

10-11-2012 – REGULAR BOARD MEETING

Present:

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

Also Present:

Attorney for the Town Linda Joseph
Highway Superintendent Donald Hopkins
Town Clerk Betsy A. Marsh
Approx. 20 guests

The Sardinia Town Board held its Regular Town Board meeting for October on October 11, 2012 at the Sardinia Town Hall/Community Center. Supervisor Hannon called the meeting to order at 6:30 PM, with the Pledge to the Flag and a moment of silence.

The Town Clerk has submitted the minutes of the September 13, 2012 Regular Board meeting, which were approved as written on a motion by Montgomery, seconded by Miller, and carried, 5 ayes, 0 noes.

Departmental Reports included:

Supervisor Hannon reported that:

- She has been working on and has now submitted the Tentative 2013 Budget;
- She attended the Association of Erie County Governments meeting;
- She attended the Rural Transit Van Budget meeting;
- Attended the September 19 AED Recertification course, which most everyone employed in the Town Hall also attended;
- She has been working with the Attorney, the Code Enforcement Officer, and Planning Board chairmen to draw up new forms for the various permits required by our Zoning Ordinance, which will be included in the Ordinance book and noted that the Zoning has now been brought up to date;
- She stated that, concerning contract negotiations with the Fire Company, there has been one meeting, on August 6th, and there have been no further meetings. She stated she would like the public to know that other towns are paying a lot less for their fire protection, and she has offered a lot less to our fire company. She stated she felt this would be fairer for all. She stated there are no LOSAP expenses this year because the Town overpaid tow years ago. The Supervisor also informed that one of the things discussed with the Fire Company was an offer for the Town to build a new municipal building to lease to the Fire Company for use as a hall. She stated she would like to see how the public feels about such a proposal, and would like to possibly conduct an exit poll during the upcoming election. Councilman Earl asked what the Town's options are if no contract agreement can be reached. Attorney Joseph stated that the Town could set up a Fire District or contract with other Towns' fire companies. The Supervisor stated that the Town does not want to do that because there is a budgeted amount set up.

Councilman Morrell reported that he has arranged for an AARP Safe Driver's course to be held in the Town of Sardinia on October 18th & 19th from 6 PM til 9 PM both nights. stated the course saves 10% on your car insurance, and that cost per participant is \$17.00 for AARP members, and \$19.00 for non-members. He stated that no more than 40 people can sign up. Mr. Morrell stated he has now received two quotes for glass blocks to repair some of the broken ones in this building, but cannot seem to find anyone to submit a third estimate. He stated that Buffalo Glass Block has quoted \$2,491, plus \$240 to rent a lift, if needed. Edward Sisson has quoted \$1,116, and states he will not need a lift. Mr. Morrell stated he will continue to look for a third quote.

Councilman Montgomery stated that the Food For All program will be here on October 15th from 3 PM until 5 PM. Mr. Montgomery also stated that the annual Senior Flu clinic, with the VNA, has been scheduled for November 2nd from 9 AM until 1 PM. Mr. Montgomery stated the Town will hold a Rabies vaccination clinic on November 3rd from 9 AM until noon, at the Highway Garage.

Councilman Earl reported that she met with Highway Superintendent Hopkins at Veteran's Park concerning the proposed soccer field, which in on the agenda for later in the meeting. But she stated that at the same time, they had also talked about removing the broken blacktop in front of shelters #1 & #2, for safety purposes, and put it into lawn. On a motion by Earl, seconded by Miller, the Board agreed to have the Highway Dept. remove the broken blacktop in front of shelters #1 and #2. Carried, 5 ayes, 0 noes. Ms. Earl stated that Claudia Guilmain was given permission, at last month's meeting, to use the Town Hall gym on Saturday, November 17th. She stated that they have now informed that they would like to change the date of their event to November 10th, and noted that the matter is on the agenda for later in the meeting. Councilman Earl also reported that the first night of Friday Night Recreation was held on October 5th and due to this Friday being set up for St. Jude's Chinese auction, and the following Friday night being the Defensive Driving Course, there will be no Friday night recreation again until October 26th. Ms. Earl also stated that on Veteran's Day, November 11th, Tom Warner will be holding a chess tournament, since there is no school that day.

