

12-9-2009 – REGULAR TOWN BOARD MEETING

Present:

Councilman Mary L. Hannon
Councilman David L. Montgomery
Councilman Heather M. Phelps
Councilman Norman J. Uhteg
Supervisor Kathleen M. Balus

Also Present:

Attorney for the Town Anthony DiFilippo, III
Town Clerk Betsy A. Marsh
Approx. 40 guests

The Sardinia Town Board held its regularly scheduled Board meeting for December on December 9, 2009 at the Sardinia Town Hall/Community Center. Supervisor Balus called the meeting to order at 7:30 PM, with a Moment of Silence in honor of those who serve our Country, and the Pledge to the Flag.

The Town Clerk has submitted the minutes of the November 12, 2009 Regular Town Board Meeting, noting that she has made a change to the vote on the Amendment to the Host Municipal Agreement. She stated she has now corrected the vote on her final draft to reflect Councilman Hannon voting no, and the vote count being 3 ayes, 2 noes. The November minutes were approved, with the correction made, on a motion by Hannon, seconded by Montgomery, and carried, 5 ayes, 0 noes.

The Supervisor's report for September included:

- Wrapped up and finished year end items, as well as preparing for the transition with new supervisor/board
- Followed up with Peter Gorton of Pan American regarding status of water testing – the report will follow
- Discussions with Fire Company regarding the "Agreement for Fire Protection and Emergency First-Aid Services
- A request was received from Tiny Tots Rec Program for approval for \$75.00 to be paid for Santa to come to their Christmas party – the voucher is on tonight's Warrant and will be approved upon approval of the bills

Matters for Discussion included:

- The scheduling of the End of the Year meeting for 2009, and a Public Hearing for the Firemen's Contract. After discussion, the Public Hearing was scheduled for Monday, December 28, 2009 at 7:00 PM, and the End of the Year meeting was scheduled for December 28, 2009 at 7:30 PM.
- There was one remaining account at the Bank of Castile, which the Supervisor's office wrote a check to transfer, but the bank had given them the wrong close out amount, and the check was returned for insufficient funds. Since it was the bank's mistake, the charges were all reversed.

Councilman Phelps reported that at the last Youth Committee meeting, they met with Bill Arlow, who explained the Parks Master Plan process and reviewed the maps with those present. The Councilman stated that this is her last regular Board meeting, and stated it has been 8 years, and a great opportunity. The Supervisor presented her with flowers and a thank you for her service.

Councilman Uhteg reported that the Historical society have Collins Correctional inmates working on the inside of the Meeting House during the winter months. They will be scraping paint, sanding, etc., to get the building ready for painting, and would like to have them back in the spring. Councilman Uhteg stated he has contacted those who quoted on the redirection of the overhead pipes in the vault, and quotes are being received. Concerning the bathhouse renovation, Mr. Uhteg stated that he has met with architect Heather Nemeč and expects that bid packages will be ready next Monday or Tuesday. He stated that Ms. Nemeč will handle all of the bid process, and expects a mid-May 2010 completion date. Councilman Hannon asked if this project comes under the WICKs law, where the various aspects, such as plumbing, construction, and electrical, need to be bid separately. Attorney DiFilippo stated he will look into that. Supervisor Balus stated that unfortunately, this Board will not have a say in seeing the project to its completion, but hopes it comes to fruition, and that the next Board sees fit to continue it.

Councilman Hannon stated again that she would like to remove the Employee Handbook project from the docket and work on it next year. She reported that the HEAP program did approximately 25 sign ups on December 7th and will be back on January 11th. She also stated that the Food for All Program is now done for the year.

Supervisor Balus stated she had a plaque ready to present to Highway Superintendent Walt Baker, who is retiring at the end of this year, but he did not make it to the meeting. She then read the plaque, which recognized his 20 years of commitment and service as Highway Superintendent.

Councilman Hannon asked Supervisor Balus if they could set up a transition meeting, hopefully soon. The Supervisor stated they could talk about it after the meeting.

Councilman Montgomery was asked if he had anything to report on the House Numbering Code, and stated he will revisit the matter next year.

