

4-14-2011 – REGULAR BOARD MEETING

Present:

Councilman Cheryl L. Earl
Councilman Daniel L. Miller
Councilman David L. Montgomery
Councilman Norman J. Uhteg
Supervisor Mary L. Hannon

Also Present:

Attorney for the Town Linda Joseph
Town Clerk Betsy A. Marsh
Approx. 20 guests

The Sardinia Town Board held its Regular Town Board meeting for April on April 14, 2011 at the Sardinia Town Hall/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.

The Town Clerk has submitted the minutes of the March 10, 2011 Regular Board meeting, which were approved on a motion by Earl, seconded by Miller, and carried, 5 ayes, 0 noes.

Supervisor Hannon then introduced Thomas Malecki, of Drescher & Malecki, the Town's accounting firm. Mr. Malecki then gave a report of the audit of the Town's financial records of the year ending 12/31/2010, noting that copies of the report are on file in the Town Clerk's office, and each Board member has a copy. He stated that the Town is in good financial shape, having \$3.2 million in cash reserves, and in 2010, the Town spend more that it brought in, by design, having no Town tax. He stated that could conceivably continue for another 7 to 10 years if spending was watched closely. Mr. Malecki went on to explain the charts and reports on the various funds, and stated that the Town will have to decide how to fund the Fire Protection District in the future, whether from the General Fund or a property tax. He stated that the new accounting software system is working much better that the one in place a year ago, and definitely better than the one in place 2 years ago. Mr. Malecki recommended that a Fund Balance policy be considered, as well as a Fixed Assets policy, and he also suggested that the Town work on an Accounting Procedures policy and manual. He stated he would be willing to answer any questions anyone might have; there were none. He stated that the Town is in good financial shape.

Departmental Reports included:

Supervisor Hannon stated she had attended a quarterly meeting with the County Executive Chris Collins, and stated that the biggest concern of most of those in attendance was the state of the County roads, however, Mr. Collins' attention was mainly on the Parks system. She also spoke about a new Pro Act prescription card program being offered by the County for the uninsured and the underinsured, and stated she would leave brochures in the Clerk's offices, along with a phone number to call and see if your pharmacy is participating. The Supervisor also reported that she had attended the Rural Transit Van service luncheon where they honored their drivers. She noted that Rural Transit Van drivers from the Town of Sardinia are Dan Miller, Dave Montgomery, Jim Montgomery, Clint Salmon, and Joan Krohn, and urged others to get involved and volunteer. Supervisor Hannon stated she had toured the Waste Management facility with Attorney Joseph and Councilman Montgomery and now have a better understanding of the liquid waste solidification process; met with Community Bank regarding some of the Town's internal controls; met with the insurance agent from NYMIR and Eric Slocum, and received word from that meeting that the Planning Board and ZBA training can be done on-line, and stated it was also suggested that Inappropriate Behavior and Intra Fraud training is available, and might be beneficial for the Town. She stated she is looking into that. The Supervisor stated she and Councilman Earl interviewed applicants for the Constable position; stated that the bookkeeper has been training on the new accounting system and that is going quite well; and stated she has received the grant check in the amount of \$2,000.00 the NYCERTA for the energy audit that was performed. She stated that from the changeover in the type of life insurance connected to the Firemen's LOSAP program, the Town received a check in the amount of \$80.98, made out to the C-S Fire Company LOSAP program, in care of the former administrator, Damien Ulatowski. She has contacted the new administrator, Gene Heater, who stated that rather than send the check back, the easiest way to handle it would be to turn it over to him and let him apply it to the life insurance for the next year. The following resolution, to be known as Resolution #26 of 2011, was then introduced by Earl, seconded by Montgomery:

**RESOLUTION #26 – 2011
TO APPLY LOSAP LIFE INSURANCE REFUND CHECK TO FOLLOWING YEAR'S PREMIUM COST**

WHEREAS, the Town has received a refund check in the amount of \$80.98 from the changeover in the type of life insurance connected with the Firemen's LOSAP Program and

WHEREAS, the check is made out to the Chaffee-Sardinia Firemen's LOSAP Program, in care of the former administrator, and the Sardinia Town Board feels that the best way to handle the check would be to turn it over to the current administrator of the program,

BE IT THEREFORE RESOLVED, the Sardinia Town Board hereby authorizes the Supervisor to forward the check to current LOSAP program administrator Gene Heater and instruct him to apply the \$80.98 to the next premium payment for that insurance.