Councilman Miller reported that the deadline to submit the grant for broadband service has already expired. He stated that the Town's grant writer suggested that we do a residential survey for need, since it could be available again next year. The Supervisor suggested that the question be added to the exit survey she intends to conduct. Councilman Miller stated that the Erie County water Quality Committee is still waiting to hear on some of their grant applications, and are also preparing a new survey to send out to the municipalities. Mr. Miller noted that the bank stabilization project on Rt. 39 is now complete, and Soil and Water is very happy with the work done by the Town Highway Dept. He stated that the Southtowns Community Enhancement Coalition had a meeting this morning and discussed the Farm Trail, and he stated that they are still discussing the Town's membership application. He gave their website address, southtownsfarmtrail.org. He stated that the WNY Scenic By-Ways program will be expanding down Rt. 391 into Hamburg, Rt. 62 into Gownada, and Rt. 39 into Sardinia.

Attorney for the Town Linda Joseph reported that she provided advice on the following topics: Tri-County Business Park had some legal issues; the Gernatt application had some legal issues that needed review and they provided advice on; finalizing the Code Book and working on the charts, and that project is now pretty well completed; participated in the permit free schedule and provided advice on the provided advice on the legal procedures for that; provided some assistance to Judge Thompson on Civil Judgments that was requested; provided advice to the ZBA chair on some Zoning Ordinance issues; and answered a couple of questions from the Code Enforcement Officer on issues relating to the Zoning Ordinance.

Under Comments from the Public:

Kenny Dabolt of Sardinia stated he was on hand this evening for Government Class at Pioneer Central School, and as part of that course, may also take part in a Community based project. He asked if he might help out with the Friday Night recreation program, and was told there will be Rec on October 27th and November 2nd. The Supervisor stated she has been talking this evening of conducting an exit poll on Election Day, November 6th, to gauge interest in some items of Town concern, and stated they may be able to help with that, also. Mr. Dabolt stated he would check with the instructor and will let the Town know.

The Supervisor stated that there are several budget transfers necessary. The following resolution, to be known as Resolution #45 of 2012, was moved for adoption by Earl, seconded by Montgomery, as follows:

RESOLUTION #45 - 2012 - APPROVAL OF FUND TRANSFER

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

TRANSFER FROM	AMOUNT	TRANSFER TO
A3620.110 – CEO PS	\$39.79	A1650.100 Sec Pool PS
A1660.470 – Cent Sto Copier	\$175.04	A1660.490 Cent Stor Cont
A7110.400 – Parks Cont	\$216.39	A7110.401 Parks Util
A9060.806 Hosp/Med Ins	\$545.93	A9040.800 Workers Comp
DA9030.800 Soc Sec	\$1867.400	DA9040.800 Workers Comp
SL5182.413 Chaffee Ham	\$365.36	SL5182.423 Allen West

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

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Morrell, aye, Hannon, aye. So resolved.

Warrant #10 of 2012, including vouchers #633 through #707, totaling \$76,928.36, of which \$47,400.78 was General Fund expenditure, \$27,980.87 was Highway Fund expenditure, \$560.00 was Fire District expenditure, and \$986.71 was Street Lighting, was approved for payment on a motion by Miller, seconded by Earl, and carried, 5 ayes, 0 noes.

