

## 6-9-2011 – 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  
Highway Superintendent Donald W. Hopkins  
Town Clerk Betsy A. Marsh  
23 guests

The Sardinia Town Board held its Regular Town Board meeting for June on June 12, 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 May 12, 2011 Regular Board meeting, which were approved on a motion by Earl, seconded by Uhteg, and carried, 5 ayes, 0 noes.

Supervisor Hannon then introduced Dominic Calandra from Senator Patrick Gallivan's office, who was on hand to address the Board and all in attendance. Mr. Calandra stated he is the representative of the Southern Erie County portion of Sen. Gallivan's District, and stated that he hopes anyone with any concerns calls the Senator's office, and he then passed out a contact phone numbers sheet.

Committee and Departmental Reports included:

Supervisor Hannon stated she has received the new Springville Control Center agreement, which has signatures of all parties except the President of the Chaffee-Sardinia Fire Company, Danny Heineman. Councilman Earl stated that the Fire Dept. had not signed it because they had wanted ~~the~~ messaging ~~and~~ paging included, and it was not. The Supervisor clarified that the contract is still valid; it is just a courtesy that the Fire Company sign it. She stated she will get copies to everyone. The Supervisor stated Sherry Stevens has volunteered to do some plantings under the Town Hall sign out front, if no one has any objections. ~~There were none.~~ Ms. Hannon stated she had attended a Supervisor's summit concerning the redistricting of the Erie County Legislature. She stated there are two proposals on the floor, and she stated that she doesn't feel that either is good. The Supervisor stated that the Legislature is leaning toward the plan that has 15 Towns, including Sardinia, with one Legislator. She stated that the Erie County Supervisors' Assoc. is tired of the constant politics, and has expressed that they are in favor of getting rid of the Legislature and going back to a Board of Supervisors.

Councilman Uhteg reported that a few streetlights have now been repaired, and stated that he had attended the meeting on hydrofracking in the Town of Concord last week.

Councilman Montgomery stated the water testing has now been completed, and 98 wells out of 100 were tested. He stated that he has not received any calls. Councilman Uhteg asked how people were to get the results explained, stating that the County would not give any answers. An audience member also stated that the County seemed to not know they were going to get calls, and Test America claimed not to know what it was about. The matter was discussed Mr. Montgomery stated they should call him, or see him after the meeting. ~~He~~ He stated he had problems getting parameter figures, and had to go online to get them. ~~Councilman~~ Councilman Earl stated her water had failed, and she would need to call about it. ~~Councilman~~ Councilman Montgomery then thanked Gernatt Asphalt and Ken Ziccarelli of Gernatt for the walking path and basketball court at Manion Park, and the basketball court at Veterans Park, stating that they had now more than fulfilled the requirements of their variance. He invited everyone to check out the improvements to the parks.

Councilman Earl reported that the first Concert in the Park will be held on at 6:30 PM June 14<sup>th</sup> and the entertainment will be Gene Hilts and the Rustic Ramblers. She stated that all food sale proceeds will benefit the Historical Society. She also reported that the Tiny Tots Rec Program graduation will be held on June 18<sup>th</sup> in the gym; CPR and AED training will be held for the pool and recreation staff on June 15<sup>th</sup> and 16<sup>th</sup> at 6:30; the Springville Control Center radio grant has been put out to State bid and the pagers out to local bid; the recommendation for hiring of recreation staff is further in the agenda, and she stated they are all Town residents, but because of the large number and good quality of the applicants, it was difficult to decide who to hire; the Control Center is also in need of dispatchers and is now accepting applications. Councilman Earl stated that she would like to have the park caretaker change the locks on the pool doors and gates. Also, the pool director, ~~Danielle Scott,~~ Danielle Scott, would like to offer a Water Babies class if it can fit into the lessons schedule.

