

AGENDA
 REGULAR MEETING
 DATE: June 13, 2013
 TIME: 6:30 PM
 PLACE: SARDINIA TOWN HALL

Town Board Members

		Present	Absent
Supervisor:	Mary Hannon	_____	_____
Councilwoman:	Cheryl Earl	_____	_____
Councilman:	Daniel Miller	_____	_____
Councilman:	David Montgomery	_____	_____
Councilman:	Douglas Morrell	_____	_____

Others:

Town Clerk	Betsy A. Marsh	_____	_____
Hwy. Superintendent	Donald Hopkins	_____	_____
Attorney for Town	Linda H. Joseph	_____	_____

- I. Meeting called to Order by Deputy Supervisor David Montgomery at _____ pm
- II. Roll Call
- III. Pledge of Allegiance
- IV. Moment of Silence
- V. Approval of Minutes -

Minutes of May 9, 2013 Public Hearing on Fire Protection Contract
 May 9, 2013 regular meeting
 May 30, 2013 Public Hearing on Grievance Day
 May 30, 2013 Special Town Board Meeting minutes.

VI. Monthly Committee Department Reports

- | | |
|---|-------------|
| • Personnel/Administration | Mary/Cheryl |
| • Finance Planning and Economic Development | Mary/Cheryl |
| • Security and Disaster Preparedness | Dave |
| • Public Safety | Dave/Doug |

- Buildings & Capital Projects
Town Hall Mary/Dave
- Parks Cheryl/Dan
- Highway Dave/Cheryl
- Recreation/Youth Cheryl/Mary
- Community Event/Celebrations Doug
- Community Service Dave/Dan
- Senior Citizens and Programs Doug/Mary
- Liaison to Landfill/Mining Mary/Doug
- Liaison to Fire Company Cheryl/Mary
- Liaison to Planning Board Doug
- Liaison to Veterans Mary
- Water Evaluation Committee Dave
- Street Lights Dan

Report from Highway Superintendent Donald Hopkins

Report from Attorney Linda Joseph

VII. Public Comment Period

VIII. Approval of Bills

IX. Unfinished Business

A. RESOLUTION # ____-2013

APPROVAL OF PARK FEE WIAVER

WHEREAS, the Sardinia Town Board has placed a stipulation with the Memorial Volunteer Fire Company of Chaffee-Sardinia to waive the park fees for their carnival if a contract for fire protection is in place; and

WHEREAS, the Sardinia Town Board has agreed to a contract pending an agreement with the landowner on Genesee where their fire hall is housed, and

WHEREAS, the Sardinia Town Board has now received a copy of an Acknowledgement of Lease Validity for the fire hall on Genesee; and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves to waive the fee for the Town Park for the Memorial Volunteer Fire Company of Chaffee-Sardinia carnival; and

Be it so resolved,

Motion:	Second:	Time:
Aye:	Nay:	Abstain:

**B. RESOLUTION #____-2013
APPROVAL OF POSITION**

WHEREAS, the Sardinia Town Board has received notice that Nicole Tucker , a recreation attendant and Brittany Pleace, a lifeguard who were approved at the last board meeting will no longer be employed for the Town of Sardinia, and

WHEREAS, the Sardinia Youth Board has recommended the following hire to replace the lifeguard position:

<u>NAME</u>	<u>POSITION</u>	<u>RATE OF PAY</u>
Nicole Schwab	Lifeguard NEW	\$10.08 per hour

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves the employment of the above named individual for the summer recreation program for the year 2013; and

Be it so resolved,

Motion:	Second:	Time:
Aye:	Nay:	Abstain:

Mike and Julie Juliano Request for reduced speed signs

Susan Johnson, representative of Senator Gallivan’s office will be coming to the August 8, 2013 board meeting.

Memorial Volunteer Fire Company of Chaffee-Sardinia fundraising events scheduled for 2013:

Firemen’s Carnival – June 28, 29 and 30, 2013

Tool Raffle – September 8, 2013.

X. New Business –

**A. RESOLUTION # _____-2013
DESIGNATION OF TOWN CLERK AS AGENT
FOR SERVICE OF A NOTICE OF CLAIM**

WHEREAS General Municipal Law, §53 requires towns to file a certificate with the Secretary of State designating the Secretary of State as an agent for service of a notice of claim; and

WHEREAS, General Municipal Law, §53 requires the certificate to include the applicable time limit for filing the notice of claim and the name, post office address and electronic mail address, if available, of an officer, person, for the transmittal of notices of claim served upon the Secretary as the town’s agent; and

WHEREAS, pursuant to General Municipal Law, §50-e(1)(a), the applicable time limit for the filing of a notice of claim upon a town is 90 days after the claim arises, or in the case of a wrongful death action, 90 days from the appointment of a representative of the decedent’s estate;
Now therefore Be It

RESOLVED, that the Town Board of the Town of Sardinia, County of Erie designates Betsy Marsh, in her capacity as Town Clerk, to receive notices of claims served upon the Secretary of State by mail at 12320 Savage Road, PO Box 219, Sardinia, NY 14134 and email at townclerk.sardinia@roadrunner.com

BE IT FURTHER RESOLVED, that the Town Board hereby directs the Town Clerk to file the required certificate with the Secretary of State informing him or her of the town’s designation and applicable time limitation for filing a notice of claim with the town on or before July 14, 2013.