Under Unfinished Business:

Supervisor Hannon stated that Gernatt Asphalt has submitted an application for a rezoning of portions of the Town, which was then passed on to the Planning Board who is recommending an amendment of the Zoning Ordinance. She then asked the Gernatt representatives to give a presentation to inform the Board about the application. Peter Sorgi, Attorney for Gernatt, stated that they started in April of this year with the application for rezoning to allow all AR Districts in the Town include mining as a permitted use. Mr. Sorgi stated that this does not mean that all parcels would be mined. He stated that the application had been sent to the Planning Board. He stated that the NYS Town Law states it has to be consistent with the Town's Comprehensive Plan, and the Planning Board felt it was not. They then recommended it should be an amendment to the Zoning Ordinance, as a Mining Overlay District, allowing mining in certain areas of the Town. They also suggested there be a mitigation plan, which would be that any land taken out of farming permanently be replaced somewhere in Sardinia. Ken Ziccarelli explained that their Variance to be allowed to mine the Gabel-Thomas property, states that they have to replace the land in the Town of Sardinia, rather than what the DEC mining permit stated, which is that it has to be replaced south of Rt. 20. He stated that they have done extensive work on the Morrell farm, replacing 33 acres of farm land. He stated that they have at least 4 more farms looking for their help. Mr. Ziccarelli stated there is plenty of land that can be done on at individual farms. He stated that nothing would change unless the individual property owners wish to sell. The Gernatt Asphalt representatives then displayed a map of the proposed overlay district, which is bounded on the west by Savage Rd., on the east by the Town line, on the south by Genesee Rd., and on the north by Hand Rd. and Curriers Rd. He explained that according to the soil maps, this is where the majority of the gravel deposits are located, along the Rt. 16 corridor. Mr. Sorgi asked that a Public Hearing be set up. Councilman

Montgomery asked what it would do to the property values. Mr. Sorgi stated he felt it would raise the value, since it would give another option for use of the property. Councilman Montgomery asked if any test borings had been done, which Gernatt stated had not been done. Mr. Ziccarelli stated that it is based on the USGS Soil maps. The Supervisor asked how many acres would be included in the proposed district. The Gernatt representatives informed that it encompasses 3,573 total acres, 2,973 of which are mineable, due to wetlands and buildings. She stated that the application lists the owners of all effected parcels of land, and asked if they have been contacted. Gernatt stated they have not. The Supervisor stated she has concerns about what controls the Town would have, since there is no Special Use Permit required for such action. Attorney for the Town Linda Joseph stated there are a couple of things she wanted to explain to the Board in the way of options the Town has. She stated that the application from Gernatt has now been changed to an amendment to the Town's Zoning Ordinance to add the proposed Mining Overlay District. She stated that mining is not regulated by the Town, but that the Town could regulate by procedure. She stated that the law could be amended to allow for a Special Use Permit for mining, and through that, the Town could regulate noise, hours of operation, ingress & egress, etc. She stated that permit fees and monitoring fees could also be included. Attorney Joseph stated she felt that the Town Board needs to make a determination as to if this calls for a Generic Environmental Impact Statement and a positive or negative declaration. She felt these needed to be done before a Public Hearing was held. She stated there could be expenses involved, for example, for engineering. Attorney Joseph stated she feels it is important, and is recommending, that the Board give a Positive Declaration of Environmental Impact. She stated that in that way, they would be asking Gernatt to do a Draft Generic Environmental Impact Statement, which would be presented to the Town, and there would be two public hearings, one on the Draft GEIS, and then there would be a Final GEIS, after which there would be another public hearing. The supervisor stated she has a couple of more questions for Gernatt, and asked what if property owners come forward and want to be included in the overlay district, or want to be out of the overlay district? How would that be handled? Mr. Sorgi stated that is exactly why a public hearing is needed, to find out how the residents will feel. He stated that the hearing is needed before a positive impact is declared. Mr. Ziccarelli stated that most of the issues that Ms. Joseph mentioned, such as noise, hours of operation, etc., are included in the NYS DEC mining permit. Procedural issues were discussed, and Supervisor Hannon stated she is in no hurry to get to a decision on the matter, stating she wants to be thorough and wants to follow the proper steps. Councilman Miller suggested that, being a Right to Farm Community and the County's new Farmland Protection law should be taken into consideration before making a decision. Attorney Joseph stated she thinks we should go ahead with a public hearing, if Gernatt wants the Town to have one, and the Supervisor stated we should send the application, as is, to the County Department of Planning & Development. The following resolution, to be known as Resolution #46 of 2012, was moved for adoption by Earl, seconded by Montgomery:

RESOLUTION #46 – 2012 PUBLIC HEARING ON PROPOSED ZONING AMENDMENT

WHEREAS, the Sardinia Town Board feels more discussion and study is needed on a proposed amendment to the Town's Zoning Ordinance to add a Mining Overlay District,

BE IT HEREBY RESOLVED, the Sardinia Town Board will hold a Public Hearing on November 8, 2012, 6:00 PM, at the Town Hall/Community Center, 12320 Savage Rd., Sardinia, NY, for the purpose of hearing public comment and input on said proposed amendment, and

BE IT FURTHER RESOLVED, the Town Board hereby designates itself as Lead Agency for a SEQR Review, and will forward the application, as submitted by the Town's Planning Board to the Erie County Department of Environment and Planning for their review and possible recommendation, per Section 239M of the General Municipal Law.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Morrell, aye, Hannon, aye. So resolved.

Supervisor Hannon stated that there is still a vacancy on the Town's Zoning Board of Appeals, and no applications for the position have been received. She asked for Board authorization to run another advertisement for the position. On a motion by Earl, seconded by Montgomery, the Supervisor was authorized to run the ad for a ZBA member. Carried, 5 ayes, 0 noes.

The Supervisor stated that after lengthy discussions while drafting new forms for use in the Zoning Ordinance processes, she compared the Town's fee schedule to some of the surrounding towns and found that ours are much lower. Therefore, she proposed raising the fees slightly, and stated that depending on the category, the fees would raise \$.05, \$5.00, or \$25.00. Councilman Miller stated he felt this fee increase should be done at the Organizational meeting in January, but the Supervisor stated it can be done by Board resolution at any time. The following resolution, to be known as Resolution #47 of 2012, was moved for adoption by Montgomery, seconded by Earl, as follows:

RESOLUTION #47 - 2012 APPROVAL OF SCHEDULE OF FEES FOR PERMITS

WHEREAS, the Sardinia Town Board has received and reviewed a proposed schedule of fee changes for permits to be changed in our Zoning Ordinance, as listed below, and

WHEREAS, the Town Code provides in Section 44-16 that the fee schedule can be established by resolution of the Town Board of this Town and that the fee schedule may thereafter be amended from time to time by like resolution with the result that there is no need to amend the Town Code or Zoning Ordinance to change the fee schedule; and

WHEREAS the Proposed Fee Schedule provides as follows:

Proposed Fee Schedule Change for 2012 TOWN OF SARDINIA BUILDING/CODE ENFORCMENT DEPARTMENT

One and Two Family Residential	\$.20 per square foot
Multiple Dwellings	\$.25 per square foot
Additions/Alterations	\$.20 per square foot
Sheds under 144 square feet	N/C
Shed/Storage Buildings/ Garages – 145 – 325 square feet	\$.20 per square foot
Garages/Storage Buildings Pole Structures over 326 square feet	\$.15 per square foot
Decks/Porches/Gazebos	\$.15 per square foot
Pools above ground/hot tubs	\$30.00
Pools In-Ground	\$55.00
Solid Fuel Permits	\$30.00
Home Based Business/Occupation Sign (Where permitted)	\$25.00
Commercial Buildings and Additions	\$.20 per square foot
Commercial Signs – Permanent	\$125.00
Commercial Signs – Temporary	\$20.00
Agricultural Signs -	\$5.00
Demolition Permit	\$30.00
Operating Permit	\$30.00
Change of Use Permit	\$125.00
Late Filing Fee	\$125.00
Missed Inspection Fee	\$30.00
Additional Inspection Fee (Each Time)	\$30.00
Zoning Board of Appeals	\$100.00
Site Plan Review	\$200.00
Telecommunication Co-Locations	\$1250.00
Ponds	\$30.00
Wells	\$50.00