Councilman Miller reported that he, along with the Supervisor, Highway Superintendent, and Mark Gaston from Erie County Soil and Water, met to look at the creek washout on Rt. 39. He stated that the creek bank is being eroded and threatens the properties in the area, near the Crosby Mart, formerly the Little Country Store. He stated that Mr. Gaston feels it is the beginning of a new tributary to the Hosmer Brook, and the fear is that it could possibly also drain the water table. Mr. Miller stated they will be looking for grants for repair work. He stated he will be attending the Water Quality Committee meeting on June 15<sup>th</sup>, and the concern will be addressed there. Councilman Miller reported he attended the meeting on hydrofracking in Concord; ~~met at toured the Erie, PA WW~~ met at toured the Erie, PA WWaste Management ~~facility,~~ facility, along with Councilman Montgomery, to get a better understanding of the proposed solidification process, ~~which is~~ which is the subject of the application for a Special Use Permit; Mr. Miller suggested that the Town start planning for the time when incandescent light bulbs are phased out, and a decision must be made for lights in the park shelters; and he reported he had attended the open house at the new Kingdom Hall on Rt. 16, and they sent along thanks to the CEO and all Town officials. Councilman Miller reminded that June 14<sup>th</sup> is Flag Day and

stated that the American Legion will be having a flag retirement event at the Legion Post and also stated that the Historical Society is holding an Antique Appraisal fair on June 26<sup>th</sup> at the Meeting House. Mr. Miller stated he has spoken to the Building and Park Caretaker Al Hansen, who informed that new blinds are needed in a couple of areas of the Town Hall/Community. Councilman Miller has found that due to the size of the windows, the blinds may have to be cut down or special ordered, and that can be done at Lowes in Springville, however, we do not have a charge account there. Mr. Miller suggested that the Town purchase a Lowes gift card, as was done at Valu, and on a motion by Miller, seconded by Earl, a Lowes gift card in the amount of \$250.00 will be purchased, and maintained in the Town Clerk's office. Carried, 5 ayes, 0 noes.

Highway Superintendent Donald Hopkins reported on his attendance the Highway School at Cornell University, stating he felt it was very worthwhile. He stated that he has been working on the pool, which has now been drained, cleaned, and filled, and is running and being heated. Mr. Hopkins reported that he has gotten three price quotes for bromine, and the least expensive is from Fisher Pools at a cost of \$190.00 a pail. He stated that 10 pails are needed, for a total of \$1,900.00. The purchase will be approved later in the agenda. The Highway Superintendent stated that concerning the property washing out on Rt. 39, he urged everyone to go and see it, and stated that the amount of water coming out of the creek bank is amazing. He stated that it is creating its own creek, and **feared it** could drain some of the shallower wells in the Hamlet of Sardinia. Finally, Mr. Hopkins stated his department has been ditching and patching and that, barring rainfall, they will be chip sealing Town roads next month.

Attorney for the Town Linda Joseph reported that she has been giving preliminary advice on the Hosmer Brook issue, including the possibility of utilizing Gernatt and Waste Management funding for the public benefit aspect of improving the damage done by the Creek. She stated that preliminary advice was also given concerning the issue of grandfathering and density with respect to a trailer issue; finalized the Local Law to **manneamend** the Zoning Ordinance and prepared the **Long Form-EAF** for the SEQRA Review, **as newell as** providing **ingee** some advice so that action could be taken on that this evening; gave some advice on a policy for Internal control on cash management as a follow up of the accountant's report. The Attorney stated she is working on drafting a computer service contract with Network Services, which will not be addressed this evening but in the near future and prepared the resolution for the new proposed Notice of Defects Law. She stated she provided advice on the trip to the Waste Management facility concerning Waste Management's Special Use permit application; and attended the meeting in the Town of Concord on hydrofracking and stated she found it very interesting, especially that the gas drilling companies are not that interested in this area due to the shallowness of the Marcellus shale layer in this part of the State. She stated that she was especially interested in the legal issues that came up, and found the meeting very worthwhile.

Comments from the public included:

John Schiener of Sardinia commented on the Fund Balance resolution, upcoming in the agenda. He stated he would like to see a clause added calling for an annual review. He stated he also feels there are infrastructure improvements that could be done with funding from the Fund Balance with little or no future costs, and outlined some, including drainage, road improvements, and park and building improvements.

Ken Zicarelli of Gernatt Asphalt stated that Mr. Montgomery had said what he had intended to speak about. The Supervisor noted that had been concerning the variance conditions.

