

3-8-2012 – REGULAR BOARD MEETING

Present:

Councilman Cheryl L. Earl
Councilman David L. Montgomery
Councilman Douglas J. Morrell
Supervisor Mary L. Hannon

Absent:

Councilman Daniel L. Miller

Also Present:

Attorney for the Town Linda Joseph
Highway Superintendent Donald W. Hopkins
Town Clerk Betsy A. Marsh
25 guests

The Sardinia Town Board held its Regular Town Board meeting for March on March 8, 2012 at the Sardinia Community Center. Supervisor Mary Hannon called the meeting to order at 6:30 PM, with the Pledge to the Flag and a moment of silence.

Supervisor Hannon introduced Thomas Malecki of Drescher & Malecki, LLP, who gave a report on the Annual Update Document, the audit of the Town's financial records, for the year 2011. He stated that the Town revenues exceed the outgo in the General and Highway Funds and the fund balances are up. He stated the Town is in very sound financial shape, and is one of the financially strongest municipalities in Western New York, if not the strongest. He stated that the Fire Protection District fund is still at a deficit because of the LOSAP program, but that has now decreased and is catching back up after having borrowed from the General Fund. Mr. Malecki stated that several items which needed improvement, as noted last year, have improved, including segregation of duties, and from a control perspective, the new computer program has been put into place and has improved the overall accounting. He stated that is a big improvement. Mr. Malecki stated that the Town still needs to put in some additional language documenting procedures, in case a switch over is ever needed. In conclusion, he stated that the Town has a very strong fund balance, expenditures are controlled, and there is an approximate \$300,000.00 improvement in that balance.

The Town Clerk has submitted the minutes of the February 9, 2012 Regular Board Meeting, and the February 17, 2012 Special/Emergency Meeting. On a motion by Earl, seconded by Morrell, those minutes were approved as written. Carried, 4 ayes, 1 absent, 0 noes.

Departmental Reports included:

Supervisor Hannon stated that the Town Clerk has received two responses to the resolution concerning the Old Rt. 219 bridge replacement, one from the NYS DOT and one from Assesmblyman Guilia, stating that they hope to reopen the bridge in early April. She stated that she and bookkeeper Angela Zona attended an accounting seminar on February 15th & 16th in Springville, having to do with new accounting procedural rules. She stated that the Board held a Special meeting on February 17th, and approved the new Highway Employees contract; did a resolution for the new Open Meetings law requiring agendas and other documentation to be put on the Town's website; met with S.A.S.I. concerning some minor issues having to do with their use of the building; she and Councilman Earl conducted interviews for a ZBA member and for an assistant Code Enforcement Officer; and she met with the auditor on the Annual Update Document, which is on file in the Town Clerk's office. The Supervisor stated she had attended the monthly Rural Transit Van Service meeting, and they are in desperate need of volunteer drivers. She stated that they have put out an RSVP booklet, which each Councilman has received and is also on file in the Clerk's office. She stated she had also attended the Meals on Wheels monthly meeting, and there were representatives from the County on hand to clarify some points of the new procedures.

Councilman Morrell stated he had been looking into the ownership of an Allen Rd. streetlight and it has been found that pole #46 is a Town streetlight. He stated that he now has a listing of every streetlight in the Town. He also stated that he was contacted about a Deerfield Dr. light that has been flickering on & off for several years, and NYSEG has finally fixed it. Mr. Morrell stated that Waste Management will be holding an Electronics drop-off day, as well as a hazardous waste drop-off day in April, and it is free for Town residents. He also stated that the Sardinia Senior Citizens meet every fourth Tuesday in the Town Hall cafeteria.

Mr. Montgomery reported that water testing will start on March, and 12 people have signed up so far. He stated that he has received a letter from the VNA asking for a date for the annual Senior Flu vaccination clinic. He asked if Friday, November 2nd was agreeable to everyone, and it was. Mr. Montgomery stated that the back entrance doors here at the Town Hall are rusting out and do not close properly. He asked if the Board felt we should try and secure grant money to replace them. The Supervisor stated that she did not feel it would be an eligible project for CDBG, and felt that perhaps a couple of estimates should be sought, and maybe the building caretaker could do the job. Mr. Montgomery will check with the Caretaker, Al Hansen. He suggested that a handicapped push button to open the doors might also be installed.

