

9-12-2024 – SEPTEMBER REGULAR MEETING

Present:

Councilman Leonard R. Hochadel
Councilman Matthew Krist
Councilman Kathleen Becker
Councilman Ethan Dabolt
Supervisor Beverly A. Gambino

Absent:

Councilman Leonard R. Hochadel

Also Present:

Highway Superintendent Christopher Dabolt
Town Clerk Jennifer Bray
Town Attorney David DiMatteo
Approx. 15 guests

Supervisor Gambino called the regular September Regular meeting to order at 6:30 PM. She began with asking Jim Wiedemann to lead everyone in the Pledge to the Flag.

Supervisor Gambino stated that there were one set of minutes from the August Regular Meeting to approve. **On a motion by Dabolt, seconded by Becker the minutes were approved, as submitted. Carried, 5 ayes, 0 noes.**

Supervisor Gambino stated that the next item on the agenda was the approval of the payment of the bills. **Warrant #9 of 2024, including vouchers #449 through #520, totaling \$157,754.90 of which \$118,859.33 was for the General Fund, \$21,685.33 was for the Highway Fund, \$16,086.48 was for the Fire Protection Fund and \$1,123.76 was for the Street Lighting Fund. On a motion by Dabolt, seconded by Becker, the Warrant was approved for payment. Carried, 5 ayes, 0 noes.**

Departmental Reports were as follows:

Supervisor Gambino stated that the first thing she had to discuss was an application from Philip Mason for the Chaffee Sardinia Fire Company to become a new out of town member. **On a motion by Krist, seconded by Hochadel, the following resolution to be known as Resolution #12 of 2024 was moved for adoption.**

Resolution #12 – 2024

APPOINTMENT OF CHAFFEE-SARDINIA VOLUNTEER FIREMAN

WHEREAS, the Sardinia Town Board is in receipt of the application of,

Philip Mason, 46 Meadow Lane, Yorkshire NY 14042

Who has applied for a volunteer position as a Volunteer Firefighter to the Chaffee-Sardinia Memorial Fire Company and,

WHEREAS, Philip Mason is currently not a resident of the Town of Sardinia, and

WHEREAS, the Sardinia Town Board supports and approves the appointments of Philip Mason, and

NOW THEREFORE, BE IT RESOLVED, that the Town Board approves the appointment of Philip Mason as a Volunteer Fireman to the Chaffee-Sardinia Memorial Fire Department.

DULY ADOPTED, this 12th day of September, 2024 by the following vote: **Becker, aye, Hochadel, aye, Krist, aye, Dabolt, aye, Gambino, aye. So resolved, 5 ayes, 0 noes.**

Next Supervisor Gambino reported that in 2012 a water supply fund was set up as part of the Chaffee Sardinia Fire Company Contract and since that time the funds have been on hold with the Town. Supervisor Gambino stated that the Fire Company is ready to start using those funds. Supervisor Gambino stated that the Fire Company will need to submit vouchers and receipts for reimbursement. Fire Chief Ron Kenyon spoke briefly on what the fund will be used for. Supervisor Gambino noted that because approval for this fund was already given that no other approval is needed at this time. Next Supervisor Gambino reminded the Board that there will be a Public Hearing on October 10th at 6:30 for comments on the updated Comprehensive Plan and that the Regular October meeting will immediately follow. Lastly Supervisor Gambino stated that she would like to set up a budget work session for Saturday October 5th at 9am. After a brief discussion the Board agreed. **On a motion by Krist, seconded by Becker, the work session was set. Carried, 5 ayes, 0 noes.**

Councilman Dabolt had nothing to report.

Councilman Becker reported that the two senior trips went well.

Councilman Hochadel reported that the last concert went well and was attended by about 300 people. Councilman Hochadel noted that the new 45 MPH speed limit signs had been placed on Middle Rd.

Councilman Krist thanked all of the local area's fireman for their hard work and dedication in dealing with a devastating fire that had recently occurred in a neighboring town.

Superintendent Dabolt reported that he had three quotes for a new broom attachment for the new loader. Mr. Dabolt noted that the broom from Alta was a different brand than the loader and may not fit correctly without the purchase of additional equipment. He noted that there was no way to know until the broom was ordered and delivered if the extra equipment for hook up would be needed. The quotes are as follows.

