

**7-10-2010 – 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  
19 guests

The Sardinia Town Board held its Regular Town Board meeting for July on July 8, 2010 at the Sardinia Community Center. Supervisor Mary L. 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 June 10, 2010 Regular Town Board meeting, and the June 29, 2010 Special Meeting. These minutes were approved and filed on a motion by Montgomery, seconded by Earl, and carried, 5 ayes, 0 noes.

Supervisor Hannon stated that only one bid had been received on the Chaffee Sidewalks project, and asked Attorney Joseph to open the bid, which was as follows:

Campobello Construction Co., Inc., Buffalo, NY	\$53,507.20
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The Supervisor then asked Attorney Joseph to review the bid, along with the Highway Superintendent, and the Board will discuss the bidding later in the meeting.

Committee and Department Reports included:

Councilman Uhteg reported that additional costs involved in the extension of street lighting with NYSEG is later on the agenda. He also stated that the Protection Methodist Church has contacted him and would like to sell hotdogs and pop at the July 20<sup>th</sup> Concert in the Gazebo at Veterans Park. He stated they are in the process of obtaining their Health Dept. permit. Mr. Uhteg stated he would like the Board's okay for them to do so, and also he would like permission to book the Pioneer Community Band for another Concert on August 3<sup>rd</sup>. He stated they ask for a donation of \$150.00. On a motion by Uhteg, seconded by Earl, the Protection Methodist Church was given permission to sell hotdogs and pop at the July 20<sup>th</sup> Concert in the Gazebo. Carried, 5 ayes, 0 noes. On a motion by Uhteg and seconded by Earl, Councilman Uhteg was authorized to book the Pioneer Community Band, at a cost of \$150.00 donation, for a Concert in the Gazebo on August 3<sup>rd</sup>. Carried, 5 ayes, 0 noes. Mr. Uhteg also asked if a voucher for Liz Boberg and Homemade Jam, the music for the July 20<sup>th</sup> concert, could be added to tonight's Warrant, and it was stated that it would be added.

Councilman Montgomery reported that he attended an H1N1 Community Partners After Action conference, and stated there is money that the Town can apply for to cover any expense incurred while hosting the vaccine clinic. He stated he also attended an Emergency Management meeting concerning NIMCAST, and Mr. Montgomery reported that there will be a NIMCAST meeting on July 20<sup>th</sup> at 6 PM here at the Town Hall/Community Center. Councilman Montgomery also noted that the Office of Emergency Management is working on a Special Needs Permit, and will be holding a Train the Trainer meeting in Cheektowaga at the Fire Training Center on September 28, 2010, at 6:00 PM., and he is looking for volunteers to help him with this. The Food For All Program will be returning to Sardinia in the fall, and he has contacted a representative, who is working on setting up a schedule starting in September 2010. Mr. Montgomery stated he is waiting for a response from the Village of Arcade on who to contact to conduct an AARP Safe Driving Course in the fall.

Councilman Earl reported that the Rec Department is planning a field trip to Fantasy Island, and stated that they need authorization for funding of the trip. She stated that the cost of the bus is \$540.00; tickets are \$12.95 per person, the cost of a pavilion is \$50.00, for a total of \$770.00, and that each attendee will be charged \$5.00. The following resolution, to be known as Resolution #55 of 2010 was then introduced by Montgomery, seconded by Miller:

**RESOLUTION #55 – 2010  
AUTHORIZATION FOR FANTASY ISLAND FIELD TRIP**

**BE IT RESOLVED**, the Sardinia Town Board hereby authorizes funding of tickets to Fantasy Island, and rental of a picnic Pavilion, for a total amount of \$770.00, for a Recreation Field Trip.

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

A second resolution was needed to authorize funding of the bus to Fantasy Island, and the following resolution, to be known as Resolution #56 of 2010, was introduced by Earl, seconded by Miller:

**RESOLUTION #56 – 2010**

## AUTHORIZATION FOR FUNDING FOR BUS FOR FANTASY ISLAND FIELD TRIP

**BE IT RESOLVED**, the Sardinia Town Board hereby authorizes funding of \$540.00 for bus transportation to Fantasy Island for a Recreation Field trip.

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

Councilman Miller stated that the Old Town Hall is in need of gutters and down spouts and he has been asking for quotes for that, which will be funded from the Old Town Hall budget line. He stated that, concerning Zumba dancing, the woman who is in charge of the Backwoods Cloggers, Patty Gunnar of Holland, who is using the Old Town Hall on Tuesday evenings, is now teaching Zumba dancing, also. The Board discussed the matter, and it was decided to write her a letter stating that since this is a profit making venture, she needs to discontinue giving the classes until she has the permission of the Town Board to do so. Mr. Miller also reported that he has spoken to the Planning Board Chairman Darren Farthing, to find out where that Board is on the Zoning Amendments they have been compiling. He stated that Mr. Farthing feels it will be approximately 2 months yet before they bring that to the Town Board.