Councilman Earl reported that the Recreation Dept. has scheduled roller skating at Skateland in Franklinville from 5 to 7 PM on March 10th and the event is open to all Town residents, free of charge, with the only cost being the skate rental. She also reported that Tom Warner, the chess coach at Pioneer Central School, and who now a member of the Youth Board, has offered to give chess lessons here from 6 PM until 8 PM on Monday March 12th to all levels of players. She stated that the chess tournaments will continue to be held here on the 1st Saturday of each month. Councilman Earl stated that the Rec Dept. is going to hold Zumba classes during the month of April on Mondays, which will be adult

classes, Wednesdays, which will be Zumbatomic classes, for children, and Fridays, which will be Zumba Gold, for Seniors. Ms. Earl also stated that the Youth Board is working on the summer Rec program, and this year will be holding swim lessons on Saturday mornings for kids who can't make it to the Park during the week. They would then cut down to 4 mornings of lessons during the week. She stated they are also planning on Water Babies classes on Saturdays and Water Aerobics will be offered on week day evenings. Councilman Earl reported that she has been in contact with the Girl Scout leader and has been informed that the Scouts will be staining the split rail fence at the Genesee Rd. Park, as a Community Service project, starting on May 5th, with the Town providing the stain, and the Scouts providing the labor. The Councilman also reported that, concerning the Springville Control Center, there will an additional cost due to the Springville School backing out of the contract, and therefore, the Village must recalculate everyone's share.

Under Public Comment:

John Schiener of Sardinia stated that there is a real estate sign at the intersection of Rt. 39 and Rt. 16 that he feels is obstructing the view and may be in the right-of-way. He asked that the Code Enforcement Officer be asked to check it out. He also suggested that since the Code Enforcement Office will be having extra manpower now, perhaps they could enforce the house numbering code, and also suggested that the street signs be updated with directional signs showing house numbering blocks.

Highway Superintendent Donald Hopkins reported that at last month's meeting, the Board did not approve the single roller bill, and he re-bid the roller, but still did not get a second bid. He stated there are only three dealers that handle rollers: 1 roller is too small to met specs, 1 submitted a bid, and the third stated he would not bid because he knows he cannot beat the price of the others. Mr. Hopkins stated that he needs a roller for baseball diamonds, roadwork, etc., and is afraid if he waits any longer to order, he won't receive it until fall or winter. He explained why he bid the equipment the way he did, and stated the Town would also need to buy a trailer if he had not bid the tow-behind type of roller. The matter was discussed. The Supervisor stated she is still not comfortable with only 1 bid. The Supervisor stated she feels he could rent the equipment for this year. Supervisor Hannon stated she would like to see him rebid the roller with a trailer, and open at the April meeting. Mr. Hopkins stated that he can do that, but it will put him two months behind, but stated it is up to the Board. He stated that his biggest concern is that if he has to bid out for a roller with trailer, he will have one more piece of equipment to store. Mr. Hopkins stated he doesn't have any idea what it will cost to rent the equipment, but if it is \$15,000 to \$20,000 to rent, that money could have gone towards the cost of new equipment. He stated he has the old roller that he would like to get rid of, and he would like to put them on the internet auction list again. He stated that the roller is a 1987. What to do with the 1 bid for a tow behind roller was then discussed. It was acknowledged that it could not be held and considered along with the non-tow behind roller with trailer. The Highway Superintendent stated that he hopes the Board bids the roller and trailer as a package, not separately, so that the two fit. The Highway Superintendent was then directed by the Supervisor to open the bid for the tow behind roller. He stated that the bid had been by submitted by Monroe Tractor, for a Leeboy roller, in the amount of \$50,530.00. He was then asked to review the bid while the meeting continued.

Attorney for the Town Linda Joseph reported that she had given input on the audit remarks; gave guidance and assistance on comply with the Open Meetings Law and prepared the resolution for that. She stated she helped on the preparation of the new Collective Bargaining agreement that was approved at the Special Meeting, and prepared the resolution for that. She stated she also reviewed the new Dog kennel lease agreement with DCO Duane DeGolier. She stated she is working on the Schweikert petition and judgment, which relates to the Chaffee Water Works, stating she has not received that report yet, but will probably know by next month which way that is going. She stated she also did a little bit of follow-up on the Tri-County Business Park and on the sign ordinance.

