

10-10-2024 – OCTOBER REGULAR MEETING

Present:

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. 13 guests

Supervisor Gambino opened the regular October Regular meeting to order at 6:52 PM immediately following the public hearing on the proposed update to the Comprehensive Plan.

Supervisor Gambino stated that there were one set of minutes from the September Regular Meeting to approve. **On a motion by Krist, seconded by Dabolt the minutes were approved, as submitted. Carried, 4 ayes, 0 noes, 1 absent.**

Supervisor Gambino stated that the next item on the agenda was the approval of the payment of the bills. **Warrant #10 of 2024, including vouchers #521 through #576, totaling \$54,684.40 of which \$34,524.91 was for the General Fund, \$19,191.64 was for the Highway Fund and \$967.85 was for the Street Lighting Fund. On a motion by Becker, seconded by Krist, the Warrant was approved for payment. Carried, 4 ayes, 0 noes, 1 absent.**

Departmental Reports were as follows:

Supervisor Gambino reported that two public hearings needed to be scheduled. One for the Community Development Block Grant / Rural Transit and the other for the 2025 Budget. She stated that they would be held on Thursday November 14th at 6:30 pm and noted that the Regular November Board meeting will be held immediately following. **On a motion by Becker, seconded by Krist, the Public Hearings were set. Carried, 4 ayes, 0 noes, 1 absent.**

Councilman Becker reported that the Senior Thanksgiving dinner has been set for November at the Holland Willows and that the Christmas dinner has been set for December 7th at the Annex. **On a motion by Gambino, seconded by Krist, the Board approved the dinners. Carried, 4 ayes, 0 noes, 1 absent.**

Councilman Dabolt had nothing to report.

Councilman Krist had nothing to report.

Superintendent Dabolt reported that the broom that was ordered has been received. Lastly he stated that Hand Rd. was expected to be opened by October 28th.

Town Attorney David DiMatteo explained that part of the process of passing the update to the Comprehensive Plan would be for the Town Board to declare itself under the State Environmental Quality Review Act (SEQRA). He stated that the following resolution needed to be passed for the Board to act as lead agency. **On a motion by Krist, seconded by Becker, the following resolution to be known as Resolution #14 of 2024 was moved for adoption.**

Resolution #14 – 2024

TOWN OF SARDINIA

RESOLUTION TO DECLARE ITSELF LEAD AGENCY UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT REGARDING THE 2024 UPDATE TO THE TOWN'S COMPREHENSIVE PLAN

The Town Board of the Town of Sardinia met at a regular board meeting at the Town Hall located at 12320 Savage Road in Chaffee, New York on the 10th day of October, 2024 commencing at 6:52 P.M. and the following members were:

Present: Supervisor Gambino
Council Member Krist
Council Member Becker
Council Member Dabolt
Absent: Council Member Hochadel

WHEREAS, all Board Members, 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 is considering updates to the Town's Comprehensive Plan, drafted by the Town Planning Board; and

WHEREAS, pursuant to and in accordance with the provision of section 617.6 (Initial Review of Actions and Establishing Lead Agency) of the New York State Environmental Quality Review Regulations, (6 NYCRR part 617) the Town Board of the Town of Sardinia determined that an update to the Comprehensive Plan would be classified as a Type 1 action and completed Part 1 of an Environmental Assessment Form (EAF); and

WHEREAS, upon completing Part 1 of the EAF, the Town Board of Sardinia declared its intention to seek Lead Agency status for purposes of SEQR review on September 10th, 2024, and therefore advised all other involved and/or interested agencies that it believes it is the proper Lead Agency for this action. Those agencies are listed as follows:

- (1) Cattaraugus County Department of Planning
Dalton Fries
- (2) Cattaraugus County Legislature
Diane Graham, Assistant to the County Legislature
- (3) Erie County Agricultural and Farmland Protection Board
Sarah Gatti, Principal Planner (DEP), Board Staff Support
- (4) Erie County Department of Environment and Planning
Daniel Castle, AICP, Commissioner
- (5) Erie County Department of Health
Jennifer Delaney
- (6) Erie County Highway Department
William Geary, Gina Wilkolaski
- (7) Erie County Water Authority
Leonard Kowalski, Michael J. Quinn
- (8) New York State Department of Agriculture and Markets
Richard Ball
- (9) New York State Department of Environment and Conservation
Lisa Czechowicz
- (10) New York State Department of Transportation
David Hill
- (11) Town of Arcade Town Clerk
Michele Bijhouwer
- (12) Town of Ashford Town Clerk
Patricia R. Dashnaw
- (13) Town of Colden Town Clerk
Deborah Jusiak
- (14) Town of Concord Town Clerk
Darlene G. Schweikert
- (15) Town of Holland Town Clerk
Jill M Dix
- (16) Town of Yorkshire Town Clerk
Donna Lavery
- (17) Wyoming County Board of Supervisors
Cheryl Ketchum, Board Clerk
- (18) Wyoming County Planning Department
James Bragg, Director of Planning and Development

WHEREAS, having waited 30 days in accordance with the State Environmental Quality Review Act (SEQR), the Town of Sardinia has received no comments in opposition to the Town's declaration to seek Lead Agency. Therefore the Town Board of the Town of Sardinia shall hereby declare itself Lead Agency for this project.