Pam and Don Dennies, owners of the Henhawk Acres farm stand, stated that they have been informed by Marv Zielonka, the Code Enforcement Officer that they can't have signage that is not on their own property. They asked the Board to consider an amendment or variance to the Zoning that would allow off-site signs for agricultural producers, since they are typically not on the main roads. He gave, for an example, a honey producer on Domes road, which is not a well travelled road. He stated they must deal with the weather and the economy and for the health of the agricultural producers in the Town, asked the **Board** to consider a change in the rules. The Supervisor stated she did speak to the CEO, and it is illegal at that point. It was discussed that it is also illegal to have signs on utility poles, as well. It was agreed that the Board would like seasonal, event, and small producer signs to be allowed, and felt the best thing- **to do** would be to refer it to the Planning Board.

There were no other public comments, and on a motion by Earl, seconded by Miller, the public comment period was closed, carried, 5 ayes, 0 noes.

Supervisor Hannon stated that there are a couple of Budget transfers necessary, just bookkeeping issues, before the approval of the bills, and a motion to adopt the following resolution, to be known as Resolution #45 of 2011, was made by Earl, seconded by Montgomery:

**RESOLUTION #45 - 2011 - APPROVAL OF FUND TRANSFER**

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

| <u>TRANSFER FROM</u> | <u>AMOUNT</u> | <u>TRANSFER TO</u> |
|----------------------|---------------|--------------------|
| A1320.400            | \$1135.00     | -A1220.400         |
| A1220.480            | \$3279.94     | A1220.400          |
| A9089.800            | -\$1750.80    | A9050.800          |

**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 \$25,916.79, with the break-down of the fund totals as follows: General Fund - \$17,362.72; Highway Fund - \$6,304.31; Fire Protection

District - \$1,507.67; and Streetlighting District - \$800.19. On a motion by Montgomery, seconded by Earl, Abstract #6 of 2011, including vouchers #349 through #408, and totaling \$25,916.79, was approved for payment. Carried, 5 ayes, 0 noes.

In Unfinished Business:

Supervisor Hannon stated that the next resolution is for the hiring of the Recreation staff for the summer. The following resolution, to be known as Resolution #46 of 2011, was then moved for adoption by Earl, seconded by Montgomery:

**RESOLUTION #46 - 2011**  
**APPROVAL OF NEW HIRES**

WHEREAS, the Sardinia Town Board approves appointments for the summer recreation program for the year 2011, and

| <u>NAME</u>        | <u>TITLE</u>             | <u>PAY RATE</u> |
|--------------------|--------------------------|-----------------|
| Donna Lyons        | Rec Attendant            | \$9.27 per hour |
| Amy Pielechowski   | Rec Attendant            | \$9.27 per hour |
| Anthony Lock       | Rec Attendant /returning | \$9.78 per hour |
| Courtney Wittmeyer | Rec Attendant/returning  | \$9.78 per hour |
| Jamie Quinn        | Rec Attendant            | \$9.27 per hour |
| Amber Stojek       | Rec Attendant            | \$9.27 per hour |
| Kim Hochadel       | Rec Attendant            | \$9.27 per hour |

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves the appointment of the above noted individuals at the rates stated, effective this date.

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

The Supervisor stated that the next resolution is for approval of the amendments to the Town's Notice of Defects Law, and noted that the Public Hearing on this will be held on July 14, 2011 at 6:00 PM. The following resolution, to be known as Resolution #47 of 2011, was then moved for adoption by Earl, seconded by Miller:

**RESOLUTION #47 - 2011**  
**APPROVAL OF NOTICE OF DEFECT LAW**  
**(Chapter 79 of the Code of the Town of Sardinia)**  
**(SET PUBLIC HEARING FOR JULY 14, 2011)**

WHEREAS, NYMIR has recommended to the Town Board certain amendments to the Town's Notice of Defect Law, Chapter 79 of the Code of the Town of Sardinia and the Town Attorney has drafted such proposed amendments for review by the Town Board: and

WHEREAS, prior to submitting the proposed amendments for public review and comment, the Town Board has reviewed the proposed and amendments and has made no changes to the proposed language;

NOW THEREFORE BE IT RESOLVED THAT a Public Hearing be scheduled for July 14, 2011 at 6:30 PM to consider the proposed amendments to the Notice of Defect Law, Chapter 79 of the Code of the Town of Sardinia; 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.