Be it so resolved,

Motion:	Second:	Time:
Aye:	Nay:	Abstain:

B. RESOLUTION # _____-2013

**APPROVAL OF COLLECTION OF DATA AND INFORMATION FOR POSSIBLE
TAX REBATE PROGRAM**

WHEREAS, the Town of Sardinia receives the vast majority of its revenues from tipping fees paid by Waste Management under a municipal host agreement and these fees have enabled the Town—by taking appropriate steps to ensure financial responsibility for its other expenses—to eliminate the Town portion of property taxes and to build up a general reserve fund in excess of \$2.0 million dollars; and

WHEREAS, a governmental entity may only use funds for a “public purpose,” but a carefully crafted and targeted tax relief program under which qualifying residents would receive a rebate of a portion of the taxes they have paid would be a permissible use of public funds; and

WHEREAS, it is necessary to collect data and information in order to properly document both the public need for such tax relief and, based on that public need, design a program specifically targeted to address the public need.

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves initiation of a data and information collection effort to be conducted over an approximately 30 to 60 day period to collect data and to be undertaken by Councilman Cheryl Earl and Supervisor Mary Hannon as to the following, plus such other data as the assigned Board Members deem relevant and necessary:

- a. Collect data from the tax rolls over the past five years to document the extent to which taxes have increased both for agricultural land, homeowners and businesses.
- b. To the extent available on the County’s real property tax system, the Town may also be able to quantify the effect on senior citizens, young families, family farmers and/or other categories of property.
- c. Collect data on the negative impact the recent tax increases have had on the Town’s ability to retain and attract both agricultural businesses, family farms, business, senior citizens and young families. This will require obtaining information from Town residents on how these increases have affected their willingness/ability to earn a living as a family farmer, make required repairs to their homes, and/or the affordability of their homes, etc. The later can be accomplished either by designing a survey, and/or soliciting information through the Town’s website or other methods the assigned Board Members may deem appropriate.

- d. In collecting the data and information, the Board Members will be aware that this data and information will assist them in later defining dollar limits to the program and whether a time limit should be set on program.

Be it so resolved,

Motion:	Second:	Time:
Aye:	Nay:	Abstain:

**C. RESOLUTION # ____-2013
APPROVAL OF SASI UTILIZING THE GYM FOR 2013/2014 SCHOOL YEAR**

WHEREAS, the Sardinia Town Board has received a request from Suburban Adult Services Inc. (SASI) requesting the use of the Sardinia Town Hall gym for the dates noted, and

WHEREAS, SASI has always been respectful to the building and staff and utilized the section of the building not normally used during office hours, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board approves the request of SASI to utilize the gym of the Sardinia Town Hall on the dates noted and hereby waives any fee for this service pending the approval of the Sardinia Youth Board, and

Be it so resolved,

Motion:	Second:	Time:
Aye:	Nay:	Abstain:

**D. RESOLUTION # ____-2013
APPROVAL OF CHAFFEE-SARDINIA SENIOR TRIP**

WHEREAS, the Sardinia Town Board has received a request from the Chaffee-Sardinia Seniors to contribute an amount not to exceed \$4000 to the Horizon Club Tours, to help offset the cost of their trip scheduled for July 18, 2013, and

WHEREAS, the budget line for this service allows for this amount; and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves the request of the Chaffee-Sardinia Seniors trip not to exceed \$4000 to Horizon Club Tours, for their senior trip scheduled for July 18, 2013, and

Be it so resolved,

Motion:	Second:	Time:
Aye:	Nay:	Abstain:

**E. RESOLUTION # ____-2013
APPROVAL OF APPOINTMENT OF TAX ASSESSOR**

WHEREAS, the term of appointment of Tax Assessor is made for six years, and

WHEREAS, the Town of Sardinia Assessor, Thelma Hornberger, has previously been appointed to a six year term expiring on September 30, 2013, and

NOW, THEREFORE, BE IT RESOLVED,, the Sardinia Town Board hereby re-appoints Thelma Hornberger as the Town of Sardinia Assessor, effective October 1, 2013, with a six-year term ending on September 30, 2019,

Be it so resolved,

Motion:	Second:	Time:
Aye:	Nay:	Abstain:

Request from Memorial Volunteer Fire Company of Chaffee-Sardinia for sponsorship of a portion of the 2013 Firemen’s fireworks display to be held on June 30.

Receipt of Memorial Volunteer Fire Company of Chaffee-Sardinia, NY Reports as follows:
April 2013 Minutes
April 2013 Treasurer’s Report

XI. Executive Session

XII. Motion to Adjourn

Be it so resolved,

Motion:	Second:	Time:
Aye:	Nay:	Abstain:

