

AGENDA
 REGULAR MEETING
 DATE: April 12, 2012
 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 Supervisor Hannon at _____ pm

II. Roll Call

III. Pledge of Allegiance

IV. Moment of Silence

V. Approval of 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/Dan |
| • Buildings & Capital Projects | |
| Town Hall | Mary/Dave |
| • Parks | Dan/Cheryl |
| • Highway | Dave/Cheryl |
| • Recreation/Youth | Cheryl/Mary |

- Community Event/Celebrations Dan/Doug
- Community Service Dave/Doug
- Senior Citizens and Programs Doug
- Liaison to Landfill/Mining Mary/Doug
- Liaison to Fire Company Cheryl/Dave
- Liaison to Planning Board Dan/Doug
- Liaison to Veterans Dave
- Water Evaluation Committee Dan/Dave

Report from Highway Superintendent Donald Hopkins

Report from Attorney Linda Joseph

VII. Public Comment Period

VIII. Approval of Bills

**A. RESOLUTION # _____ -2012 –
APPROVAL OF FUND TRANSFER**

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

TRANSFER FROM	AMOUNT	TRANSFER TO
A1220.480 Sup Acct	\$3632.50	A1320.400 Auditor
A1990.400 Conting.	\$2805.00	A1320.400 Auditor

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board approves the above mentioned transfer of funds for 2012, and

Be it so resolved,

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

IX. Unfinished Business

**A. RESOLUTION # _____ -2012
APPROVAL OF AUDIT FOR SUPERVISOR’S OFFICE for 2011
AND JUSTICE COURT for 2011**

WHEREAS, the Sardinia Town Board has reviewed above noted audits as presented by Drescher & Malecki, noting any procedural adjustments that are necessary for compliance with New York State, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board accepts the audits performed by Drescher & Malecki for the Town of Sardinia Supervisor’s Office for 2011, Justice Audit for 2011, and

Be it so resolved,

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

**B. RESOLUTION # ___ 2012
SEQRA REVIEW OF PROPOSED AMENDMENTS TO THE TOWN OF
SARDINIA’S SIGN ORDINANCE**

WHEREAS, the Town is considering certain amendments to its Sign Ordinance

WHEREAS, amendments to the Town’s Sign Ordinance is an Unlisted Action for the purposes of SEQRA; and

WHEREAS, no other agency has approval authority and the Town has referred the proposed changes to the Erie County Department of Planning as required under General Municipal Law section 239 m, and a draft Short Form Environmental Assessment Form was prepared by the Town Planning Board; and

WHEREAS, the Board having thoroughly reviewed the Short Form Environmental Assessment Form and considered each and every impact in accordance with SEQRA;

NOW, upon consideration of the above and all of the previous documents, discussion and debate,

BE IT RESOLVED that the proposed will not have a significant adverse impact on the environment,

BE IT FURTHER RESOLVED that the Town Boards adopt a Negative Declaration attached hereto.

Be it so resolved,

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

**C. RESOLUTION # ____-2012
APPROVAL OF AMENDMENT TO SIGN ORDINANCE**

WHEREAS, the Planning Board has recommended to the Town Board certain amendments to the Town’s Zoning Ordinance **Section 115-22 C** with respect to signage;

WHEREAS, prior to submitting the proposed amendments for public review and comment, the Town Board has reviewed the Planning Board’s recommended amendments and has accepted the proposed amendments as set forth in the proposed amendment circulated to the Board Members with the following changes:

**TOWN OF SARDINIA
LOCAL LAW # ____ 2012
AMENDMENT TO THE TOWN’S ZONING ORDINANCE**

Be It Hereby Resolved that Article Seven, Sign Regulations of the Zoning Ordinance of the Town of Sardinia, adopted on the 12th day of October 2005, be, and the same hereby is amended by adding the following provisions:

1. Section 115-22 C Sign Definitions is hereby amended as follows.

AGRICULTURAL OR HORTICULTURAL SELLING PURPOSES: Any sign, wording, logo, or other representation that advertises, or calls attention to a business, which sells and/or promotes seasonal agricultural or horticultural products and/or services including but not limited to the sale of fruits, vegetables, plants, trees and flowers, and associated goods and services.