NOW ON MOTION OF Councilman Krist which has been duly seconded by Councilman Becker, now therefore, be it

RESOLVED, by the Town Board of the Town of Sardinia that the Comprehensive Plan update being considered by the Town Board, has been considered for review under the State Environmental Quality Review Act, also known as SEQR and the Town Board has advised all other involved and/or interested agencies that it believes it is the proper Lead Agent for this Action; and be it further

RESOLVED, that the Town Board of the Town of Sardinia, having received no objection from any involved or interested agency, declares itself as Lead Agent; and be it further

RESOLVED, acting as Lead Agency, the Town Board shall review the proposed law and consider potential adverse environmental impacts of the proposed updates to the Comprehensive Plan pursuant to SEQR by completing Parts 2 and 3 of an EAF.

DULY ADOPTED, this 10th day of October, 2024 by the following Roll Call vote: Becker, aye, Hochadel, absent, Krist, aye, Dabolt, aye, Gambino, aye. So resolved, 4 ayes, 0 noes, 1 absent.

Mr. DiMatteo stated that the next step in the SEQRA process is to issue a Negative Declaration. Mr. DiMatteo read through the items on part 2 if the Environmental Assessment form to ensure that all items are marked no. Once that was complete Supervisor Gambino asked for a motion to issue the negative declaration. **On a motion by Krist, seconded by Dabolt, the following resolution to be known as Resolution #15 of 2024 was moved for adoption.**

Resolution #15 – 2024

TOWN OF SARDINIA

RESOLUTION TO ISSUE A NEGATIVE DECLARATION UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT REGARDING THE 2024 UPDATE TO THE TOWN'S COMPREHENSIVE PLAN

The Town Board of the Town of Sardinia met at a regular board meeting at the Town Hall located at 12320 Savage Road in Chaffee, New York on the 10th day of October, 2024 commencing at 6:52 P.M. and the following members were:

Present: Supervisor Gambino
 Council Member Krist
 Council Member Becker
 Council Member Dabolt
Absent: Council Member Hochadel

WHEREAS, all Board Members, 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 is considering updates to the Town's Comprehensive Plan, drafted by the Town Planning Board; and

WHEREAS, pursuant to and in accordance with the provision of section 617.6 (Initial Review of Actions and Establishing Lead Agency) of the New York State Environmental Quality Review Regulations, (6 NYCRR part 617) the Town Board of the Town of Sardinia determined that an update to the Comprehensive Plan would be classified as a Type 1 action and completed Part 1 of an Environmental Assessment Form (EAF) (annexed hereto as *Schedule A*); and

WHEREAS, upon completing Part 1 of the EAF, the Town Board of Sardinia declared its intention to seek Lead Agency status for purposes of SEQR review on September 10th, 2024, and therefore advised all other involved and/or interested agencies that it believes it is the proper Lead Agent for this action; and

WHEREAS, in accordance with the State Environmental Quality Review Act (SEQR) the Town of Sardinia received no comments in opposition to the Town's declaration to seek Lead Agency, therefore the Town Board of the Town of Sardinia declared itself Lead Agency for this project on October 10, 2024; and

WHEREAS, upon assumption of Lead Agency, the Town Board reviewed the proposed law and has considered potential adverse environmental impacts of the proposed updates to the Comprehensive Plan pursuant to SEQR by completing Parts 2 and 3 of an EAF (annexed hereto as *Schedule A*).

WHEREAS, in accordance with the same, the Town Board of the Town of Sardinia finds no adverse long-term or short-term environmental impacts with regard to the update to the Comprehensive Plan, and authorizes the Town Supervisor for the Town of Sardinia may issue a Negative Declaration on behalf of the Town Board, as Lead Agent in accordance with SEQR.

NOW ON MOTION OF Councilman Krist which has been duly seconded by Councilman Dabolt, now therefore, be it

RESOLVED, that the Town Board of the Town of Sardinia received no objection from any involved or interested agency and thereby declared itself as Lead Agent; and be it further

RESOLVED, that upon declaring Lead Agency status, the Town Board completed and reviewed Parts 1, 2, and 3 of EAF and found no adverse impacts; and be it further

RESOLVED, that the Town Board of the Town of Sardinia, finding no adverse impacts, hereby issues a Negative Declaration; and be it further

RESOVLED, that Notice of Negative Declaration will be published in the Environmental Notice Bulletin (ENB) in accordance with §617.12 of 6 NYCRR; and be it further

RESOLVED, that the Town Board intends to adopt the 2024 update to the Town's Comprehensive Plan.

DULY ADOPTED, this 10th day of October, 2024 by the following Roll Call vote: Becker, aye, Hochadel, absent, Krist, aye, Dabolt, aye, Gambino, aye. So resolved, 4 ayes, 0 noes, 1 absent.

Lastly the Board had a brief discussion regarding the Comprehensive Plan and completing the noted changes that were discussed during the Public Hearing. The Board agreed to wait until the updates were made before voting to adopt the Comprehensive Plan. There being no other business to come before the Board. **On a motion by Becker seconded by Dabolt, the October Regular meeting was adjourned at 7:09 pm. Carried, 4 ayes, 0 noes, 1 absent.**

Respectfully Submitted,

Jennifer L. Bray, RMC
Town Clerk