Councilman Uhteg has requested authorization by the Board to travel to Binghamton, NY for a hydrofracking workshop. The Supervisor stated she feels that there a lot to learn about the subject at meetings here in the area. She stated that the Binghamton area has a different set of problems because the Marcellus shale here is shallow. There was discussion about gas drilling in the area, and Councilman Miller stated there is nothing the Town can do once the landowner signs a lease, which many Town landowners have. He stated it becomes a moot point, and even the Town has signed a lease. Attorney Joseph stated that it would be an unconstitutional taking if the leases were in place and the Town tries to prohibit that. Mr. Uhteg stated he felt that the presentation in Concord was one sided and would like to attend the Association of Towns' workshop and to learn a little more about it. Attorney Joseph stated that it is just a question of if the Town wants to finance that. Councilman Uhteg then made a motion to be authorized to attend the Binghamton workshop at Town expense. There was no second forthcoming, and- tThe motion died due to lack of a second.

Supervisor Hannon stated a Public Hearing date needs to be set on the Waste Management Special Use Permit. She stated that a recommendation has been received from the Planning Board, and she would like to schedule the hearing for July 14, 2011 at 6:15 PM. On a motion by Miller, seconded by Earl, the Public Hearing was scheduled for July 14, 2011 at 6:15 PM. Carried, 5 ayes, 0 noes. The Supervisor stated that a date needs to be set for the Board to go on a tour of the Lakeview Landfill in Erie, Pennsylvania, a Waste Management landfill, to inspect their liquid solidification process, and the Attorney for the Town has given the legal opinion that since no discussion will be held and no action will be taken, it will not be a violation of the Open Meetings Law. Councilmen Miller and Montgomery, along with Supervisor Hannon, will be able to attend. After discussion, a motion was made by Earl, seconded by Miller, to make the trip on ~~June~~ July 15, 2011, at 7:45 AM. Carried, 5 ayes, 0 noes. Tom Lewis of Waste Management stated that sometime between now and the Public Hearing, he will holding an open house type meeting to explain the process. He stated he does not have a date yet, but will be sending fliers to all Town residents, inviting anyone interested.

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Under New Business:

The Supervisor stated that the next order of business is the State Environmental Quality Review of the proposed amendments to the Zoning Ordinance. She then read a prepared statement stating that the Long Form Environmental Assessment Form has been prepared by the Planning Board, given to all Town Board members for their review, the Town Board made some minor modifications, and she is now recommending that a Negative Declaration of Environmental Impact be declared by the Town Board. The following resolution, to be known as Resolution #48 of 2011, was then moved for adoption by Miller, seconded by Montgomery:

**RESOLUTION #48 - 2011**  
**SEQRA REVIEW OF PROPOSED AMENDMENTS TO THE TOWN OF SARDINIA'S ZONING ORDINANCE**

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WHEREAS, the Town is considering certain amendments to its Zoning Ordinance, and  
WHEREAS, amendments to the Town's Zoning Ordinance is a Type I Action for the purposes of SEQRA; and  
WHEREAS, the Town has conducted a coordinated review under SEQRA by providing involved and interested agencies, including the Erie County Department of Planning and adjacent municipalities, with a copy of the proposed amendments to the Town's Zoning Ordinance, and a draft Long Form Environmental Assessment Form prepared by the Town Planning Board and requested that each involved and interested agency notify the Town within 30 days if (a) there was any objection to the Town serving as lead agency; and, (b) identify any environmental impacts of the proposed action; and

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WHEREAS, the Town has received no objections to the Town serving as lead agency for the proposed action,  
and no involved or interested agency has identified any environmental impacts of the proposed action; and

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

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

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

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

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

The Town Board then held discussion on the proposed Local Law to amend the Zoning. The Supervisor stated that the Board is now in a position to vote on the proposed amendments to the zoning, stating that it has fulfilled the SEQRA requirements and have declared a Negative Declaration of Environmental Impact and have held a public hearing to hear comments. She asked the Board members if they were comfortable voting on the Local Law at this time. Councilman Miller stated he was, and stated he wanted to address comments he has heard that the amendments would only benefit one person. He stated the amendments would benefit many people, including anyone who owns property in a business zone, who can now have an apartment building or multiple family home in the business district. A motion was then made by Miller, seconded by Montgomery to accept the Zoning Amendments. Carried, 5 ayes, 0 noes.