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

Supervisor Hannon stated the Town has received a letter from the Girl Scouts of WNY Enchanted Mountains Northeast, who would like to use the Town Hall on Saturday, April 30th, and upon checking, the building is available on that date. On a

motion by Earl, seconded by Miller, the Girl Scouts were given permission to use the building on that date. Carried, 5 ayes, 0 noes. She also stated that Waste Management has submitted an application packet for a Special Use Permit for its proposed Liquid Solidification Process to CEO Marv Zielonka, who has forwarded it on to the Planning Board; Sue Johnson, the representative from Senator Gallivan's office, will be here to address the Board at the June 9th Board meeting; and an invitation was received from the Sardinia Legion for the Town Board to attend the May 30th Memorial Day services at the Park and cemetery and also invited the Supervisor to speak on a Patriotic subject. The Supervisor stated that unfortunately, she always has a conflict since her children are in the Springville School marching band and that is where her conflict lies, but she will see what else we can do.

Councilman Uhteg stated that there were some more streetlights out, they were reported, and have now been fixed. He stated that St. Jude's Church sent a letter today, which everyone on the Board should have gotten in their mail boxes, requesting use of the Town Hall gym for their annual Chinese Auction on September 24th. He stated they would also be using it the day before for set up, and upon checking with the Town Clerk, the building is available on those dates. On a motion by Uhteg, seconded by Miller, St. Jude's Church was given permission to use the Town Hall for their Chinese Auction. Carried, 5 ayes, 0 noes.

Councilman Miller reported that the Planning Board has been working with the Tri-County Business Park, and stated there has been a change of leadership at the DEC. He stated that there will be a preliminary meeting with Clark Patterson Lee, the developer, and the DEC to address some of the issues that have been holding up the project. Mr. Miller reported that there will be a prescription drug drop off at Bertrand Chaffee Hospital, or at the Arcade Police Department on Saturday April 30th from 9 AM until 1 PM; there is a Senior University Express, and he read the schedule of courses; there are Caregiver classes, on May 3rd and June 7th at the Absolut Care of East Aurora; offered Senior Plus information to anyone interested; announced an Open House at the Sardinia Historical Society on April 21st with speaker John Percy speaking on "The Niagara Link"; announced that the Chaffee-Sardinia Kiwanis' Easter Egg will be held on Saturday April 23rd at 1 PM at the Genesee Rd. Park. He stated he has had requests from several employees who would like their pay checks direct deposited. The Supervisor stated that the accountants do not like electronic transfers, and that it is too difficult with just herself and the bookkeeper. He stated it would not be more than 10 employees. She stated of it were a majority of the employees, it would be different, but for only 10 employees, she doesn't feel it is necessary. Mr. Miller also stated there has been a problem lately with dogs running loose, and he would like to see an ad placed that there is a leash law in the Town. He stated perhaps it could be run in conjunction with the dog census notice. The Supervisor stated she is not looking to conduct a dog census until September, but it was felt that the leash law ad should be placed before that. On a motion by Miller, seconded by Montgomery, an ad concerning the dog laws in the Town was authorized. Carried, 5 ayes, 0 noes.