Attorney for the Town Linda Joseph then reported on the one bid received for the Chaffee sidewalks project. She stated that after review by herself and the Highway Superintendent, she has found the bid to be incomplete because the non-collusive bid certificate was not signed, nor was the statement that they had read all of the specs. She stated there is a bid bond and other documents, but felt that the County would not find the bid acceptable or complete for the Community Development Block Grant funding. The Board discussed how to handle the matter, and on a motion by Earl, seconded by Montgomery, felt that the sidewalks should be put back out to bid due to the incompleteness of the only bid received. Carried, 5 ayes, 0 noes.

Highway Superintendent Donald Hopkins stated that his department has finished paving West Schutt Rd., and will finish up sealing the roads next month. He stated that they will be skid paving the upper end of West Schutt Rd., Gales Court, and possibly West Ave. Mr. Hopkins stated he has not heard back from George & Swede, low bidder on the rubber tired excavator, for the status of the equipment, but will continue to try and contact the salesman.

Attorney for the Town Linda Joseph stated the Town has been notified that the insurance company will be providing the defense in the Webber case, the Answer to the Summons was filed on time, and they also sent out some Discovery notices. Ms. Joseph stated that in the snowplow accident case, the Black Box from the truck has been turned over.

### Public Comments:

Clint Salmon, Co-Coordinator of the Meals on Wheels Program notified the Board that his Co-Coordinator Ruth Sawchuk passed away on July 3<sup>rd</sup>. He stated that she was an outstanding worker and that the Southtowns Program referred other town coordinators to her if they had problems. He stated she would be missed. Mr. Salmon advised that the Southtowns Meals on Wheels Program charter states that to replace a coordinator, the Town involved may make a recommendation in writing to the Board of Directors, who will then review and select a replacement.

Virginia Domes, who has volunteered to co-chair the Labor Day in the Park event, urged the Board to sponsor and provide funding for the event.

Supervisor Hannon then asked for a motion to approve payment of the bills, and on a motion by Montgomery, seconded by Uhteg, General Fund Warrant #7 of 2010, including vouchers #334 through #404, totaling \$462,532.39; and Highway Fund Abstract #7 of 2010, including vouchers #86 through #97, and totaling \$88,551.14, were approved for payment. Carried, 5 ayes, 0 noes.

### Unfinished business:

Supervisor Hannon stated that she and Councilman Earl of the Finance Planning Committee had a couple of meetings with insurance agents concerning the Town's Worker's Compensation Insurance policy, and the largest difference was a savings of only \$274.00. Board members felt that for such a minimal saving, the Town should stay with the State Insurance Fund, the Town's carrier for many, many years.

Concerning the Automated Electronic Defibrillators, (AED's), Supervisor Hannon stated that Michael Shaw of the Fire Company presented an agreement and a Notice of Intent to Provide Public Access Defibrillation, to get the ball rolling. Mr. Shaw has notified that the cost would be \$1,722.70 per machine; last year's price was \$2,845.00 per machine, quite a big difference. She hopes to have an exact amount by the next meeting, and have the AED's approved and installed.

The Supervisor stated that the Board needs to approve, by resolution, amendments to the additional street lighting resolution to approve extra costs, found to be necessary due to determinations by NYSEG that additional wire is needed on one intersection, and a longer bracket on another. The following resolution, to be known as Resolution #57 of 2010, was then moved for adoption by Uhteg, seconded by Montgomery:

### **RESOLUTION #57 - 2010 AMENDMENT TO STREET LIGHTING RESOLUTION #37 - 2010**

**WHEREAS**, the Sardinia Town Board has previously passed Resolution #37-2010 to increase streetlights at certain intersections, and

**WHEREAS**, after passing this resolution, NYSEG was able to reinvestigate the placements of the specific streetlights, and

**WHEREAS**, after NYSEG's evaluation, it was determined that two intersections will incur an additional cost, specifically, Route 39 and Van Slyke Road at a cost of \$20.96 (one-time charge) for additional 8 feet of overhead wire,

and \$28.08 (annual charge) for a longer bracket, and Allen Road and Domes Road at an additional cost of \$759.80 (one-time charge) for additional 290 feet of overhead wire,

**NOW, THEREFORE, BE IT RESOLVED:** The Sardinia Town Board approves NYSEG to install the streetlights as determined in Resolution No. 37-2010 and agrees to approve the additional cost of \$780.76 (one-time charge) and \$28.08 (annual charge) for the two streetlights previously mentioned.