Supervisor Hannon explained that the next resolution is put together on the recommendation of the audit performed earlier this year by the Town's auditing company. She stated that because the Town of Sardinia has a large fund balance due to the Host Municipality Agreement with Waste Management, in order to satisfy the State Comptroller's Office, it was recommended that a plan put in place for the funds. She stated that the Town would like to continue having no Town taxes for as long as possible, and would like to keep costs down and utilize the Waste Management fees for as long as possible. She stated that if there is an issue that comes up, the resolution can be reviewed to address such issue. Councilman Uhteg asked if perhaps a clause should be added calling for a yearly review, but Supervisor Hannon felt that was unnecessary. Attorney Joseph stated she did not feel such a clause was needed, stating that a motion could be made annually, or at anytime, to review. The following resolution, to be known as Resolution #49 of 2011, was then moved for adoption by Earl, seconded by Montgomery:

**RESOLUTION #49 - 2011**  
**APPROVAL OF FUND BALANCE STATEMENT**

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WHEREAS, for the past several years the Town has received payments from Waste Management pursuant to a Host Municipal Agreement;

WHEREAS, the amounts received from Waste Management have enabled to the Town to eliminate Town property taxes for its residents;

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WHEREAS, in recognition of the fact that the payments from Waste Management will only continue for the life of the landfill the Town has adopted a prudent fiscal policy of using these monies received from Waste Management to fund necessary Town services, while at the same time saving a portion of the funds received from Waste Management to reduce the future tax burden on Town residents when the landfill closes and the payments under the Host Municipal Agreement cease;

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WHEREAS, as a result of this prudent fiscal policy the Town's combined Fund Balances as of December 31, 2010 had grown to \$ 3,474,228, (\$2,195,890 being General Fund Balance);

WHEREAS, the Town's auditor has informed the Town that the Town is required to adopt a Fund Balance Policy setting forth the reasons for the accumulation of a balance in the General Fund;

NOW THEREFORE BE IT RESOLVED THAT the following statement be adopted as the Town's General Fund Balance Policy:

The majority of the Town's revenues are derived from fees collected under a Municipal Host Agreement with Waste Management. The fees that the Town was able to negotiate exceed the funds needed to fund annual operations. As a result, currently Town residents pay no Town property taxes. The Town however recognizes that this source of revenue is not indefinite and will only be available for the life of the landfill. Accordingly, the Town has elected not to adopt annual appropriations which fully expend these funds because to do so would result in the Town investing in infrastructure and programs which the Town residents could not afford to maintain once this revenue stream ends. Instead, the Town has elected to maintain a reasonable level of services and expenditures for its residents, and to maintain the balance of fees collected from Waste Management in its General Fund so that once this revenue stream is no longer available the Town can draw on these funds to extend the period that residents can pay no or lower property taxes than would otherwise be required.

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

Supervisor Hannon stated that Boy Scout Josh Bialecki has come to the Board for permission to perform upgrades to the Rt. 39 Cemetery as his Eagle Scout project. Josh and his father, Scout Master Mike Bialecki, were on hand to explain the proposed project to the Board. Mr. Bialecki explained the Boy Scouts of America Eagle Scout process. Josh then explained what he wants to do at the cemetery, including a privacy fence between the neighboring residence, and split rail, fence around the rest of the cemetery, a bench at the entrance, a concrete pathway, and a sign with the names of everyone buried in that cemetery. Scout Master Bialecki stated that they would also like to mark the unidentifiable graves with wooden crosses. Councilman Miller suggested that Josh could work closely with the Sardinia Historical Society. Supervisor Hannon stated that the Board thanks Josh for his caring and his interest, and the neighbor was on hand to verify to the Board that she is in favor of the project. The following resolution, to be known as Resolution #50 of 2011, was then moved for adoption by Earl, seconded by Miller: ▲

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**RESOLUTION #50- 2011**  
**APPROVAL OF REQUEST FROM EAGLE SCOUT JOSHUA BIALECKI**  
**TO UPGRADE TOWN CEMETARY ON ROUTE 39**

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WHEREAS, the Sardinia Town Board has received and reviewed the request from Eagle Scout Joshua Bialecki to improve the Sardinia Town Cemetery, also known as "Lords Cemetery, on Route 39 as an Eagle Scout project, and

WHEREAS, after consulting with New York State regarding the right-of-ways and approval of the Town Highway Superintendent to further maintain this addition, along with our attorney for the Town in reviewing any liabilities, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves Eagle Scout Joshua Bialecki to make the agreed upon renovation work at the Town Cemetery, pending a Certificate of Insurance.