Supervisor Hannon then asked for a motion to approve payment of the bills. She stated that on the February Warrant, there were 2 items that were actually from the 2011 Budget. She stated that the software vendor has suggested that those 2 items should be put on a separate abstract. So, therefore, Abstract #15 would be in the amount of \$2,284.30; and Abstract #2 would be in the amount of \$34,523.77, with a total approved at the February meeting of \$36,808.07; and Abstract #3, including vouchers #103 through #186 and totaling \$230,143.15, due to the amount of the Fire Protection contractual amount being included for payment. On a motion by Earl, seconded by Montgomery, those abstracts were approved for payment. Carried, 4 ayes, 1 absent, 0 noes.

The Supervisor stated that under Unfinished business, the first resolution is to approve the Zoning amendment concerning the sign ordinance, and asked for a Resolution to approve. The following resolution, to be known as Resolution #17 of 2012, was then moved for adoption on a motion by Morrell, seconded by Earl:

RESOLUTION #17 - 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:

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 THAT a copy of the draft Local Law prepared by the Town Attorney to reflect the changes proposed to the Town's Zoning Ordinance **Section 115-22 C** shall be forwarded to the County Department of Planning for review in accordance with Section 239m of the General Municipal Law; and

BE IT FURTHER RESOLVED, that a Public Hearing be scheduled for April , 2012 at 6:15 PM to consider the proposed amendments to the Town's Zoning Ordinance; and,

BE IT FURTHER RESOLVED, the Town Clerk shall, no less than 10 days prior to the scheduled hearing, publish a Notice of Public hearing in the Town's official newspaper and provide all other notices as required by law.

Upon roll call vote: Earl, aye, Miller, absent, Montgomery, Aye, Morrell, aye, Hannon, aye. So Resolved.

Under New Business:

The Supervisor stated that there are open positions to be appointed, but there are still people they have not been able to contact to interview for the Assistant Code Enforcement Officer position, and she would like to hold that appointment off until next. She stated that she and Councilman Earl have interviewed people for the ZBA position and are recommending Al Schrader for the appointment. On a motion by Earl, seconded by Montgomery, the following resolution, to be known as Resolution #18 of 2012, was moved for adoption:

RESOLUTION #18 - 2012 APPROVAL OF OPEN POSITIONS

WHEREAS, the following individual is approved for the respective position and rate indicated:

Al Schrader - Zoning Board Member - \$41.60 per meeting

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

Upon roll call vote: Earl, aye, Miller, absent, Montgomery, Aye, Morrell, aye, Hannon, aye. So Resolved.

Highway Superintendent Hopkins stated that he has now reviewed the roller bid from Monroe Tractor, and the bid meets and exceeds the specifications. He stated that there is a 12 month or 4,000 hour warranty included, as well as an option for a 60 month warranty for an additional \$5,000.00. Mr. Hopkins then stated it is now up to the Board. Councilman Morrell asked for clarification on the 12 month warranty, and Mr. Hopkins stated it is 12 months or 4,000 miles, whichever comes first. Councilman Earl stated she would rather see him re-bid for the different type of roller and rent the equipment, as needed. On a motion by Hannon, seconded by Earl, the Board rejected the bid by Monroe Tractor for the tow-behind roller. Carried, 4 ayes, 1 absent, 0 noes. A motion was then made by Earl, seconded by Montgomery, to direct the Highway Superintendent to advertise for bids for an asphalt roller and trailer. Carried, 4 ayes, 1 absent, 0 noes. The Highway Superintendent stated that Little League Baseball starts May 5th and he will need a roller for the ball diamonds and the parks. He also stated that the DEC has sent materials to fill out, and asking him to participate in an Emerald Ashborer survey, wherein they would inventory the trees in the parks, etc. He stated that the Board needs to take action

because they would have to go on private property. The Supervisor asked him to contact the DEC and see if they can give the Town some more time, because the survey is due back March 9th, but came in on March 6th and she would like more time to review the information. Mr. Hopkins stated he talked to County Legislator Mills last month about the County roads that are in need of repair, and Mr. Mills had stated that Chaffee-Curriers Rd. was slated to be re-done. Mr. Hopkins stated that he has now heard that the money may not be there anymore for that repair, and asked the Board if they could send out a letter asking for the repairs. The Supervisor stated she would do so. Mr. Hopkins stated that Waste Management is holding the Household Hazardous and Electronic Waste drop off day on April 28th, and he stated he would like to schedule the annual Spring Trash pickup for April 23rd & 24th. He stated the ad will state that no hazardous or electronic waste will be accepted. Finally, the Highway Superintendent stated that he has a list of streetlight outages that he will get to Councilman Morrell.

