

## 10-13-2011 – 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:

Highway Superintendent Donald W. Hopkins  
Town Clerk Betsy A. Marsh  
Approx. 30 guests

The Sardinia Town Board held its Regular Town Board meeting for October 2011 on October 13, 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 September 9, 2011 Regular Town Board meeting. On a motion by Earl, seconded by Miller, those minutes were approved as written. Carried, 5 ayes, 0 noes.

### Departmental Reports included:

Supervisor Hannon stated she had mainly worked on the Budget this month, but she and Councilman Earl had also attended several meetings this month, including the Association of Local Governments meeting, a meeting on the Community Development Block Grant Program, a meeting on the Rural Transit Van Program, a general meeting that pertained to day to day operations. She stated that all of the meetings were very well worth attending.

Councilman Uhteg commented on the scaring and confusing tactics that have been going on concerning the LOSAP Program, and stated he had read what he called a cowardly unsigned letter sent to many of the residents, and wondered how anyone or any groups could write such a letter and tell so many lies. He stated he has done some research and calculations concerning the LOSAP, and stated that the large buy-back portion of the program is in the past, and paid. He then gave an example of costs, stating that if property owners had to pay Town taxes, which they do not, and if the continuing program cost the approximately \$60,000 it has cost this year, the tax would be \$.45 per thousand of assessed valuation, or \$45.00 per year on a \$100,000 assessment for the LOSAP program. Councilman Uhteg stated that in the past year, the attorney fees specifically associated with the LOSAP program have been over \$15,000 and stated that is a huge expense. He stated that at its annual Open House, Waste Management stated it estimated that it would be operating at least another 15 years at the site as it is now. Mr. Uhteg stated that the LOSAP program, for 1 year, costs 1 month's Waste Management payment to the Town. He stated he feels the LOSAP program, as is, is affordable and important to the residents of the Town. The Supervisor asked Councilman Uhteg if there are any streetlighting problems, and he stated he had just reported 2 outages last week, which were repaired in 3 days, as promised.

Councilman Montgomery had 1 comment on the LOSAP program. He stated that according to the Fire Company's own attorney, the plan was voted on wrong, and that the point system was set up wrong, and that is why it was brought up to a revote. Councilman Uhteg stated that part has now been changed. Councilman Montgomery stated that at the End of the Year meeting held on 12/28/2009 meeting, the plan was supposed to cost the Town \$30,000 per year after the initial 10 year payment. He stated that the Board paid off that initial payment, and within 2 years, it is costing the Town \$100,000 per year and it is going up. He stated that if anyone in the room can figure out how to budget for that, please let him know. Councilman Uhteg responded that the original payment was calculated wrong, and that had to be paid back in the amount of \$42,000, so the program cost \$62,000 this year, and is estimated that it will be lower next year. He stated that Mr. Heeter explained that. Councilman Montgomery asked if he will guarantee that to the Town, and Mr. Uhteg stated that we changed vendors, and Mr. Heeter guarantees 3% in his contract. Councilman Montgomery continues his report, stating that the Rabies Clinic will be held on 10/22 at the Highway Garage, 9:30 AM until noon; the Flu Clinic will be here at the Town Hall on 11/4 from 9 AM until 1 PM, and Waste Management will be providing breakfast. He stated that he attended the Disaster Coordinators meeting and there are new emergency shelter regulations. He stated that this building and the fire halls no longer meet the criteria. He stated the room needs to be subdivided to provide quiet areas and there needs to be medical staff on duty that is able to dialysis and other procedures. The changes were made due to several lawsuits filed across the country. Mr. Montgomery stated that the Town Hall and the Fire Halls can be used as 72 hour warming shelters, and after that, they must be transported to one of the 5 Erie County Emergency shelters that the Red Cross has in the County. He was asked if this is State wide, and he responded these are State and County wide regulations. Councilman Montgomery stated that he and Councilman Earl have been meeting with the Highway Department working on their contract and he and Councilman Miller have been working on the Hazardous Mitigation Plan, have provided copies to the Board. He asked that anyone who has anything to add, please contact him since the submission deadline is 11/1 .

