with the no changes, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves the 2013 Budget for theTown of Sardinia as presented to the Town Board.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Morrell, aye, Hannon, aye. So resolved.

The Supervisor then called for discussion of the Gernatt application on a Mining Overlay District. She stated that the Board needs to decide how they want to handle the matter and proceed with a vote on a law. She stated that would mean that next month, another Public Hearing on the law would need to be held. She then called for comments from the Board. Councilman Miller asked if the Board needs to do a SEQR on the matter. Attorney Rood stated that the SEQR comes after the Public Hearing. She stated the Board would go through the long form EAF, and then decide whether the Board wishes to issue a negative or positive declaration. Ms. Rood stated that, typically what will happen is that as part of the next Board meeting, the Board would work through the list of 22 or so questions and then reach a conclusion at that point. The Supervisor added that the County has not gotten back to the Town yet. Attorney Rood stated they have 5 days yet to respond. Supervisor Hannon stated that if they do not, the decision can be put off until the End of the Year meeting. She stated that even though the Board is trying to go as slowly as they possibly can, there are elements that need to be followed through on. She asked if there were any feelings that the original application, asking that all AR districts in the Town should be rezoned for mining, she be gone forward with, or if the Board would prefer voting on a Mining Overlay District. Councilman Miller stated he would like to see another Public Hearing, and all residents within the Mining Overlay District notified by mail, including abutting properties, and the Town of Arcade. The Supervisor stated she thinks that happens automatically if you do this type of public hearing and we would expect that everyone would be notified. She stated that what needs to be done to go forward on this is the Board needs to decide if they want it to have it as an open agricultural residential mining, or if it wants to go with the proposal recommended to the Town Board by the Planning Board to go with it as a Mining Overlay District. Attorney Rood stated that the original application from Gernatt Asphalt was to have mining permitted in the entire Agricultural District, and the Planning Board narrowed it to a Mining Overlay District. The Supervisor felt that after reading the Comprehensive Plan and the Zoning, and she still does have an opinion on this, she feels she'd rather have a Mining Overlay District. She asked the other Board members and all agreed. She then stated that what now needs to be put on the floor is a motion to accept the proposal from the Planning Board for the Mining Overlay District that has been mapped out and determined, and to have a local law drawn up. Attorney Rood stated that she has a local law drafted, which is basically the wording of the resolution passed by the Planning Board, and read aloud the proposed local law to amend the Zoning, which will now include the wording Sand, Clay, and Gravel mines. A motion was made by Montgomery, seconded by Earl, to approve the draft local law and to hold a Public Hearing on the proposed local law on December 13, 2012, at 6:00 PM. Carried, 5 ayes, 0 noes.

The Supervisor stated that there is a proposed three year contract with the Sardinia Legion Post #1131 in the amount of \$2,500.00, and the Legion Commander Tom Uhteg has now signed the contract. The Supervisor asked for a resolution to authorize her to execute the contract on behalf of the Town. The following resolution, to be known as Resolution #57 of 2012, was then moved for adoption by Earl, seconded by Miller:

**RESOLUTION #57 - 2012
APPROVAL OF VETERAN SERVICES CONTRACT
TOWN OF SARDINIA AND SARDINIA LEGION POST 1131**

WHEREAS, the Sardinia Town Board agrees that the Sardinia Legion does provide a service to the Town and an amount of \$2500 has been requested from the Sardinia Legion Post 1131, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board has reviewed the contract resubmitted by our attorney for the Town, Linda Joseph, Esq., and has agreed upon the terms for a contract with the Sardinia Legion Post 1131 in the amount of \$2500 to be approved each year for a three year period of the contract, and

BE IT FURTHER RESOLVED, the Sardinia Town Board approves Supervisor Mary Hannon to sign and enter into the contract on behalf of the Town of Sardinia.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Morrell, aye, Hannon, aye. So resolved.

The Supervisor stated she has not gotten to review the results of the Exit Survey done at the recent elections, at which a lot of people participated, she apologized and stated she will get to it and report at the next meeting.

Supervisor Hannon read a notice from the Erie County Dept. of Environment and Planning concerning the 30-day period of November 1st to November 30th requests for inclusion of Predominately Viable Agricultural lands into existing Agricultural Districts; and read a notice from Legislator John Mills' office concerning the 4H Program, and an informational meeting on 4H that they will be having at Hilbert College's Swan Auditorium on November 14th at 7:00 PM

Supervisor Hannon stated that she now has an applicant to fill the vacancy on Town's Zoning Board of Appeals, and the following resolution, to be known as Resolution #58 of 2012, was moved for adoption on a motion by Earl, seconded by Montgomery:

**RESOLUTION #58 - 2012
APPOINTMENT OF ZBA MEMBER**

WHEREAS, the Sardinia Town Board has reviewed the application of Mr. Richard Wells for the position of Zoning Board of Appeal member, and

WHEREAS, the position of Zoning Board of Appeals member, earns \$41.60 for each meeting, and \$10 for additional topics at each meeting, with respective term ending on December 31, 2013 and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves the application of Mr. Richard Wells to fill the opening position as a Zoning Board of Appeals member, effective immediately, with term ending December 31, 2013.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Morrell, aye, Hannon, aye. So resolved.

There being no further business to come before the Board, on a motion by Earl, seconded by Morrell, the meeting was adjourned at 7:11 PM. Carried, 5ayes, 0 noes.

Respectfully Submitted,

Town Clerk