The Supervisor stated that the next resolution is for approval of the annual maintenance contract for the accounting & payroll software. The following resolution, to be known as Resolution #19 of 2012, was moved for adoption on a motion by Earl, seconded by Morrell:

**RESOLUTION #19 - 2012
APPROVAL OF SOFTWARE CONTRACT**

WHEREAS, the Sardinia Town Board has previously approved the purchase of the Williamson Law Book software for payroll and for Municipal Account, and

WHEREAS, an annual contract must be approved for support for these software programs, and

WHEREAS, the cost of the Payroll software program for one year is \$770.00 and the cost of the Municipal Accounting software program for one year is \$825.00, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves the payment of \$1595.00 to William Law Book Company for the software support for one year on both the Payroll and the Municipal Accounting programs, and

BE IT FURTHER RESOLVED, that the Sardinia Town Board approves Supervisor Mary Hannon to enter into contract with Williamson Law Book Company for this agreement.

Upon roll call vote: Earl, aye, Miller, absent, Montgomery, Aye, Morrell, aye, Hannon, aye. So Resolved.

Supervisor Hannon stated that St. Jude's Catholic Church has submitted a letter requesting use of the Town Hall gym for its annual Chinese auction on October 12th & 13th. The following resolution, to be known as Resolution #20 of 2012, was moved for adoption on a motion by Earl, seconded by Montgomery:

**RESOLUTION #20 - 2012
APPROVAL OF ST. JUDES CHURCH UTILIZING THE TOWN HALL**

WHEREAS, the Sardinia Youth Board has received and reviewed a letter from Ann Feraldi of the St. Jude's Altar Rosary Society requesting the use of the Sardinia Town Hall for the purpose of holding their annual Chinese Auction to be held on October 13, 2012, along with the set-up date of Friday, October 12, 2012, and

WHEREAS, the Sardinia Youth Board has approved this request and recommends approval by the Sardinia Town Board.

Upon roll call vote: Earl, aye, Miller, absent, Montgomery, Aye, Morrell, aye, Hannon, aye. So Resolved.

The Supervisor stated that the next resolution is to approve the Fire Company's request to use the Genesee Rd. Park and the restrooms for their annual Carnival. The following resolution, to be known as Resolution #21 of 2012 was moved for adoption on a motion by Earl, seconded by Montgomery:

**RESOLUTION #21 - 2012
REQUEST TO UTILIZE THE SARDINIA TOWN PARK FOR THE MEMORIAL VOLUNTEER FIRE COMPANY OF
CHAFFEE-SARDINIA, NY, INC. CARNIVAL**

WHEREAS, the Sardinia Town Board has received and reviewed a copy of a letter sent by Mr. Danny Heineman requesting permission to utilize the Sardinia Town Park on Genesee Road from June 25, 2012 through July 3, 2012 for the Memorial Volunteer Fire Company of Chaffee-Sardinia, NY, Inc. annual carnival, and

WHEREAS, the Sardinia Town Board has also received and reviewed a copy of a letter sent by Mr. Danny Heineman requesting permission to utilize the restrooms during the carnival from June 25 through July 3 at the Sardinia Town Park,

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby authorizes the use of the Sardinia Town Park and the use of the restrooms at the Sardinia Town Park to the Memorial Volunteer Fire Company of Chaffee-Sardinia, NY, Inc. pending an updated Certificate of Insurance and waiving the rental fee for this event.

Upon roll call vote: Earl, aye, Miller, absent, Montgomery, Aye, Morrell, aye, Hannon, aye. So Resolved.