Councilman Earl stated that applications for summer rec staff have been coming in and she has several interviews scheduled for lifeguards and rec attendants. Ms. Earl stated she would like authorization to advertize for recreation and swim lessons signups. On a motion by Earl, seconded by Montgomery, an ad for those signups was approved. Carried, 5 ayes, 0 noes. She stated she would like to run another ad for lifeguard applications, stating she has several rec attendant applications, but would like more lifeguard applications. On a motion by Earl, seconded by Miller, the placement of a second ad for lifeguards was approved. Carried, 5 ayes, 0 noes. Councilman Earl stated that the first Concert in the Park is scheduled for June 28th from 6:30 to PM and it will be Gene Hilts; on July 19th, Don O'Dell will be the artist; and in August, one of the Pioneer Central bands is tentatively scheduled to play.

Councilman Montgomery reported that 32 people completed the AARP Defensive Driving Course, and that the next round of well tests is scheduled for May 18th. He stated that he needs 19 more wells to test, and anyone interested can sign up in the Clerk's office. He stated that information has been sent to him regarding the flu clinic and he just needs a date. He suggested November 4th, the first Friday in November from 9 AM until 1 PM. There was no objection. Mr. Montgomery stated that the Town would like to conduct a dog census, targeting August or September, and are waiting until the Zoning amendments are put in place. The Councilman also stated he has spoken to Highway Superintendent Hopkins, who is currently out of Town, and a final bid of \$3,250.00 for the 1957 Ford tractor has been placed on Auctions International. He stated it had been appraised for between \$3,000 and \$4,000. Councilman Earl stated there had been a \$4,000.00 reserve on the auction. It was felt that since the tractor had been up for bid on the site for a month, the Town would probably not get more than the \$3,250.00, and on a motion by Earl, seconded by Miller, the Board voted to accept the bid of \$3,250.00 for the 1957 Ford 961 tractor. Carried, 5 ayes, 0 noes. Councilman Montgomery also stated that the Highway Superintendent wants to order 3' x 5' flags for the roads, it's in the budget, and stated that he has found some for \$18.95, and last year they were purchased for \$25.00. It was discussed whether or not they are American made, and it was preferred by all to purchase American made, if possible. It was also suggested that the American Legion be asked for a price quote. The decision will be held off until the next meeting.

Attorney for the Town Linda Joseph reported that, concerning the Town's Notice of Defects Law, the State Law has been changed and now the Town has to amend its law to be consistent with the change in the State law. The attorney also reported that she and a number of Board members separately visited Waste Management's facility to familiarize themselves with aspects of its application for a proposed permit modification to allow for a liquid waste solidification process at the facility. She stated she felt the meetings were very useful to the Town in commenting to the DEC and in terms of evaluating the application. She stated that some of the topics discussed were the issues of hydrofracking liquids, odors, operational issues, and financial issues. Attorney Joseph stated that, for instance, Waste Management was planning on just weighing the trucks coming in with the liquids, but not some of the materials, like sawdust or gravel that would be used to solidify the liquid, as well as tanks and other containers used to hold the liquid. Ms. Joseph stated she has also been providing advice concerning the proposed Zoning amendments and the rather complicated procedural steps needed to change the Zoning law.

There were no comments from the public.

Supervisor Hannon stated that before the approval of the bills, there are a couple of overages that need to be addressed, and a resolution is needed to transfer funds within the budget. She pointed out that one is the door on the Historical Society's building, in the amount of \$1,788.00, which had been approved last year, but had not gotten replaced until now. She stated it was taken out of the Historian's budget, and the transfer will come from the building repair fund. The following resolution, to be known as Resolution #27 of 2011, was introduced by Earl, seconded by Montgomery:

RESOLUTION #27 - 2011 - APPROVAL OF FUND TRANSFER

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

TRANSFER FROM	AMOUNT	TRANSFER TO
A1990.400 Contingency	\$3972.47	A1220.200 Sprvr Equipment
A1990.400 Contingency	\$3651.61	A1220.400 Sprvr Contract.
A1440.400 Engineering	\$7938.00	A1660.470 Centr. Store/Copier
A1620.440 Oper. Bldg/Repair	\$1788.00	A7510.410 Historian/Meet House
A9089.800 Medicare	\$ 676.21	A9050.800 Unemply. Insurance

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board approves the above mentioned transfer of funds for 2011.

