

5-12-2011 – REGULAR BOARD MEETING

Present:

Councilman Cheryl L. Earl
Councilman Daniel L. Miller
Councilman David L. Montgomery
Councilman Norman J. Uhteg
Supervisor Mary L. Hannon

Also Present:

Attorney for the Town Linda Joseph
Highway Superintendent Donald W. Hopkins
Town Clerk Betsy A. Marsh
16 guests

The Sardinia Town Board held its Regular Town Board meeting for May on May 12, 2011 at the Sardinia Town Hall/Community Center. Supervisor Mary Hannon 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 14, 2011 Regular Board meeting, which were approved on a motion by Montgomery, seconded by Earl, and carried, 5 ayes, 0 noes.

Committee and Departmental Reports included:

Supervisor Hannon stated she has received two Certificates of Insurance, one from the person who had requested permission to place a bounce house at the Park during a graduation party, and the other replaces the one that expired in May, from S.A.S.I. for their Respite Program, and she stated she expects a schedule for their summer program to be forthcoming. She stated that the Environmental Assessment Form for Waste Management's Special Use Permit has been received, the CEO has reviewed the application, and a check has been received. She stated it will be in front of the Planning Board at its May 18th meeting.

Councilman Miller reported that he attended the last Planning Board meeting, and stated they are currently working on the proposed Zoning amendments and a subdivision ordinance, and have hired Planner Dan Ulatowski to help draft that. He also stated that they will be attending their State certified training this month. Mr. Miller reported that the new grills have now been installed at the Parks, at Shelters #3 and #5 at Veteran's Park, and at Shelters #1 and #3 at Manion Park. He stated he has been looking into the lighting at the parks, stating that the incandescent lighting will be phased out, by law, over the next few years, and the Town will need to come up with an alternative style of lighting. Mr. Miller suggested either LED or fluorescent, but stated he didn't think that the compact fluorescent bulbs were an option, due to the possibility of vandalism, and the fact that those bulbs contain hazardous material. He stated that Veteran's Park has 58 light bulbs, and Manion Park has 12. Mr. Miller stated he has spoken to the Highway Superintendent about the new reflectivity codes, and the east side of the building, which needs repair. He stated that the Court has offered a computer to the Planning Board/Town Board office in room 200 upstairs, since they are getting a new one. The older one, however, has the hard drive removed, and Councilman Miller asked the Board for permission to update that computer, at a cost of approximately \$150.00. Councilman Miller made a motion, which was seconded by Councilman Earl, to approve the upgrades to the computer. Carried, 5 ayes, 0 noes. Mr. Miller then made the following announcements: The Historical Society will holding a Plant Sale on Sunday, May 15th from 10 AM until 4 PM at the Meeting House; during the Townwide Garage sale in July, the Historical Society is offering to allow tables to be set up for people who want to register for the sales, but are farther away from the hamlets, and there would be no extra charge to use the Historical building; the Chaffee-Sardinia Kiwanis will be holding a Mystery Dinner theater on May 20th and 21st at the Delevan Training Center, tickets are still available; and the Kiwanis will be doing a Schwan's Truckload Sale fundraiser in June, pre-sale orders only.

Councilman Earl reported that lifeguard interviews are now done, and recommendations for hiring will be acted upon later in the agenda. She stated that all new guards hired are Town residents. She stated that interviews for Recreation Attendants will be conducted during the rest of this month, and recommendations for hiring will be acted on at next month's meeting, and Tiny Tots graduation is scheduled for June 18th at 11 AM. Ms. Earl made a motion to authorize placement of ads for the Townwide Garage Sales, to be held July 15, 16, and 17. The motion was seconded by Miller, and carried, 5 ayes, 0 noes. Councilman Earl also informed that the Pool Director is also a water aerobics instructor, and would be willing to teach a course two nights a week, at a cost of \$50.00 for the course, which would cover the cost of the equipment. She stated she would like permission to advertize that, also. On a motion by Earl, seconded by Montgomery, advertisement of a water aerobics course was authorized. Carried, 5 ayes, 0 noes. Lastly, Councilman Earl informed that the Gene Hilts "Concert in the Park" has had to be rescheduled for June 14th because it was previously scheduled during the Firemen's carnival set-up.