**SPECIAL USE PERMIT FEE SCHEDULE
Proposed for 2012**

Commercial Riding Stables/Equestrian Facilities	\$200.00
Nursing Home/Assisted Living Facility	\$350.00
Kennel	\$150.00
Veterinary Clinic	\$200.00
Private Storage Building not accessory to a dwelling (ZBA Special Use Permit)	\$100.00
Adult Entertainment	\$600.00
Auto Lease, rental	\$200.00
Building Trades contractor's office and storage yard	\$200.00
Carwash, Detail shop	\$200.00
Collision Shop /Motor Vehicle repair shop	\$200.00
Communication Facility	\$1100.00
Farm equipment sales & accessory service	\$200.00
Food processing	\$200.00
Laboratories for research, testing and product development	\$200.00
Miniature golf, golf driving range, and commercial outdoor Recreational sports	\$200.00
New and Used auto sales and accessory service	\$200.00
Petroleum sales/convenience	\$200.00
Recreational Vehicle Sales	\$200.00
Truck, trailer sales and rental	\$200.00
Cement and cement products manufacturing (Excluding extraction or mining)	\$600.00
Lumber Mill	\$600.00
Open Storage Yards for distribution of previously Prepared products	\$200.00
Solid Waste Landfill as regulated by NYSDEC	\$2600.00
Truck Terminal	\$600.00

WHEREAS, the Sardinia Town Board approves the proposed schedule of fee changes for permits and

NOW, THEREFORE, BE IT RESOLVED, that the Sardinia Town Board hereby approves the proposed schedule of fee changes for permits and directs that the new schedule be included in the Appendix to the Town Code to be published on the Internet.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Morrell, aye, Hannon, aye. So resolved.

The Board then discussed possible projects for application for a Community Development Block Grant, for which a Public Hearing was held earlier this evening, and projects were suggested. The Supervisor stated that the Rural Transit Van Program is one that the Town always includes in its application. After discussion, the Board felt that application should be made for handicapped restrooms at Manion Park, and other handicapped improvements at the Town's two Parks. Therefore, the following resolution, to be known as Resolution #48 of 2012, was moved for adoption by Miller, seconded by Earl:

**RESOLUTION #48 - 2012
COMMUNITY BLOCK GRANT APPROVAL**

WHEREAS, at a meeting of the Sardinia Town Board held on October 11, 2012, the Board authorized Mary L. Hannon, Town Supervisor, to sign, submit and execute a contract with Erie County Community Development Block Grant (ECCDBG) program for the following project(s) upon approval of ECCDBG.

1. Handicapped accessible improvements to the two Town parks, including rebuilding the Manion Park bathrooms, replacing walkways in Veteran's Park, and installing a handicapped lift at the Town pool.
2. Rural Transit Van Service

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board authorizes Supervisor Mary L. Hannon to sign, submit and execute a contract with the ECCDBG program for the above listed project(s) upon approval of ECCDBG.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Morrell, aye, Hannon, aye. So resolved.

The Supervisor asked the Board about the use of the Town's Grant Writer, Connie Miner, which was then discussed. The following resolution, to be known as Resolution #49 of 2012, was then moved for adoption by Earl, seconded by Montgomery:

RESOLUTION #49 – 2012 - USE OF TOWN GRANT WRITER FOR CDBG APPLICATION

BE IT RESOLVED, the Sardinia Town Board hereby authorizes utilization of the Town's Grant Writer, Connie Miner, for application for the 2012-2013 CDBG Grant.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Morrell, aye, Hannon, aye. So resolved.