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

Supervisor Hannon stated that a motion is needed to pay the bills. She stated that the total of the abstract is \$80,687.72, with the break-down of the fund totals as follows: General Fund - \$56,806.43; Highway Fund - \$21,102.37; Fire Protection District - \$1,817.69; and Streetlighting District - \$961.13. On a motion by Earl, seconded by Miller, Abstract #4 of 2011, including vouchers #202 through #292, and totaling \$80,687.72, were approved for payment. Carried, 5 ayes, 0 noes.

Under Unfinished Business:

The Supervisor stated that the next resolution is to authorize the DEC to act as Lead Agency for the request from Waste Management to change its 360 permit to include a liquid solidification process. She stated that she feels the Board has all the information and hopefully all the Board members were able to get over to the facility and take a look at things. She stated that this just gets the ball rolling. The following resolution, to be known as Resolution #28 of 2011, was then moved for adoption by Miller, seconded by Montgomery:

**RESOLUTION #28 - 2011
AUTHORIZATION FOR DEC TO BE LEAD AGENCY FOR WASTE MANAGEMENT REQUEST TO CHANGE 360 PERMIT TO INCLUDE LIQUID SOLIDIFICATION PROCESS**

WHEREAS, Waste Management has submitted an application to the New York State Department of Environmental Conservation ("DEC") to modify its Part 360 Permit to permit the landfill to accept non-hazardous liquid waste for disposal at the landfill;

WHEREAS, the modification to Waste Management's Part 360 Permit will also require a modification to the Town Special Use Permit;

WHEREAS, the DEC has requested that the Town advise it whether the Town has any objections to the DEC servicing as the lead agency under SEQRA the environmental impacts of the proposed permit modification;

WHEREAS, the DEC has both the resources and technical expertise to evaluate the environmental impact of the proposed permit modifications; and,

WHEREAS, as an involved agency the Town will participate in the SEQRA process

NOW THEREFORE BE IT RESOLVED, that the Supervisor shall notify the DEC that the Town consents to the DEC acting as the lead agency under SEQRA to review the environmental impacts of Waste Management's proposed permit modification.

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

Supervisor Hannon stated that there was some confusion concerning the audit of Judge Lefort's last month in office, and another date needs to be set up. The Court Clerk has stated that she can be available for that purpose on April 18th, April 20th, or April 21st. After discussion, there was no consensus as to what date was convenient for everyone, therefore, Supervisor Hannon suggested that the resolution be adopted, with the date to be determined later. The following resolution, to be known as Resolution #29 of 2011, was moved for adoption by Earl, seconded by Miller:

**RESOLUTION #29 - 2011
HON. NELSON LEFORT'S 2010 AUDIT ACKNOWLEDGEMENT OF DATE CHANGE
AMENDMENT TO RESOLUTION #22 - 2011**

WHEREAS, the Sardinia Town Board was not able to meet on March 25, 2011 to review the books of Judge Lefort's books in 2010 as Hon. Sharlene Vossler reminded the Supervisor that it would be a conflict of interest if Supervisor Hannon and Councilman Uhteg reviewed the books since Supervisor Hannon was required to sign off on Hon Lefort's books and Councilman Uhteg's daughter was the court clerk at the time, and

WHEREAS, Sardinia Town Councilmen Earl, Miller, and Montgomery will conduct the audit of the late Judge Lefort's books for 2010, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board approves the audit review of Hon. Lefort's 2010 books by Councilman Earl, Councilman Miller, and Councilman Montgomery when a date agreeable to all involved may be determined.