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

Mr. Calandra of Senator Gallivan's office commended Josh on behalf of the Senator, for being the Scout that he is and stated he can expect to receive something from the Senator. The Town Clerk stated that she has a cemetery book in her office that shows who is buried in that cemetery, but there is no map that she knows of showing where they are buried. She stated that the cemetery came to the Town because it was abandoned, and suggested that Josh check with the Historical Society to see if they might have any records from that cemetery.

Supervisor Hannon stated that the next resolution is for a budget amendment needed to handle the Justice Court grant. The following resolution, to be known as Resolution #51 of 2011, was then moved for adoption by Earl, seconded by Montgomery:

**RESOLUTION #51 - 2011**  
**APPROVAL OF BUDGET AMENDMENT**

**WHEREAS**, the Town of Sardinia has approved a budget amendment to cover the Municipal Court JCAP grant of \$12,410.00, and

**WHEREAS**, in order to balance our budget, the Town Board approves the addition of \$12,410.00 in line A1110.200 to expense any equipment purchased under this grant, and

**NOW, THEREFORE, BE IT RESOLVED**, the Sardinia Town Board hereby approves the addition of \$12,410.00 in line A1110.200 of the 2011 Town of Sardinia Budget,

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

The Supervisor stated that the S.A.S.I. Group is ready to use the building for its summer respite program, and she stated there have not been problems, and feels that everyone involved is pleased with the arrangement. Therefore, the following resolution, to be known as Resolution #52 of 2011, was moved for adoption by Earl, seconded by Miller:

**RESOLUTION#52 - 2011**  
**APPROVAL OF SASI TO UTILIZE THE SARDINIA TOWN HALL**

**WHEREAS**, the Suburban Adult Services has already been approved use the Sardinia Town Hall during the 2010-2011 school year, and

**WHEREAS**, the Sardinia Town Board has received no complaints or the Town has incurred no damage from this authorization and the Town of Sardinia has received a copy of the current Certificate of Insurance from this agency, and

**WHEREAS**, the Sardinia Town Board agrees that this is a service the Town finds worthy to provide, and after receiving request for additional days of use of the Town Hall, specifically during the school year of 2011/2012 –school break dates, and

**NOW, THEREFORE, BE IT RESOLVED**, after review of the request from the Suburban Adult Services, the Sardinia Town Board hereby approves the use of the Sardinia Town Hall gymnasium for the SASI school age respite program for the school break dates for the year 2011 – 2012,

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

The Supervisor stated that the next resolution is for approval to purchase bromine tablets for the Town pool. The following resolution, to be known as Resolution #53 of 2011, was then moved for adoption by Earl, seconded by Miller:

**RESOLUTION #53 - 2011**  
**APPROVAL OF PURCHASE OF BROMINE TABLETS FOR SARDINIA TOWN POOL**

**WHEREAS**, the Sardinia Town Pool annually requires the purchase of bromine tablets for the necessary performance of the pool; and

**WHEREAS**, the cost of this purchase is cost effective utilizing the bulk method; and

**WHEREAS**, after reviewing the cost of this product with various vendors, Highway Superintendent Donald Hopkins has ascertained the purchase of bromine tablets for the Town Pool to be the most cost effective from Fisher Pools at a total cost of \$1,900.00;

**NOW, THEREFORE, BE IT RESOLVED**, the Sardinia Town Board hereby approves the purchase of necessary bromine tablets for the Sardinia Town Pool from Fisher Pools at a total cost of \$1,900.00.