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

New Business:

Supervisor Hannon stated that, according to a new NYS Law regarding the State Retirement System, the Town is now required to set standard workdays for elected and appointed officials, which the Town Clerk will have filed in her office, and will then have to post this resolution on her bulletin board, and on the Town's website. The following resolution, to be known as Resolution #58 of 2010, was then moved for adoption by Earl, seconded by Montgomery:

**RESOLUTION #58 - 2010  
STANDARD WORK DAY AND REPORTING RESOLUTION**

**WHEREAS,** the Town of Sardinia hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

Title	Last Name	First Name	Registration Number	Social Sec. Number	Standard Work Day	Term Begins/Ends	Days/Month
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**ELECTED OFFICIALS**

Supervisor	Hannon	Mary	32487415	1396	6.00	1/1/2010 – 12/31/2013	10.00
Highway Spt.	Hopkins	Donald	34875708	5548	6.00	1/1/2010 – 12/31/2013	20.00
Town Clerk	Marsh	Betsy	37773587	7568	6.00	1/1/2010 – 12/31/2013	20.00
<b>APPOINTED OFFICIALS</b>							
Assessor	Hornberger	Thelma	39427042	7331	6.00	1/1/2010 – 12/31/2010	5.58
Code Enforcement Officer	Zielonka	Marvin	39569686	2818	6.00	1/1/2010 – 12/31/2010	10.00

**NOW, THEREFORE, BE IT RESOLVED:** The Sardinia Town Board approves the above list of elected and appointed officials standard work day and retirement reporting for the NYS and Local Employees' Retirement System.

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

Supervisor Hannon stated that the fireworks at the Firemen's Carnival this year were very nice and everyone, including those from the surrounding areas, enjoys the event. She stated that the Town has received a copy of the contract between the Fire Company and Young Explosives, in the amount of \$4,200.00, and that there is an amount budgeted. The following resolution, to be known as Resolution #59 of 2010, was then moved for adoption by Miller, seconded by Earl:

**RESOLUTION #59 - 2010  
REIMBURSEMENT OF CHAFFEE-SARDINIA MEMORIAL FIRE CO. PAYMENT OF FIREWORKS**

**WHEREAS,** the Sardinia-Chaffee Memorial Fire Company, each year, provides the Town and neighboring towns with July 4 Fireworks, and

**WHEREAS,** the Sardinia Town Board has approved the reimbursement, in full, for the fireworks for the last several years, and

**NOW, THEREFORE, BE IT RESOLVED,** the Sardinia Town Board, in keeping with the Patriotic spirit, hereby approves the reimbursement of the July 4 Fireworks at a cost of \$4,200, to the Chaffee-Sardinia Memorial Fire Company.

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

The Supervisor stated that the Board has received a request from Megan Keefe for use of the Town Hall/Community Center for Zumba Dancing lessons, but the only nights that she wanted to use the building, Tuesdays and Thursdays, are currently being used, Tuesdays for men's basketball, and one Thursday a month for Board meetings. Board members agreed that the building should be used on a first come, first served basis, and since it is already being used, she will be told it is unavailable for her use.

The Supervisor stated that County Legislator Dino Fudoli has sent a schedule of his Outreach Program, of which the closest

is the Holland Town Hall on July 28, 2010 from 4 PM to 6 PM. She stated he will be in Sardinia sometime in the near future.

Supervisor Hannon stated that the Board has received a letter from Co-Chairman of the Labor Day in the Park event Connie Rice asking that the issue be put on the agenda. The Supervisor stated she had spoken to Ms. Rice this afternoon, who informed that they are still working on getting an organization to sponsor the event and provide them with insurance. Councilman Uhteg stated he would still like the Town to sponsor the event, and Mr. Uhteg made a motion that the Town sponsor Labor Day in the Park. Discussion was held, and Supervisor Hannon stated that the Board is not saying that they cannot hold the event, only that the Town is taking a step backwards from the event. She stated that she doesn't feel the Town should be in the business of having parties, and if it is so well attended, there is a lot of liability, and it is the Board's responsibility to step away from sponsoring the event. She stated that if they can get a group together to sponsor the event and to provide a certificate of insurance, the Town would be more than happy to donate the use of the park and would fund the event if provided with paid receipts for reimbursement. Councilman Earl suggested that the Historical Society be approached to sponsor the event. Councilman Montgomery stated that no other Towns sponsor these types of events. Councilman Uhteg asked that his motion be seconded. Councilman Earl seconded the motion to have the Town sponsor Labor Day in the Park. Upon voice vote, Earl, Miller, Montgomery, and Hannon voted no, and Uhteg voted aye. Defeated, 4 noes, 1 aye.

The Supervisor stated that there are two positions that are in need of filling. She stated that Carla Fuller has resigned as ZBA secretary, and Building/Parks Caretaker Dennis Dick has given his two weeks' notice. On a motion by Earl, seconded by Montgomery, the Supervisor was authorized to advertize those two positions. Carried, 5 ayes, 0 noes.

There being no further business to come before the Board, on a motion by Miller, seconded by Earl, the meeting was adjourned at 7:04 PM. Carried, 5 ayes, 0 noes.

Respectfully Submitted,

Town Clerk