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

Supervisor Hannon stated the next resolution is concerning the approval of the proposed amendment to the Zoning Ordinance. She stated that the Planning Board has been working on these amendments for several years. She stated that Board members have had questions, she has met with Planning Board Chairman Farthing, and the Attorney for the Town has reviewed. The Supervisor then asked for comments from the Board members. Councilman Uhteg stated that in the proposed amendments, the Town Board has been crossed out and replaced by the Planning Board 26 times. He stated he feels that the people of the Town would want to have their elected officials make the decisions, especially a decision like the siting of a landfill, rather than an appointed board. That matter was discussed, and the consensus of the Town Board was that it should issue Special Use permits. Mr. Uhteg also questioned several other of the amendments. Planning Board Chairman Darren Farthing was on hand to explain the background and the Planning Board's reasoning behind each proposed amendment. Each proposal was discussed. Concerning the maps, upon discussion, the Board felt there should be no change to the Zoning maps. On a motion by Uhteg, seconded by Earl, the Zoning maps will not be changed. Carried, 5 ayes, 0 noes. The Board discussed the proposed changes, and the following resolution, to be known as Resolution #30 of 2011 was then moved for adoption by Montgomery, seconded by Earl:

**RESOLUTION #30 - 2011
APPROVAL OF ZONING ORDINANCE AMENDMENT**

WHEREAS, the Planning Board has recommended to the Town Board certain amendments to the Town's Zoning Ordinance;

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 made the following modifications to the Planning Board's recommended amendments:

- The Town Board will remain the Board to hear and determine Special Use Permits.

NOW THEREFORE BE IT RESOLVED THAT the Town attorney is directed to prepare a draft Local Law amending the Zoning Ordinance in accordance with the Planning Board's recommendations, as modified; and,

BE IT FURTHER RESOLVED, that a copy of the draft Local Law shall be forwarded to the County Department of Planning for review in accordance with Section 239m of the General Municipal Law;

BE IT FURTHER RESOLVED, that a Public Hearing be scheduled for June 9, 2011 at 6:30 p.m. 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, aye, Montgomery, aye, Uhteg, aye, Hannon, aye. So resolved.

Under Unfinished Business:

Supervisor Hannon stated the next resolution is to accept the Town Supervisor's audit for 2010 and the Town Justice Audit for 2009. The following resolution, to be known as Resolution #31 of 2011, was moved for adoption by Earl, seconded by Montgomery:

**RESOLUTION #31 - 2011
ACCEPTANCE OF TOWN SUPERVISOR'S AUDIT FOR 2010,
AND JUSTICE AUDIT FOR 2009**

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 2010, Justice Audit for 2009.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Uhteg, aye, Hannon, aye. So resolved, 5 ayes, 0 noes.

The Supervisor stated the next resolution is the acceptance of Chaffee-Sardinia Firemen's audit for 2008 and 2009. The following resolution, to be known as Resolution #32 of 2011 was moved for adoption by Earl, seconded Miller:

**RESOLUTION #32 - 2011
ACCEPTANCE OF CHAFFEE-SARDINIA VOLUNTEER FIREMEN'S AUDIT FOR 2008 AND 2009**

WHEREAS, the Town of Sardinia has reviewed the audits performed by Tronconi Segarra & Associates. LLP for the Chaffee-Sardinia Firemen's Audit for the years 2008 and 2009, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board accepts the audit presented to the Town Board by Tronconi Segarra & Associates, LLP for the years 2008 and 2009 on behalf of the Chaffee-Sardinia Firemen's Audit.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Uhteg, aye, Hannon, aye. So resolved, 5 ayes, 0 noes.