- Anderson Equipment Angle Broom / WA320 \$27,000.00
- Anderson Equipment Werk-Brau-WLA 10' Broom \$26,250.00
- Alta Equipment PISH300 Holms SH300 \$20,520.83

After a brief discussion it was agreed that the best value would be the Anderson Angle Broom at a cost of \$27,000.00. **On a motion by Krist, seconded by Dabolt, the quote for the Anderson Equipment Angle Broom WA320 was accepted. Carried, 5 ayes, 0 noes.**

Town Attorney David DiMatteo led a lengthy discussion with community members that were in attendance regarding giving gifts to Elected Town Officials and the Officials legal obligation to turn said gifts over to the Town. It was noted that gifted funds that have been turned over to the Town are prohibited from being re-gifted or donated to any other cause, but instead will be used to help fund the Concerts in the Park during the summer of 2025.

Supervisor Gambino stated that the board would be going into Executive Session for a personnel matter and that the board may or may not be taking action after the executive session. **On a motion by Krist, seconded by Dabolt, the Board adjourned into Executive Session at 7:07 PM. Carried, 5 ayes, 0 noes.**

On a motion by Krist, seconded by Hochadel, the Board returned from Executive Session at 7:28 PM. Carried, 5 ayes, 0 noes.

Supervisor Gambino read the following resolution for consideration. Supervisor Gambino asked if there were any comments or questions from the Board. There were none. **On a motion by Krist, seconded by Gambino, the following resolution to be known as Resolution #13 of 2024 was moved for adoption.**

Resolution #13 – 2024

TOWN OF SARDINIA

RESOLUTION TO TEMPORARILY SUSPEND

THE TOWN DOG CONTROL OFFICER WITHOUT PAY

The Town Board of the Town of Sardinia met for a regular board meeting on the 12th day of September, 2024, at the Town Hall of the Town of Sardinia, State of New York, commencing at 6:30 p.m., at which time and place the following members were:

Present: Supervisor Beverly Gambino
 Council Member Matt Krist
 Council Member Leonard Hochadel
 Council Member Kathleen Becker
 Council Member Ethan Dabolt

WHEREAS, all Board Members of the Sardinia Town Board, having due notice of said meeting, and that pursuant to Article 7, §104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law; and

WHEREAS, the Town Board of the Town of Sardinia has become aware of potential misconduct of the Town of Sardinia Dog Control Officer; and

WHEREAS, the Town of Sardinia Dog Control Officer is an annually appointed position in the Town of Sardinia; and

WHEREAS, the Town of Sardinia Dog Control Officer is a position of employment in the non-competitive class; and

WHEREAS, the acting Town of Sardinia Dog Control Officer has served in such capacity for approximately two (2) years, having been appointed in both 2023 and 2024; and

WHEREAS, because the Town of Sardinia Dog Control Officer is a non-competitive employment class, and the acting Dog Control Officer has served in such capacity for less than five years, the acting Dog Control Officer is not qualified as a Civil Servant for purposes of Civil Service Law § 75; and

WHEREAS, the Town Board of the Town of Sardinia is desirous of suspending the acting Dog Control Officer without pay for an indefinite period of time, while an investigation is conducted into the alleged misconduct, until further notice is provided by the Town Board; and

NOW ON MOTION OF Councilman Krist which has been duly seconded by Supervisor Gambino,
be it

RESOLVED, that the Town Board of the Town of Sardinia finds that it is in the best interests of the Town to suspend without pay the acting Dog Control Officer indefinitely, without pay, effective immediately while an investigation is conducted into the alleged misconduct; and be it

FURTHER RESOLVED, that the acting Dog Control Officer for the Town of Sardinia is hereby suspended without pay, effective immediately, for an indefinite period of time while an investigation is conducted, until further notice is provided by the Town Board; and be it

FURTHER RESOLVED, that Town Attorney David DiMatteo is hereby directed to formulate and execute a letter to the acting Dog Control Officer of the Town of Sardinia following the passage of this resolution informing them of such suspension; and be it

FURTHER RESOLVED, that the Town Clerk of the Town of Sardinia is hereby directed to mail such letter and a copy of this resolution to the acting Dog Control Officer, by first class mail, certified mail, return receipt requested, and by electronic mail.

DULY ADOPTED, this 12th day of September, 2024 by the following Roll Call vote: Becker, aye, Hochadel, aye, Krist, aye, Dabolt, aye, Gambino, aye. So resolved, 5 ayes, 0 noes.

There being no other business to come before the Board. **On a motion by Krist, seconded by Hochadel, the September Regular meeting was adjourned at 6:58 pm. Carried, 5 ayes, 0 noes.**

Respectfully Submitted,

Jennifer L. Bray, RMC
Town Clerk