Councilman Earl reported that this past Spring, she had filed the Town's Resource Allocation Plan with the Erie County Youth Dept., and has received a letter stating that the Town's allocation had been approved, and the Town will be getting \$1,178. She stated that the Town needs to send in figures for what was spent to be reimbursed. She also stated that the County was unaware of how our swim program is run, so she is looking into getting more allocation next year. Councilman Earl then introduced Rec Director Laura Marshall, who reported that 49 people attended the Ressler's Corn Maze event. She then gave a list of upcoming events, including Pumpkin Carving at Manion Park on 10/29, and a Christmas Party here in the gym in December. She stated that plans are in the works for an upcoming movie night, a trip to Colden Tubing, and ice skating in East Aurora. Ms. Marshall stated she is available on Tuesday nights from 6:30 to 8:30 PM, and on Wednesday mornings from 9 AM until 12:30 PM at the Town Hall. Ms. Earl stated she and Councilman Montgomery have been meeting with the Highway Department on their contract, which expires at the end of December.

Councilman Miller reported that concerning the erosion problem on Rt. 39, he has been working on a plan, and has a call into the Town's grant writer Connie Miner to see if there might be grant money for that purpose. He stated he has been attending the Planning Board's meetings, and they are working on subdivision and alternate energy regulations, and he also attended the Southtowns Planning and Development meeting. Mr. Miller stated that there will be a fund raiser for the Sardinia Methodist Church's new stair lift on 10/16 at the Meeting House; the Historical Society will be holding its annual Chinese Auction on 10/22 at the Meeting House, and he thanked Gernatt Asphalt for their basket donation, as well as for the \$100.00 check for the Historical Society; and the Kiwanis will be holding its annual Halloween Party in the gym on 10/31 at 7 PM.

Councilman Earl stated she would like Board approval for the Rec Dept. to send out a mailing about the upcoming events. On a motion by Earl, seconded by Montgomery, the mass mailing was approved. Carried 5 ayes, 0 noes.

Highway Superintendent Hopkins stated that he and his department have done a lot of work with the Erie County Highway roller since Sardinia's is down. He stated they have done a lot of prep work on East Schutt Rd. He stated they have widened it out some, and will finish it next spring. He also stated they have just finished sweeping the loose stones off the roads they chipped and sealed earlier this year and Mr. Hopkins stated they have put up 200 tons of sand and salt this week. The Highway Superintendent stated he knows of 1 streetlight still out, and will get the information to Councilman Uhteg. Finally, Mr. Hopkins stated that concerning the roller, the NYS Highway Public Works is putting on an Expo at the State Fairgrounds in Syracuse on 10/19, and stated he could possibly find some kind of alternative, since he has only located three rollers. He stated he would like to take the Highway pickup truck to Syracuse, and would need Board permission to take the truck. Mr. Hopkins stated there would be no cost to go to the Expo, and it would not be overnight. On a motion by Earl, seconded by Miller, the Highway Superintendent was given permission to use the Town pickup to go to the Expo at the State Fairgrounds in Syracuse on 10/19/2011, at no cost to the Town. Carried, 5 ayes, 0 noes.

Under Public Comments:

Gene Parzych of Sardinia stated that he is a supporter of the Fire Company but can this Town afford the current LOSAP agreement. He stated his fear is that the money from the garbage dump will stop and then what will the Senior Citizens and others do? He stated he would like to see a balance between rewarding the Firemen, and the possible bringing back of Town taxes. Councilman Uhteg repeated the figures of \$.45 per thousand, or \$45.00 for a \$100,000 home that he had given out earlier, since Mr. Parzych came in late. The Supervisor noted that this was only the amount the LOSAP would cost, not the entire Fire District tax, and also stated it is not fair to use figures that are so variable, since he based his figures on a cost of \$60,000 per year, when her accountant is saying it will cost \$100,000 per year.

Under Approval of Bills, Supervisor Hannon stated there are a couple of Budget transfers necessary within the General Fund Budget, and the following resolution, to be known as Resolution #72 of 2011 was moved for adoption by Earl, seconded by Montgomery:

**RESOLUTION #72 – 2011  
APPROVAL OF FUND TRANSFER**

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

<b>TRANSFER FROM</b>	<b>AMOUNT</b>	<b>TRANSFER TO</b>
A1340.400 Budget	\$9.94	A1220.480 Accountant
A1620.220 Oper of BldgTH	\$102.58	A1620.490 Oper of Bldg Other
A9040.800 Workers Comp	\$446.25	A9050.800 Unemploy. Insur.