The next resolution called for by Supervisor Hannon was in support of increased oversight on natural gas drilling. She stated the resolution had been reviewed by the Board earlier and is self-explanatory. The following resolution, to be known as Resolution # 33 of 2011, was moved for adoption by Miller, seconded by Montgomery:

RESOLUTION #33 - 2011
SUPPORT OF INCREASED OVERSIGHT ON NATURAL GAS DRILLING

WHEREAS, the Sardinia Town Board recognizes the need for adequate supplies of fossil fuels including sufficient supplies of gas, oil, and coal; and

WHEREAS, while the Board acknowledges this need, it also recognizes the fact that mining for natural resources must be conducted in a manner that protects our environment. Therefore the Town Board of the Town of Sardinia calls upon Governor Cuomo and the Legislature of the State of New York to continue the moratorium on "horizontal fracking" until such time that it can be determined that this process causes no discernable harm to our environment. Furthermore, we ask the Department of Environmental Conservation (DEC) be directed to require all companies "fracking for natural gas" in New York State be required to complete the following:

- (a) Test all water wells on properties adjacent to property upon which "fracking" is to occur and provide the results of those tests to all property owners and the local municipality;
- (b) Provide a Bond sufficient enough to correct any damage to water wells or any other private and/or public property should such damage occur;
- (c) Reclaim and reuse as much of "fracking water" as possible, and dispose of any unusable water in an environmentally safe manner;
- (d) Make full disclosure of all chemicals to be used in the "fracking process";
- (e) Cease the utilization of holding ponds where "fracking water" could seep into water tables.

WHEREAS, the Town Board of the Town of Sardinia calls upon the Legislature of the State of New York to enact the following changes to further insure safeguarding our environment:

- (a) Provide the Dep. of Environmental Conservation with adequate personnel to monitor, inspect, and license all wells;
- (b) Allow local communities a voice in the licensing process ;

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves the above resolution as noted.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Uhteg, aye, Hannon, aye. So resolved, 5 ayes, 0 noes. Councilman Uhteg stated he would actually like to see stronger language than is included. The Attorney explained that in her opinion, this is within the law, where some other Towns' actions are not. Mr. Uhteg stated he would accept this resolution, but wishes it could be as strong as possible.

Supervisor Hannon stated that the next resolution is budget transfers for the year 2010, basically a housekeeping item. The following resolution, to be known as Resolution #34 of 2011, was moved for adoption by Earl, seconded by Miller:

**RESOLUTION #34 – 2011
APPROVAL OF BUDGET TRANSFERS/AMENDMENTS FOR THE YEAR 2010**

RESOLVED, that the Town Board does hereby authorize the following Budget Transfers for its year ended December 31, 2010:

SF3410.4	Fire Audit	Increase Appropriations	1,425.00
SF3410.4	Fire protection water	Decrease Appropriations	(1,425.00)
DA9060.8	Hospital and medical insurance	Increase Appropriations	1,283.00
DA9040.8	Workers' compensation	Decrease Appropriations	(1,283.00)
A1110.2	Equipment	Increase Appropriations	194.00
A1110.4	Contractual expenses	Increase Appropriations	3,937.00
A1110.1	Personal services	Decrease Appropriations	(4,131.00)
A1355.1	Personal services	Increase Appropriations	1,575.00
A1355.4	Contractual expenses	Decrease Appropriations	(1,575.00)
A1410.1	Personal services	Increase Appropriations	983.00
A1410.2	Equipment	Decrease Appropriations	(19.00)
A1410.4	Contractual expenses	Decrease Appropriations	(964.00)
A1620.1	Personal services	Increase Appropriations	390.00
A1620.2	Equipment	Decrease Appropriations	(390.00)
A3010.4	Contractual expenses	Increase Appropriations	70.00
A3120.1	Personal services	Decrease Appropriations	(70.00)
A7020.1	Personal services	Increase Appropriations	369.00
A7020.4	Contractual expenses	Decrease Appropriations	(300.00)
A7110.1	Personal services	Increase Appropriations	3,487.00
A7110.4	Contractual expenses	Decrease Appropriations	(3,556.00)
A7510.1	Personal services	Increase Appropriations	2.00
A7510.2	Equipment	Decrease Appropriations	(2.00)
A9040.8	Workmen's compensation	Increase Appropriations	8,711.00
A9060.8	Hospital & medical	Increase Appropriations	585.00
A9030.8	Social security	Decrease Appropriations	(5,381.00)
A8020.4	Contractual expenses	Decrease Appropriations	(3,915.00)
A1220.4	Contractual expenses	Increase Appropriations	7,224.00
A1320.4	Contractual expenses	Increase Appropriations	7,775.00
A1420.4	Contractual expenses	Increase Appropriations	11,260.00
A1990.4	Contingent account	Decrease Appropriations	(20,157.00)
A1440.4	Contractual expenses	Decrease Appropriations	(6,102.00)