Councilman Montgomery reported that the second round of well testing is now scheduled for May 18th, and 34 people are signed up for the sampling. He also reported that the Food For All program will be returning to the Town Hall/Community Center on the 3rd Monday of each month from May through October, and he stated the program will be advertized in the Pennsaver, for free, thanks to Waste Management. Mr. Montgomery stated that some of the Town Board members would like to take a field trip to see one of Waste Management's liquid solidification systems in action. Tom Lewis of Waste Management stated that it will be in Pennsylvania. The matter was discussed, and it was felt that perhaps separate cars would be needed to comply with the open meetings laws. Councilman Uhteg asked if the Town could ask Waste management to arrange for a large bus so that any members of the public interested could go. It was unclear if that would be feasible, and Attorney Joseph stated she would like to speak to Waste Management's attorney.

Councilman Uhteg informed that he has attended a couple more of meetings about the gas drilling method of hydraulic

fracturing of Marcellus shale. He stated that Senators Gallivan and Grisanti have become involved, and he stated they may be contacted with pros and cons. Mr. Uhteg stated that there is a conference in Binghamton entitled "Preparing for Natural Gas Drilling in the Marcellus Shale Region" on June 24th, stating that registration is \$60.00 through the Association of Towns, and will be sponsored by Cornell University, and stated he would just need the \$60.00 and a cheap hotel room. Mr. Uhteg stated he would like to attend, and read the topics that will be discussed. Mr. Uhteg then made a motion to authorize a check in the amount of \$60.00 be sent to the Association of Towns for the registration. There was no second. Councilman Montgomery stated he would like to see a couple of Board members go. The Supervisor stated it sounded like something very helpful, but asked if there was something offered closer, for instance, from the Cornell Cooperative Extension. Mr. Uhteg stated he was told there was nothing scheduled. He stated that if there was no second to the motion, he would pay the registration fee himself. Supervisor Hannon stated it could be put on next month's agenda, and Mr. Uhteg stated that may be too late to register.

Highway Superintendent Donald Hopkins reported that the check in the amount of \$3,250.00 for the 1957 surplus tractor, which was sold on Auctions International, has been received. He stated they have received the new broom from Tri-County Supply, but had to borrow tractor from Lamb & Webster, since the Town's new one has not yet been delivered. Mr. Hopkins stated he doesn't expect it to be delivered this month. He also reported that the Parks have been rolled and mowed. The Superintendent stated they have been doing ditching, but are having difficulty finding places to dump what they are removing. He asked that if anyone has spots where they can dump, please let him know. Mr. Hopkins stated that he met with Ken Ziccarelli of Gernatt Asphalt, and was told they will be doing the paving at Manion Park sometime this month, including the basketball court. He stated he will begin pumping the pool on June 2nd. He also informed that he has received a letter from the DEC concerning invasive species monitoring, and they would like all municipal pools to save the contents of the skimmer baskets, and they will pick it up. They are looking for evidence of the Emerald Ash borer beetle, which is killing ash trees, and the Asian Long Horned beetle, which kills maple trees. Mr. Hopkins stated he has no problem helping out with the project. Mr. Hopkins also pointed out that top third of the large pine tree on the southeast corner of the Town Hall/Community Center is dead, and the needles have clogged up the roof drain, causing leaks. He also feels it is a danger, and asked if the Board would like it removed. There were no objections to the taking down of the tree, and the Highway Department will take care of it. The Highway Superintendent stated that there was an emergency septic system problem earlier today, and the tank has now been pumped and the plug in the lines removed.

Councilman Earl stated that the AED will be moved from the Highway Garage to the Pool house for the summer, and asked permission to set up training for the lifeguards. On a motion by Earl, seconded by Miller, training for lifeguards on the Automated External Defibrillator will be arranged by Councilman Earl. Carried, 5 ayes, 0 noes.