2. Section 115-22-3 is hereby amended to add a new subsection F as follows:

F. Off-Site Temporary/Portable Signs for Agricultural or Horticultural Selling Purposes

The use of up to (2) two portable/temporary signs shall be permitted off-site for agricultural or horticultural selling purposes under the following conditions:

1. A permit for up to two signs shall be obtained from the Code Enforcement Officer which shall permit a temporary sign display for agricultural or horticultural selling purposes for a maximum of (9) nine months.
2. Such (9) nine month period shall run from the date that the permit is issued.
3. The maximum size of any sign shall be three feet wide by 2 feet high.
4. A permit shall only be available to Agricultural or Horticultural businesses located within the Town of Sardinia.
5. The application shall identify the location(s) where the sign(s) will be placed and shall include written authorization signed by the property owner authorizing the placement of the sign on his and/or her property.
6. All signs must be placed at least 50 feet from any intersecting roads.
7. All signs shall be ground mounted and shall be a maximum of three feet high, when measured from the ground level.
8. The size of the sign shall not exceed 3 feet wide by 2 feet high and a permit stick shall be affixed to back of each sign. All other provisions of this Chapter with respect to design of signs shall apply to any sign.
9. The applicant shall remit to the Code Enforcement Officer a fee of \$5.00 per sign.

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves the amendments to the Town’s Zoning Ordinance **Section 115-22 C**, with respect to signage

Be it so resolved,

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

**D. RESOLUTION # _____-2012
APPROVAL OF GASB 54 FUNDBALANCE POLICY**

WHEREAS, the Town of Sardinia (the “Town”) has enacted the following policy in an effort to ensure financial security through the maintenance of a healthy reserve fund that guides the creation, maintenance, and use of resources for financial stabilization purposes.

WHEREAS, the Town’s primary objective is to maintain a prudent level of financial resources to protect against reducing service levels or raising taxes and fees due to temporary revenue shortfalls or unpredicted one-time expenditures. The Town also seeks to maintain the highest possible credit ratings which are dependent, in part, on the Town’s maintenance of a healthy fund balance.

WHEREAS, Reserve funds (which essentially are a legally authorized savings account for particular specific purposes) are an important component in the Town’s financial planning for specific expenses, future projects, acquisitions and other lawful purposes. To this end the Town may establish and maintain reserve funds in accordance with New York State Laws. The Town will also consider rules and/or opinions issued by the New York State Comptroller when they are not in conflict with law.

WHEREAS, Town reserve funds must be properly established and maintained to promote the goals of creating an open, transparent and accountable use of public funds. The Town may engage independent experts and professionals, including but not limited to auditors, accountants and other financial and legal counsel, as necessary to monitor all reserve fund activity and prepare reports that the Town Board may require.

WHEREAS, Government Fund Type Assignment (GASB 54) The Town shall comply with the reporting requirements of Article 3 of General Municipal Law of the State of New York and the Governmental Accounting Standards Board (GASB) Statement Number 54, Fund Balance Reporting and Governmental Fund Type Definitions. GASB Statement Number 54 established the following classifications depicting how specific amounts can be spent:

- Nonspendable** fund balance consists of amounts that are not in a spendable form in the current period either because of their form or because they must be maintained intact, including prepaid items, inventories, long-term portions of loans receivable, and financial assets held for resale.