RESOLVED, that the Town Board does hereby authorize the following Budget Amendment for its year ended December 31, 2010:

SL5182.4	Contractual expenses	Increase Appropriations from fund balance (SL599)	8,701.00
----------	----------------------	--	----------

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby authorizes the above mentioned budget transfers and budget amendments for the year 2010.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Uhteg, aye, Hannon, aye. So resolved, 5 ayes, 0 noes.

Supervisor Hannon stated that the next resolution is needed to create a budget revenue line for the unanticipated Justice Court grant. The following resolution, to be known as Resolution #35 of 2011, was moved for adoption by Earl, seconded by Montgomery:

**RESOLUTION #35 - 2011
APPROVAL OF BUDGET AMENDMENT**

WHEREAS, the Municipal Court has again, this year, successfully applied and received a grant from the JCAP for the Court Division of the Town of Sardinia in the amount of \$12,410.00, and

WHEREAS, the Town of Sardinia has not anticipated this grant, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves a budget amendment to include the addition of A3021 STATE AID, for JCAP Grant for the Court Division in the amount of \$12,410.00.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Uhteg, aye, Hannon, aye. So resolved, 5 ayes, 0 noes.

The Supervisor stated that the Erie County Environmental Management Council has contacted and informed that the Town of Sardinia has no representative to this Council, and has requested that one be appointed by the Board. She stated that Darren Farthing, Chairman of the Planning Board has consented to serve as the Town's representative to this Council. Therefore, the following resolution, to be known as Resolution #36 of 2011, was moved for adoption by Montgomery, seconded by Miller:

RESOLUTION #36 - 2011
APPROVAL OF DARREN FARTHING TO REPRESENT TOWN OF SARDINIA ON THE ERIE COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL (ECEMC) FOR A TWO-YEAR TERM

WHEREAS, the Sardinia Town Board recognizes the need for representation to the Erie County Environmental Management Council (ECEMC), and

WHEREAS, the Sardinia Town Board has been requested by ECEMC to appoint a representative to this council for a 2-year term expiring May 31, 2013, and

WHEREAS, the Chairman of the Planning Board, Darren Farthing, has confirmed his interest in this Council, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board approves the appointment of Darren Farthing to represent the Town of Sardinia for a 2-year term on the ECEMC, expiring on May 31, 2013.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Uhteg, aye, Hannon, aye. So resolved, 5 ayes, 0 noes.

Supervisor Hannon stated that there are two positions that need to be filled, part-time parks worker, and Town Constable. The following resolution, to be known as Resolution #37 of 2011, was moved for adoption by Earl, seconded by Montgomery:

RESOLUTION #37 - 2011
APPROVAL OF APPOINTMENTS

WHEREAS, the Sardinia Town Board approves appointments to fill the park worker, part time position and the Constable, part-time position, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby authorizes the appointment of Mark Stevens to the position of Parks Worker, Part-Time, earning a wage of \$13.50 per hour, and Gene Heintz as Constable, part-time positions, earning a wage of \$ 13.39 per hour, effective this date.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Uhteg, aye, Hannon, aye. So resolved, 5 ayes, 0 noes.