Supervisor Hannon stated that the next resolution will be for approval of the Dog Shelter agreement between the Town Dog Control Officer Duane Degolier. The following resolution, to be known as Resolution #22 of 2012 was then moved for adoption by Montgomery, seconded by Earl:

**RESOLUTION #22 - 2012
APPROVAL OF SHELTER LEASE AGREEMENT WITH
DOG CONTROL OFFICER**

WHEREAS, the lease entered into between the Town and Mr. Duane DeGolier to provide care and shelter to dogs seized by the Town's Dog Control Officer expires on or about March 8, 2012;

WHEREAS, the Sardinia Town Board has received an reviewed a copy of the current lease; and

WHEREAS, the Town has been satisfied with the services provided by Mr. DeGolier and approves the lease as stands, and;

NOW THEREFORE BE IT RESOLVED, that the Supervisor is authorized to execute the Shelter Lease Agreement between the Town of Sardinia and Mr. Duane DeGolier for the services to provide care and shelter to dogs seized by the Dog Control Officer.

Upon roll call vote: Earl, aye, Miller, absent, Montgomery, Aye, Morrell, aye, Hannon, aye. So Resolved.

The Supervisor stated that the next resolution is for Board approval for Councilman Miller and herself to attend the WNY Stormwater Conference and Trade show in Buffalo. The following resolution, to be known as Resolution #23 of 2012, was moved for adoption by Earl, seconded by Montgomery:

**RESOLUTION #23 - 2012
APPROVAL OF COUNCILMAN DANIEL MILLER AND
SUPERVISOR MARY HANNON TO ATTEND CONFERENCE**

WHEREAS, the Sardinia Town Board has received and reviewed the flier received from the WNY Stormwater Conference & Trade Show at the Buffalo Niagara Convention Center in Buffalo, NY on March 20, 2012 at a cost of \$75 per person, plus mileage, and

WHEREAS, the Sardinia Town Board recognizes the importance of education and training for the members of this office, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves Councilman Daniel Miller and Supervisor Mary Hannon to attend the WNY Stormwater Conference and Trade Show at the Buffalo Niagara Convention Center in Buffalo, NY on March 20, 2012 at a cost of \$75 per person, plus mileage.

Upon roll call vote: Earl, aye, Miller, absent, Montgomery, Aye, Morrell, aye, Hannon, aye. So Resolved.

Supervisor Hannon then gave some background on the next resolution, stating that a police officer in Monroe County was responding to a burglary call and rear-ended a car. He and the County were sued and were found liable, even though he was operating an authorized emergency vehicle. She stated that this resolution is in support of an amendment to the Vehicle and Traffic Laws. The resolution, to be known as Resolution #24 of 2012, was then moved for adoption on a motion by Montgomery, seconded by Morrell:

**RESOLUTION #24 - 2012
SUPPORT OF EMERGENCY RESPONDERS IN RECENT DECISION OF
KABIR VS. COUNTY OF MONROE**

WHEREAS, in the recent decision of Kabir v. County of Monroe, the Court of Appeals of the State of New York has by its construction of Vehicle & Traffic Law Sect. 1104, restricted the "reckless disregard" standard of care applicable to emergency vehicle operators while responding to an emergency to the four criteria expressed at Sect. 1104(b); and

WHEREAS, the effect of such a construction is inconsistent with public policy, imposes upon emergency responders the duty to exercise the utmost care during emergency operations, imposes upon emergency responders and municipalities the threat of civil liability for what amounts to a mere failure of judgment, deters emergency personnel from acting decisively and taking calculated risks in order to save life or property or to apprehend miscreants and gives rise to practical problems as to when, how, and under what circumstances the reckless disregard standard or the negligence standard is to be applied when an accident is or is purportedly attributable to multiple causes, some involving privileged acts and some not;

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board urges the New York State Legislature to amend the New York State Vehicle & Traffic Law, particularly Section 1104 to clearly articulate that if an authorized driver involved in a motor vehicle accident is operating an "authorized emergency vehicle" while involved in an "emergency operation" as those terms are defined within the Vehicle & Traffic Law, the driver is entitled to the application of the "reckless disregard" standard of care, and

BE IT FURTHER RESOLVED, that to that effect, Section 1104 of the Vehicle & Traffic Law should be amended as follows:

The language of Section 1104(a) and (b) shall be stricken and replaced with the following language:

"Unless otherwise made specifically applicable, the provisions of this title (Title VII – "rules of the road") shall not apply to the driver of an authorized emergency vehicle when involved in an emergency operation." And

BE IT FURTHER RESOLVED, that this resolution be submitted forthwith to the New York Governor Andrew M. Cuomo, Senate Majority Leader Dan Skelos, Minority Leader John Sampson, Assembly Speaker Sheldon Silver, Majority Leader Ron Canestrari, Minority Leader Brian Kolb and the Western New York Delegation, along with the Erie County Legislators;

Upon roll call vote: Earl, aye, Miller, absent, Montgomery, Aye, Morrell, aye, Hannon, aye. So Resolved.