**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.**

On a motion by Montgomery, seconded by Miller, Abstract #10 of 2011, including vouchers #627 through #707, totaling \$88,904.34, with the General Fund portion of that amount totaling \$38,192.29; the Highway Fund portion totaling \$48,134.48 and the Street lighting District Fund totaling \$1,069.88; and the Fire Protection District Fund totaled \$1,507.69 was approved for payment. Carried, 4 ayes, 1 absent, 0 noes.

There was no Unfinished Business.

Under New Business, Supervisor Hannon stated that the next resolution is for choosing a project for application for Community Development Block Grant funding. She stated the Public Hearing had been held earlier this evening, and the Board had decided to apply for handicapped improvements to the Meeting House, and for funding of the Rural Transit Van Service. The following resolution, to be known as Resolution #73 of 2011, was then moved for adoption by Miller, seconded by Earl:

**RESOLUTION #73-2011  
COMMUNITY BLOCK GRANT APPROVAL**

**WHEREAS**, at a meeting of the Sardinia Town Board held on October 13, 2011, 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 front entrance at the Meeting House
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, Uhteg, aye, Hannon, aye. So Resolved.**

Supervisor Hannon stated that the next resolution is to allow her to sign a lease agreement with the Erie County Board of Elections for use of this building for voting. She stated the Town will receive \$200. The following resolution, to be known as Resolution #74 of 2011, was then moved for adoption on a motion by Earl, seconded by Montgomery:

**RESOLUTION #74 - 2011  
APPROVAL OF POLLING LOCATION**

**WHEREAS**, the Sardinia Town Board has reviewed the Polling Location Lease Agreement from the Erie County Board of Elections confirming that the Sardinia Community Center (Sardinia Town Hall) is to be the polling location for Town of Sardinia residents for the Primary and General Election (September 13 and November 8, respectively); and

**WHEREAS**, the Sardinia Town Board agrees to approve Supervisor Mary Hannon to execute said lease agreement with the Board of Elections in order for the Town to receive \$100.00 for said purposes, and

**NOW, THEREFORE, BE IT RESOLVED**, the Sardinia Town Board approves and authorizes Supervisor Mary Hannon to enter into and execute the above mentioned lease agreement with the Erie County Board of Elections, which states that the Sardinia Community Center (Sardinia Town Hall) will be the official polling location for the Sardinia Town Residents; and will be leased by the Board of Elections at a rate of \$100. per day.

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

The Supervisor stated that a letter has been received from the Chaffee-Sardinia Kiwanis requesting use of the Town Hall gym for its annual Halloween Party on 10/31. She noted that a Certificate of Insurance from the Kiwanis is already on file. On a motion by Earl, seconded by Miller, the Board gave permission to the Kiwanis to use the building on 10/31 for the Halloween Party. Carried, 5 ayes, 0 noes.

Supervisor Hannon stated that another request has been received for use of the gym for Zumba classes. She stated that former Town resident Stacy Blecha has asked to use the building. After discussion, it was felt that because other requests for Zumba classes had been turned down because it is considered commercial, this request must also be turned down. Therefore, on a motion by Earl, seconded by Montgomery, the Board denied use of the building for Zumba classes. Carried, 5 ayes, 0 noes.

Supervisor Hannon stated that the Girl Scouts of WNY North, Enchanted Mountains North East, have sent a letter requesting use of the building on Saturday 11/12 for a Community Service Project, and again on Saturday 12/10 for a winter fitness day. She noted that they also have a Certificate of Insurance on file. On a motion by Montgomery, seconded by Earl, the Girl Scouts were given permission to use the building on those dates. Carried, 5 ayes, 0 noes.

The Supervisor stated that she would like to schedule the Public hearing on the 2012 Town Budget for 11/10/2011, at 6:00 PM, immediately preceding the Regular Board meeting. The Board was in agreement with that schedule.

There being no further business to come before the Board, on a motion by Earl, seconded by Montgomery, the meeting was adjourned at 6:58 PM. Carried, 5 ayes, 0 noes.

Respectfully Submitted,

Betsy A. Marsh, Town Clerk