Supervisor Hannon stated that the Chaffee-Sardinia Kiwanis has requested permission to use the Town Hall gym once again on October 31st, for its annual Halloween Party for Town youth. The following resolution, to be known as Resolution #50 of 2012, was moved for adoption by Montgomery, seconded by Earl:

**RESOLUTION #50 - 2012
REQUEST FOR USE OF TOWN HALL FOR KIWANIS HALLOWEEN PARTY**

WHEREAS, the Sardinia Town Board has received a letter of request for use of the Sardinia Town Hall for the Chaffee-Sardinia Kiwanis Halloween Party on Wednesday, October 31, 2012, and

WHEREAS, this event has annually occurred at the Sardinia Town Hall and has hosted our Sardinia youth for a fun-filled activity, limited the vandalism that has occasionally occurred in the past, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves the request of the Chaffee-Sardinia Kiwanis to host their annual Halloween party on October 31, 2012 at the Sardinia Town Hall, pending their Certificate of Insurance form, and waiving the rental fee as they are a non-for-profit organization.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Morrell, aye, Hannon, aye. So resolved.

Supervisor Hannon stated that Ronald Hawk has applied for a liquor license to operate the Chaffee Flats Bar & Grill on Rt. 16 in Chaffee, and has asked for a waiver of the 30-day waiting period for notice to the Town. The following resolution, to be known as Resolution #51 of 2012 was then moved for adoption by Miller, seconded by Montgomery:

**RESOLUTION #51 - 2012
APPROVAL OF WAIVER FOR RONALD HAWK, AKA Chaffee Flats Bar & Grill**

WHEREAS, the Sardinia Town Board has received and reviewed the application from Mr. Ronald Hawk for a Liquor License to operate the Chaffee Flats Bar & Grill, 10945 Route 16, Chaffee, NY 14030, and

WHEREAS, Mr. Hawk has requested the Town Board review and approve this application, along with waiving a 30-day waiting period for a liquor license, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves a waiver from waiting 30-days for Mr. Ronald Hawk to apply for a State Liquor license and requests Supervisor Mary Hannon to sign a letter indicating the waiver approval.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Morrell, aye, Hannon, aye. So resolved.

The Supervisor stated that a request has been received from the Sardinia Senior Citizens asking the Town to contribute to the cost of their annual Thanksgiving dinner, not to exceed \$850.00. The following resolution, to be known as Resolution #52 of 2012, was moved for adoption by Earl, seconded by Montgomery:

**RESOLUTION #52 - 2012
APPROVAL OF SARDINIA SENIOR CITIZENS THANKSGIVING DINNER**

WHEREAS, the Sardinia Town Board has received a request from the Senior Citizens to contribute to the cost of their annual Thanksgiving Dinner to be held on November 15, 2012 at 12:30 p.m. at the Holland Willows, and

WHEREAS, the cost of this dinner is \$13.50 per person; Waste Management will contribute \$5.00 per person, and the remainder \$8.50 per person is requested from the Seniors for this event, and

WHEREAS, the Town of Sardinia has annually contributed to this event and has the funds available in the budget for this, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby authorizes the payment to the Holland Willows not to exceed \$850.00 for the purpose of the Sardinia Senior Thanksgiving Dinner to be held on November 15, 2012 at 12:30 p.m. at the Holland Willows.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Morrell, aye, Hannon, aye. So resolved.