- **Restricted** fund balance consists of amounts that are subject to externally enforceable legal purpose restrictions imposed by grantors, bondholders or laws and regulations of higher levels of governments; or through constitutional provisions or enabling legislation.
- **Committed** fund balance consists of amounts constrained to specific purposes by a government itself using its highest level of decision-making authority; to be reported as committed, amounts cannot be used for any other purpose unless the government takes the same highest-level action to remove or change the constraint.
- **Assigned** fund balance consists of amounts a government intends to use for a specific purpose; intent can be expressed by the governing body or by an official or body to which the governing body delegates the authority.
- **Unassigned** fund balance consists of amounts that are available for any purpose; these amounts are reported only in the General Fund.

WHEREAS, the fund balance of the Town's General Fund and Highway Fund has been accumulated to provide stability and flexibility to respond to unexpected adversity and/or opportunities.

WHEREAS, The Board's objective is to maintain unassigned fund balances of the various funds at levels sufficient to mitigate current and future risks, such as revenue shortfalls and unanticipated expenditures; to ensure stable tax rates and user fees; and, to protect the Town's creditworthiness.

WHEREAS, The Town Board will set aside certain amounts as committed fund balance. A committed fund balance represents fund balances that have been approved by Town Board resolution prior to the end of the year. The amount of the commitment may be determined after year end but prior to the release of the financial statements. Should the amount of commitment not be known at the time of the resolution, the Town Supervisor shall determine the amounts to be committed and report such amount to the Town Board.

WHEREAS, The Town Board delegates to the Town Supervisor the authority to determine the proper amounts to be assigned for purposes as are deemed necessary. Assigned fund balances represent amounts intended to be used for a specific purpose. These assignments would provide the liquidity to respond to contingent liabilities, provide for capital asset replacements and capital projects, and set aside amounts to reduce the ensuing year's tax levy which was previously referred to as appropriated fund balance.

WHEREAS, Effective as of the year ended December 31, 2011; unassigned fund balance shall be any remaining amounts.

The Town will spend, as allowed and available, the most restricted dollars before less restricted in the following order:

- a) Nonspendable (if funds become spendable)
- b) Restricted
- c) Committed
- d) Assigned
- e) Unassigned

WHEREAS, the Town will be mindful of its role and responsibility as a fiduciary of public funds when acting on reserve fund issues.

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves the above policy and agrees that his policy may be updated as deemed necessary per the Town Board, and

Be it so resolved,

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

X. New Business

**A. RESOLUTION #____-2012
APPROVAL OF OPEN POSITIONS**

WHEREAS, the following individuals are approved for their respective open positions and rates indicated:

Beverly Gambino - Bookkeeper/ Secretary	\$15.84 per hour
Daniell Scott - Pool Director/Head Lifeguard PT	\$12.87 per hour
Mark Stevens – Laborer/PT	\$15.30 per hour

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board approves the above noted individuals for the positions listed at the rate noted, and

Be it so resolved,

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

**B. RESOLUTION # ____-2012
APPROVAL OF NEW RATES FOR POOL PASSES
FOR NON RESIDENTS**

WHEREAS, the Sardinia Youth Board has met and reviewed past year's rates for pool passes and recreation fees and has hereby requested an increase to the non-resident pool pass and recreation fee for the 2012 season; and

WHEREAS, the rate of the non-resident pool pass will increase by \$15 for a total of \$75.00 per family and the recreation pass for non-resident will be \$75 for first child and \$25 each for additional children, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board approves the change of rates for the non-resident pool pass to \$75 per family and non-resident recreation pass to \$75 for first child and \$25 each for additional children for the 2012 season, and

Be it so resolved,

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

Letter of Request of use of Town Hall by Girl Scouts for 2012/2013.

Discussion on Gernatt application for Zoning Amendment re: Gravel mining

Abandoned properties discussion.

Savage Road bridge closure discussion.

Town Board to appoint Portable Toilet Rentals for summer season 2012.

Trash pickup in Town of Sardinia - starting week of April 23, 2012

Annual Hazardous Waste Drop-Off day at Waste Management scheduled for Saturday, April 28, 2012 from 8:00 a.m. until 12 noon.

XI. Executive Session, if necessary.

XII. Motion to Adjourn

Be it so resolved,

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