The Supervisor stated that the Sardinia Senior Citizens have asked the Town to approve a trip to the Medina Stone Farm, and the next resolution is to give that approval. The following resolution, to be known as Resolution #38 of 2011, was moved for adoption by Montgomery, seconded by Earl:

RESOLUTION #38 - 2011
APPROVAL OF SENIOR TRIP FOR MAY 19, 2011

WHEREAS, the Sardinia Town Board has reviewed the proposed trip for the Sardinia Seniors to the Medina Stone Farm through Horizons Club Tours, and

WHEREAS, the Sardinia Seniors has presented this proposal at a cost not to exceed \$3500, and

WHEREAS, the Sardinia Seniors has funds in their budget line to cover this expense, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves the Senior Trip to the Medina Stone Farm through Horizons Club Tours at a cost not to exceed \$3500, which includes a \$250 deposit.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Uhteg, aye, Hannon, aye. So resolved, 5 ayes, 0 noes. Councilman Uhteg asked the Seniors how they notify people of these trips, and was told it is word of mouth. He stated he would like to see them advertise the trips.

Supervisor Hannon stated that Highway Superintendent Hopkins has requested permission to attend the 2011 Highway School in Ithaca on June 6th through June 8th. The following resolution, to be known as Resolution #39 of 2011 was moved for adoption by Miller, seconded by Earl:

RESOLUTION #39 - 2011
APPROVAL OF HIGHWAY SUPERINTENDENT TO ATTEND 2011 HIGHWAY SCHOOL AT ITHACA, NEW YORK

WHEREAS, the Sardinia Town Board recognizes the importance of training in each department, and

WHEREAS, the Highway Superintendent requests approval from the Board to attend the 2011 Highway School in Ithaca, New York at a cost not to exceed \$1,000.00, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves Highway

Superintendent Donald Hopkins to attend the 2011 Highway School in Ithaca, New York at a cost not to exceed \$1,000.00.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Uhteg, aye, Hannon, aye. So resolved, 5 ayes, 0 noes.

Concerning porta-potties, 1 for the Park and 1 for outside this building, three quotes were received, and Royal Flush was cheapest at \$73.00 per unit per month. On a motion by Uhteg, seconded by Miller, Councilman Uhteg was authorized to contact Royal Flush to place two porta-potties, one at the Genesee Rd. park, and one behind the Town Hall/Community Center. Carried, 5 ayes, 0 noes.

A letter was received from Elaine Mapes who has booked a Park shelter and has asked for permission to rent a bounce house for the party. On a motion by Miller, seconded by Montgomery, Ms. Mapes was given permission to rent a bounce house for use at the Park provided she provides a certificate of insurance. Carried, 5 ayes, 0 noes.

The Town Clerk reported on a situation resulting from the turning over of dog licensing from the State to the Towns. She explained that in December 2010, the Dept. of Ag & Markets directed the Clerks to keep all of the monies from the dog licensing, since the money would be paid after January 1, 2011. Therefore, after the money was turned over to the Supervisors, the Erie County Comptroller sent letter to all Erie County Clerks stating the County wanted that money. She stated that at the moment, the Erie County Clerk's Association is trying to get clarification as to who should have gotten the money, and stated that if the Comptroller is correct, then she will submit a voucher for payment to the Erie County Comptroller in the amount of \$43.47.

Supervisor Hannon stated that she had written to the County Executive concerning the condition of County roads in the Town, and has since received a letter back, which she read. The letter states that Genesee Rd. from Warner Gulf Rd. to Rt. 16 is scheduled to be milled and paved this season, Pratham Rd. will be patched, oiled and chipped, on 2011, and Miller Ave. and Chaffee-Curriers Rd, will be patched this year, and oiled and chipped in 2012.

The Supervisor stated that the Town's Spring trash pickup is set for April 25th and Waste management will hold the household hazardous and electronics drop off day on April 30th. Councilman Miller stated that if there are no objections, he would like to have the building caretaker, or someone, take some of the junk computers and air conditioners that have accumulated, to the drop off. There were no objections.

There being no further business to come before the Board, on a motion by Miller, seconded by Uhteg, the meeting was adjourned at 7:50 PM. Carried, 5 ayes, 0 noes.

Respectfully Submitted,

Town Clerk