The Supervisor asked Councilman Earl to discuss the request for space at the Town Park for a soccer field, to be used by the Arcade Express Soccer Club. Councilman Earl stated they actually had asked for Manion Park, but she met with the Highway Superintendent Don Hopkins, and they felt Manion Park would be too congested, but felt there was room for a U10 soccer field at Veteran's Park. The soccer club states it can be used by the public when they are not using it, and asked that the Town reseed the field. The following resolution, to be known as Resolution #53 of 2012, was then moved for adoption by Miller, seconded by Montgomery:

**RESOLUTION #53 - 2012
APPROVAL OF SOCCER FIELD AT VETERANS' PARK**

WHEREAS, the Sardinia Town Board and Sardinia Youth Board have received a request from the Arcade Express Soccer Club to install a U10 soccer field at the Veterans' Park in Sardinia for their use, and when they are not using it, for the use of the public, and

WHEREAS, after careful review and consulting with our Highway Superintendent, the Sardinia Youth Board has recommended approval for this project, and

WHEREAS, the Arcade Express Soccer Club will be responsible for the layout and lining of the fields, including corner flags and moveable goals and nets, and,

WHEREAS, the Town of Sardinia will be responsible for mowing and seeding, if needed, in areas where stone has emerged, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves the request from the Arcade Express Soccer Club, pending a Certificate of Insurance, to install a U10 soccer field for their use, and when available, the use of the public, and the Arcade Express Soccer Club will be responsible for the layout and lining of the fields, including corner flags and moveable goals and nets, with the Town of Sardinia responsible for mowing and seeding, as needed.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Morrell, aye, Hannon, aye. So resolved.

Supervisor Hannon stated that the Girl Scouts have requested use of the Town Hall/Community Center kitchen area for an event on November 17th. The following resolution, to be known as Resolution #54 of 2012, was then moved for adoption by Earl, seconded by Montgomery:

**RESOLUTION #54 - 2012
APPROVAL OF REQUEST FOR USE OF KITCHEN
FOR ENCHANTED MOUNTAIN GIRL SCOUTS ON NOVEMBER 17, 2012**

WHEREAS, the Sardinia Youth Board has reviewed a request from the Enchanted Mountain Girl Scouts to utilize the kitchen area of the Sardinia Town Hall for their "Holiday Desserts for Meals on Wheels" event, and

WHEREAS, the Sardinia Youth Board has approved this request, noting the Certificate of Insurance for this organization is on file, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves the request of the Enchanted Mountain Girl Scouts to utilize the kitchen area of the Sardinia Town Hall on November 17, 2012 for the "Holiday Desserts for Meals on Wheels" event.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Morrell, aye, Hannon, aye. So resolved.

Supervisor Hannon stated that the Guilmain family, who were approved for their request to use the gym for a birthday party on November 17th, have now asked if they could use the building on November 10th instead. Since there are no scheduling conflicts, on a motion by Earl, seconded by Morrell, the Guilmain family was given permission to use the gym on November 10, 2012, instead of on November 17, 2012. Carried, 5 ayes, 0 noes.

Supervisor Hannon stated that the Town has received only 2 bids for the Town Hall septic system project, and asked the Board if they felt they should be opened, or if the bids should be rejected and the project be re-bid. The Attorney for the Town stated that they could be opened this evening, and if the Town was not happy with the bids, could re-advertise and start the process again. Board members felt due to the lateness of the year, they should be accepted and opened and awarded to the low bidder pending review and approval of the Town's Code Enforcement Officer. The bids were then opened and read, as follows:

Zoladz Construction, Alden, NY	\$27,370.00
Ronald Miller Construction, East Concord, NY	\$16,478.00

On a motion by Earl, seconded by Miller, the Board awarded the bid for the septic system project in the amount of \$16,478.00 to Ronald Miller Construction of East Concord, NY, pending approval of the bid documents by the Code Enforcement Officer and the Attorney for the Town. Carried, 5 ayes, 0 noes.

Supervisor Hannon stated that a Public Hearing now needs to be scheduled on the Preliminary Town Budget for 2013. The hearing date was set for November 8, 2012 at 5:45 PM, at the Town Hall/Community Center.

There being no further business to come before the Board, on a motion by Earl, seconded by Montgomery, the meeting was adjourned at 7:51 PM. Carried, 5 ayes, 0 noes.

Respectfully Submitted,

Town Clerk