The Supervisor stated that the next resolution is for approval of a Senior Citizens trip to Erie, PA. She stated that the Seniors will be paying \$26.00 each to attend, and the Town is being asked to pay the rest of the cost, not to exceed \$3,500.00. The following resolution, to be known as Resolution #25 of 2012, was moved for adoption by Morrell, seconded by Montgomery:

**RESOLUTION #25 - 2012
APPROVAL OF SENIOR TRIP**

WHEREAS, the Chaffee Sardinia Seniors requests the Town of Sardinia to fund up to \$3500 on their bus trip to Erie, Pennsylvania on May 2, 2012 provided by Horizon Club Tours, a Division of AAA, and

WHEREAS, the funds for this item are available in the Senior budget, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves the funding of the Chaffee Sardinia Seniors bus trip to Erie, Pennsylvania on May 2, 2012 in the amount up to \$3500 to the Horizon Club Tours.

Upon roll call vote: Earl, aye, Miller, absent, Montgomery, Aye, Morrell, aye, Hannon, aye. So Resolved.

Supervisor Hannon asked that the Board hold discussion on a request by the Fire Company to fund \$5,000.00 for fireworks at their annual Carnival. The Supervisor stated she is not in favor of the further funding, stating that the Fire Company should be taking that expense from its contract with the Town, and with that and the cost of the LOSAP agreement, she stated she cannot see funding any further costs. None of the other Board members were in favor of the added expense, and a motion was made by Montgomery, seconded by Earl, to deny the request by the Fire Company for an additional \$5,000.00 for fireworks. The denial was passed, carried, 4 ayes, 1 absent, 0 noes.

The Supervisor stated that a letter has been received by the Board from Mark Woodruff concerning the Tuesday night's men's basketball. The letter asked that he be allowed to continue to be in charge of the program. Councilman Earl stated that letters had been sent out in January explaining the new procedure to have the Youth Board be in charge of who uses the gym, and that Town resident Ben Bainbridge had stepped up and become a member of the Youth Board, and offered to be in charge of the program.. She stated that Mr. Woodruff is not a Town resident, and also that the program is now part of the Recreation Department's programs. On a motion by Earl, seconded by Montgomery, the Board voted to deny Mr. Woodruff's request to continue to be in charge of the men's basketball program. Carried, 4 ayes, 1 absent, 0 noes.

Supervisor Hannon stated that Tom Lewis of Waste Management has submitted their quarterly report and the Company's annual report are available at the front table, and also on the Waste Management website at www.chaffeelandfill.com. She also stated that the 2011 Current Conditions report for the East Borrow area has been submitted and is on file and available for review at the Clerk's office, and has also been forwarded to CEO Marv Zielonka for his review. This is also on their website.

The Supervisor announced that the Waste Management has scheduled its annual Hazardous Waste Drop-off day for Saturday, April 28, 2012 from 8:00 AM until noon, and the Supervisor stated that the Planning Board has a Public Hearing scheduled for March 21st at 7:00 PM regarding the Tri-County Business Park.

Supervisor Hannon stated that concerning the septic system here at the Town Hall, she has not yet contacted any engineers yet, but will do so, because she stated she has heard from out CEO that we really should have an engineer sign off on the Manion Park construction plans, just to make sure everything is compliant. She asked the Board if that meets their approval, since there will be a small extra charge for that. On a motion by Earl, seconded by Montgomery, the Board approved having an engineer sign off on the Manion Park baseball construction project. Carried, 4 ayes, 1 absent, 0 noes.

There being no further business to come before the Board, on a motion by Earl, seconded by Montgomery, the meeting was adjourned at 7:31 PM. Carried, 4 ayes, 1 absent, 0 noes.

Respectfully Submitted,

Town Clerk