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

The Supervisor stated that the new chairman of the Sardinia Planning Board is on hand this evening and the next resolution is for approval of his appointment by the Board. The following resolution, to be known as Resolution #54 of 2011, was then moved for adoption by Earl, seconded by Miller:

**RESOLUTION #54 - 2011**  
**APPROVAL OF NEW CHAIRMAN OF SARDINIA PLANNING BOARD**

**WHEREAS**, Supervisor Mary Hannon has received notice from Darren Farthing to step-down as Chairman of the Sardinia Planning Board, effective July 1, 2011, and

**WHEREAS**, a recommendation from Chairman Farthing to replace his position with Mr. Robert Hill; and

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WHEREAS, it is noted that Chairman Farthing has agreed to act as Acting Chairman in the absence of the new Chairman Robert Hill; and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board accepts the resignation of Chairman Darren Farthing and names Robert Hill as the new Sardinia Planning Board Chairman, effective July 1, 2011; and

IT IS FURTHER RESOLVED, the Sardinia Town Board recognizes Darren Farthing as Acting Chairman in the absence of Chairman Robert Hill and will receive the chairman's pay rate on those days.

Upon roll call vote: Earl, aye, Miller, aye, Montgomery, aye, Uhteg, aye, Hannon, aye. So Resolved. The Supervisor thanked Darren Farthing for his past service as Chairman, and thanked Mr. Hill for taking on the position. She also informed that Mr. Farthing has agreed to serve as Acting Chairman in the event of the absence of Mr. Hill.

Supervisor Hannon stated that the Town has received a letter from the First Time/Last Time Program requesting Town participation in the program, and the Board has also received letters from Justices Vossler and Thompson. The program is for Community Service sentences. Justice Thompson was on hand to explain that the Court system currently uses the program, but sends those sentenced to do service at the S.A.S.I. Lothlorian Center, for example, and it was felt that why not let the Town benefit from that type of Community Service, such as picking up trash, etc. Supervisor Hannon stated that our current Caretaker, Al Hansen, is a former Corrections Officer and has experience in supervising individuals, and is willing to do so. Highway Superintendent Hopkins stated he would also be willing to supervise them if Mr. Hansen could not. Justice Thompson stated that these would be 16 to 21 year olds. Supervisor Hannon stated the only question she had was whether or not working papers would be needed, and Justice Thompson suggested contacting the Village of East Aurora with any questions. Councilman Uhteg stated that the Town has participated in the past, with former Highway Superintendent Baker as the supervising person, and it worked well. On a motion by Earl, seconded by Miller, the Town of Sardinia will utilize the First Time/Last Time Program for Town Justice Court sentences of Community Service. Carried, 5 ayes, 0 noes.

The Supervisor stated that she has spoken to Judi Jorgensen and suggested she go through the proper channels, which would be the Code Enforcement Officer and then if denied, she could move on to the Zoning Board of Appeals. She stated that Ms. Jorgensen has agreed to withdraw her request to the Board.

Supervisor Hannon stated that the Town has received a letter from the County Comptroller's office stating that they cannot release the Town of Sardinia's share of surplus dog control monies to the Town until the County has received its December 2010 share of the dog licensing fees. The Town Clerk explained that the NYS Department of Ag & Markets had directed all NYS Town Clerks to, as of January 1st, 2011, turn the County portion of dog licensing fees over to their municipalities, due to the switch-over from State licensing of dogs to Town, Village, and City licensing of dogs. Ag & Markets directed that this should start with the December dog license fees, because they would be paid after January 1, 2011. Town Clerk Marsh stated she felt that the Town should pay the December amount of \$43.47 to Erie County, feeling that it had been incurred during December 2010 and therefore, should rightly have gone to Erie County at the time. On a motion by Earl, seconded by Montgomery, a check in the amount of \$43.47 will be sent to the Erie County Comptroller's office for the December 2010 County share of the State dog licensing fees. Carried, 5 ayes, 0 noes.

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Supervisor Hannon reminded that there will be a Public Hearing on the proposed Zoning amendments on June 9<sup>th</sup> at 6 PM, immediately preceding the regular June Board meeting.

There being no further business to come before the Board, on a motion by Earl, seconded by Miller and Montgomery, the meeting was adjourned at 7:00~~36~~ PM. Carried, 5 ayes, 0 noes.

Respectfully Submitted,

Town Clerk