Attorney for the Town Anthony DiFilippo, III updated the Board on Legal matters affecting the Town. He reported that the briefs in the Gernatt and ZBA case are due from those parties today, but he has not been served with them, and perhaps they will be in tomorrow's mail. He stated he has executed the stipulations for the settlement of the lawsuits

brought by the Concerned Citizens against Waste Management and the Town, and filed them on December 1, 2009. Mr. DiFilippo stated that the Amendments to the Host Municipality Agreement have now been delivered to Tom Lewis, who will sign them and then will mail them to the Attorney for the Town. He stated that all other routine matters had been handled. Mr. DiFilippo then stated he has been led to believe he will no longer be the Attorney for Sardinia after the 1st of January, and he stated it has been a 20 year ride, and thanked the Town for the opportunity. The Town Clerk's monthly report for the month of November 2009 was submitted, as well as the Code Enforcement Officer's report for November 2009. The Clerk noted that the Assessor's office will be closed for the next two Thursday mornings.

After review by Board members, on a motion by Phelps, seconded by Uhteg, General Fund Warrant #12, including vouchers #583 through #635 and totaling \$24,868.11; and Highway Fund Abstract #12, including vouchers #168 through #179 and totaling \$5,536.46 were approved for payment, carried, 5 ayes, 0 noes.

Under Privilege of the Floor:

William Arlow, Parks Master Planner, stated he will be finishing up the preliminaries on the plan, will set up a review of all the ideas, and will then proceed to a draft. He stated he hopes to have a preliminary Master Plan early in the New Year, and encouraged people to visit the website, www.sardiniaparks.net. Comments may be e-mailed to sardiniaparks@prodigy.net.

Jay Burney of Miller Ave. congratulated Attorney DiFilippo for his 20 years of service to the Town, congratulated Councilman Phelps for her 8 years of service, and congratulated Highway Superintendent Baker for his many years of service. Mr. Burney thanked Earl Northrup for his \$1,000.00 donation to the Sardinia Historical Society in honor of Supervisor Balus' dedication and service to the Town as Supervisor and Councilman.

Judy Tobin of Miller Ave. thanked all of the outgoing officials, and stated she looks with hope for the New Year. She expressed concern that the applications for the positions to be filled in January are going to a private address, rather than to the Town offices. The Attorney for the Town noted that those applications' are Town records and subject to FOIL.

Robert Kaiser of Savage Rd., thanked our current Supervisor for moving forward on projects. He thanked Councilman Phelps, Councilman Uhteg, and Attorney DiFilippo. He then wished all the best to Supervisor Balus.

Supervisor Balus asked for a resolution to approve the Springville Control Center Agreement. The following resolution, to be known as Resolution #31 of 2009, was introduced by Phelps, seconded by Uhteg:

RESOLUTION #31 – 2009

RESOLVED, the Sardinia Town Board hereby approves the Springville Control Center Service Agreement.

Councilman Montgomery asked if there is a cost involved, and the Supervisor stated that the annual cost is \$27,000.00, and has been budgeted for. Upon roll call vote, Hannon, aye, Montgomery, aye, Phelps, aye, Uhteg, aye, Balus, aye. So resolved, 5 ayes, 0 noes.

Supervisor Balus stated that she had wanted the Board to act on an authorization for her to sign an Engagement Letter with Freed, Max and Battaglia, PC for an audit of 2009, however, she did not receive the necessary paperwork. She stated she would like to hold action until the End of the Year meeting. Councilman Hannon asked if this was for the Annual Update Document or the Town Board audit that must be done annually. Supervisor Balus stated that they would do both. Ms. Hannon stated that she felt the next Board should be able to choose an auditor, and especially since the money would be coming out of next year's budget. Ms. Balus stated that she had been forced to have accountants that were not of her choosing. She stated she is adamant about wanting to have the 2009 financials, done by her office, audited so that there would be no questions later. She stated she had the right to foresee this problem, would bring it forward at the next meeting, and hope she gets the votes.

Announcements included:

- There will be a Public Hearing on the proposed Firemen's contract on December 28, 2009, at 7:00 PM
- The End of the Year meeting for 2009 will be held on December 28, 2009, at 7:30 PM

There being no further business to come before the Board, on a motion by Phelps, seconded by Uhteg, the meeting was adjourned at 8:14 PM. Carried, 5 ayes, 0 noes.

Respectfully Submitted,

Town Clerk