Attorney for the Town Linda Joseph reported on Waste Management's application for a Special Use Permit for its proposed liquid solidification system. She stated that the CEO accepted it as a complete application on May 2, 2011 and it has been referred for review by the Planning Board at its May 18th meeting. They will then have 31 days to make a recommendation to the Town Board, who at their meeting following that recommendation, will schedule a Public Hearing on the Permit, after which, a decision must be made on within 62 days. She stated this would give everyone some idea of what will be going on in the next few months. Attorney Joseph stated she has referred the proposed Zoning Law amendments to Erie County and the DEC, and there will be an upcoming Public Hearing on that matter, as well, on June 9th at 7 PM. She stated that she has notified the DEC that the Town is not requesting Lead Agency status on the Waste Management Part 360 permit matter. Ms. Joseph stated this month she also gave some LOSAP advice, and drafted the amendment to the Town's Notice of Defects Law, which will be on the agenda for next month. She stated that the insurance company has notified that the West lawsuit has been completely settled and was handled by the insurance company, both the settlement amount and the defense, and has formally been put to rest.

Highway Superintendent Hopkins stated that the spring trash pickup was completed on the 25th and 26th of April, and 30.1 tons of trash was picked up, along with 2.35 tons of scrap metal for which a check has been received in the amount of \$540.00.

There were no comments from the public.

Supervisor Hannon stated that a motion is needed to pay the bills. She stated that the total of the abstract is \$35,508.90, with the break-down of the fund totals as follows: General Fund - \$23,311.26; Highway Fund - \$9,496.19; Fire Protection District - \$1,507.69; and Streetlighting District - \$1,193.76. Councilman Uhteg noted that there was tax added into voucher #343, one of the Highway vouchers, therefore, the tax amount was removed, and the totals were adjusted accordingly, making the total Abstract amount \$35,480.19, and the Highway Fund amount total \$9,467.48. On a motion by Montgomery, seconded by Earl, Abstract #5 of 2011, including vouchers #293 through #347, and totaling \$35,480.19, was approved for payment. Carried, 5 ayes, 0 noes.

Supervisor Hannon stated that concerning the audit of Justice Lefort's 2010 books, conducted by Councilmen Earl, Miller, and Montgomery, there were no checks unaccounted for, and everything was in shape. Therefore the following resolution, to be known as Resolution #40 of 2011, was moved for adoption by Earl, seconded by Montgomery:

**RESOLUTION #40 - 2011
APPROVAL OF HON. NELSON LEFORT'S 2010 AUDIT**

WHEREAS, the Town of Sardinia has reviewed the 2010 audit of Hon. Nelson Lefort, performed by Councilmen Cheryl Earl, Councilman David Montgomery, and Councilman Daniel Miller;

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board accepts the audit presented to the Town Board by Councilmen Earl, Montgomery, and Miller for the year 2010 on Hon. Nelson Lefort.

Upon roll call vote: Earl, aye, Miller, aye, Montgomery, aye, Uhteg, aye, Hannon, aye. So Resolved.

Supervisor Hannon stated that there are two transfers needed within 2011 General Fund budget. Therefore, the following resolution, to be known as Resolution #41 of 2011, was moved for adoption by Earl, seconded by Miller:

RESOLUTION #41 - 2011 - APPROVAL OF FUND TRANSFERS

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

<u>TRANSFER FROM</u>	<u>AMOUNT</u>	<u>TRANSFER TO</u>
A1620.220 Oper. Of Bldg.	\$386.42	A1220.200 Supervisor Equip.
A1620.220 Oper. Of Bldg.	\$1282.39	A1220.400 Supervisor Contr.

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board approves the above mentioned transfer of funds for 2011.

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

New Business included:

The Supervisor stated that a resolution is needed to hire lifeguards for the summer. She also stated that she would be abstaining from the vote due to a conflict of interest. The following resolution, to be known as Resolution #42 of 2011, was moved for adoption by Earl, seconded by Montgomery:

**RESOLUTION #42 - 2011
APPROVAL OF APPOINTMENTS**

WHEREAS, the Sardinia Town Board approves appointments for the summer recreation program for the year 2011, and

<u>Name</u>	<u>Position</u>	<u>Pay Rate</u>
Danielle Scott -	Pool Director/Head Lifeguard	\$12.87 per hour
Mellissa Lord -	Lifeguard – WSI	\$11.84 per hour
Courtney Hilts -	Lifeguard – WSI	\$11.84 per hour
Cassie Niel -	Lifeguard/WSI substitute	\$10.81/11.84 per hour
Jamie Levy -	Lifeguard – Returning	\$10.81 per hour
Jena Boza -	Lifeguard – Returning	\$10.81 per hour
Derron Hilts -	Lifeguard – Returning	\$10.81 per hour
Ben Doud -	Lifeguard – Returning	\$10.81 per hour
Heather Slomba -	Lifeguard - Returning	\$10.81 per hour
Dan Urbino-	Lifeguard – Returning	\$10.81 per hour
Kenneth Dabolt -	Lifeguard (Pending Certification)	\$ 9.78 per hour
Mitchell Stiener -	Lifeguard (Pending Certification)	\$ 9.78 per hour
Nicole Czerwinski -	Lifeguard (Pending Certification)	\$ 9.78 per hour
Brittney Czerwinski –	Lifeguard (Pending Certification)	\$ 9.78 per hour
Lindsey Hannon -	Lifeguard (Pending Certification)	\$ 9.78 per hour
Laura Marshall	Recreation Administrator	\$15.45 per hour
Ann Mangan	Recreation Director	\$11.84 per hour

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby authorizes the appointment of the above noted individuals at the rates stated, effective this date.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Uhteg, aye, Hannon, abstained. So resolved, 4 ayes, 1 abstention, 0 noes.

Supervisor Hannon stated that the next resolution is to approve another trip for the Senior Citizens, and everyone got the information on the plans. The following resolution, to be known as Resolution #43 of 2011, was moved for adoption by Montgomery, seconded by Earl:

**RESOLUTION #43 - 2011
APPROVAL OF SENIOR TRIP FOR JUNE 29, 2011**

WHEREAS, the Sardinia Town Board has reviewed the proposed trip for the Sardinia Seniors to Cambridge Springs, PA on June 29, 2011,

WHEREAS, the Sardinia Seniors has presented this proposal at a cost not to exceed \$3500, and

WHEREAS, the Sardinia Seniors has funds in their budget line to cover this expense, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves the Senior Trip to Cambridge Springs, PA on June 29, 2011 at a cost not to exceed \$3500, which includes a \$250 deposit.

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

The Supervisor stated that the Town Justices have asked that each of their petty cash accounts be increased from \$50.00 to \$100.00 each. She stated they have informed that most towns have petty cash accounts on the amount of \$200.00, and the Supervisor stated she did not feel that \$100.00 for each Judge was out of line. The following resolution, to be known as Resolution #44 of 2011 was then introduced by Earl, seconded by Miller:

**RESOLUTION #44 - 2011
APPROVAL OF INCREASE FOR JUSTICE PETTY CASH**

WHEREAS, the Sardinia Town Board has received requests from Hon. Ronald Thompson and Hon. Sharlene Vossler to increase their petty cash amount to equal \$100 each, and

WHEREAS, this amount is reasonable for the monthly costs of the Justice Department, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board approves the increase of petty cash to Hon. Ronald Thompson and Hon. Sharlene Vossler to \$100 each.

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

Supervisor Hannon stated that Randy Mayer of Savage Rd. has asked for permission for his worship group to use the Town Hall/Community Center once again. She stated they have used it in the past with no problems, and has spoken to the Town Clerk. Supervisor Hannon stated it was decided that if they used the cafeteria area on Wednesday evenings, it would not conflict with the Planning Board's meetings. Therefore, on a motion by Earl, seconded by Uhteg, Randy Mayer was given permission to use the Town Hall/Community Center cafeteria for worship services on Wednesday evenings. Carried, 5 ayes, 0 noes.

Supervisor Hannon reminded that there will be a Public Hearing on the proposed Zoning amendments on June 9th at 6 PM, immediately preceding the regular June Board meeting.

There being no further business to come before the Board, on a motion by Earl, seconded by Montgomery, the meeting was adjourned at 7:00 PM. Carried, 5 ayes, 0 noes.

Respectfully Submitted,

Town Clerk