**7-10-2014 – REGULAR BOARD MEETING**

Present:

Councilman Cheryl L. Earl

Councilman Leonard R. Hochadel

Councilman David L. Montgomery

Councilman Douglas J. Morrell

Supervisor Beverly Gambino

Also Present:

Attorney for the Town David DiMatteo

Town Clerk Betsy A. Marsh

17 guests

The Sardinia Town Board held its Regular Town Board meeting for July on July 10, 2014 at the Sardinia Town Hall/Community Center. Supervisor Gambino called the meeting to order at 6:30 PM. She asked if there was a Veteran present who would like lead the Pledge to the Flag. Clinton Salmon then led the Pledge.

The minutes of the June 12, 2014 Regular Town Board meeting, and the June 17, 2014 Special Emergency Meeting, were submitted by the Town Clerk. On a motion by Councilman Hochadel, seconded by Councilman Earl, those minutes were approved. Carried, 5 ayes, 0 noes.

Under Departmental and Committee reports:

Councilman Earl reported that the Townwide Garage Sales are this weekend, and the maps are now available, and were done by Chris Warner and Jen Bray. She stated that Recreation field trips are listed later in the agenda; Water Aerobics is scheduled for Mondays and Wednesdays from July 7th through August 6th; and new CPR masks are needed at the pool, and the Highway Superintendent is ordering those. She also wanted to follow up on the 9-1-1 phone out front, and was informed by the Supervisor that the Disaster Coordinator, Jerry Whittington has contacted Verizon, who will be here tomorrow morning to fix it. Councilman Earl asked if 9-1-1 call boxes will be added at the Parks, and was told he is working on that, also. She stated she had some other concerns, also, including the National Fuel pipeline which would be going through the Town, stating that she understands they can take land under Imminent Domain, but since the Town has no Town tax for them to pay, asked if the Town could require any kind of permits or a contract with them. Attorney DiMatteo asked where the pipeline is going, and Councilman Earl stated they are going along the high tension power line, but will also be going on private property at points. Attorney DiMatteo stated that because they are public utilities, they are assessed by Albany under Article 10 of the Real Property Law. He asked if the Town has received any permit applications, and was informed the Town has not as yet, and stated that typically, the Highway Superintendent would be the one to get work permits from National Fuel. He stated that since there is no Town tax, the Town cannot levy any taxes on them, and that he thinks that the Town will get more information from the Company in the near future. He stated that the Town should get notification when they do their SEQR, also. Councilman Earl also noted that she had talked to Tim Horner from the Village of Springville, who informed that Highway Superintendent Hopkins had attended the Springville Control Center Board meeting, and is not a voting member of the Board. She stated he was concerned that the Highway Dept. was going to be using the Control Center for its radio dispatch. Supervisor Gambino stated she is unaware of any such plan. Councilman Earl asked if the Supervisor wanted her to start going to those meetings again, and the Supervisor stated she had a conflict and had to attend another meeting that evening, but has been attending. Councilman Earl stated that the Town had passed a resolution for Open Government to put information on the website. She stated that the May minutes are not on the website, and the link to the Tri-County Business Park information is broken and does not work. **She also stated she wanted to reinstate the Public Comment period to the agenda, stating she thinks it is the right thing to do, and made a motion to do so, which was seconded by Montgomery, with Earl and Montgomery voting aye, and Hochadel, Morrell and Gambino voting no. Motion denied.** Councilman Earl stated that regarding some of the bills for tonight, she questioned a voucher for baseballs for the Manion Park field dedication, asking why it was coming out of the Recreation Budget which was supposed to be for arts & crafts. The Supervisor stated it was taken out of the winter recreation budget, not the summer recreation. She also questioned the payment towards the fireworks for the Fourth of July celebration, and stated that Mr. Montgomery had asked the State auditor who stated that because the Fire Company is contracted by the Town, the Town should not pay them anything over and above the contractual amount. Supervisor Gambino stated that NYS Law Section 64.12 provides a special provision for money to be spent for fireworks displays for celebration of the Fourth of July. Attorney DiMatteo agreed and stated he doesn’t know why the State Auditor would have said that unless they were unaware that it was for Fourth of July Fireworks.

Councilman Hochadel reported that the new Welcome to Sardinia signs are now up, and thanked the Highway Dept. for putting them up. He stated that they’ll let the posts dry a bit and then paint them. He also encouraged people to attend the Post Office meetings here in the gym, the Chaffee meeting to be held on July 17th at 6:30 PM, and the Sardinia meeting will be on August 13th at 7:00 PM. He stated that the Postal Service will be cutting Post Office hours to 4 hours each day. The Supervisor stated from what we’ve heard, one Post Office will be open from 9 AM until 1 PM, the other from 1 PM until 5 PM.

Councilman Montgomery stated he met with the Planning Board and did the water survey sent from the Erie County Water Quality Committee, and stated that there be another survey, if so, he will contact Chairman Hill. He also stated that the annual flu clinic is all set with the Visiting Nurses Association, which is scheduled for Halloween Day, October 31st. Mr. Montgomery asked the Board if they wanted to hold a rabies clinic again this year, and Board members were in agreement that there should be one. **On a motion by Earl, seconded by Gambino, approval was given to hold a rabies clinic again this year, with Councilman Montgomery to contact Dr. Nancy Pugh and make the necessary arrangements and do the necessary advertisement. Carried, 5 ayes, 0 noes.**  Mr. Montgomery then had a question on the financials. He asked why he hasn’t gotten any in 6 months, and now he has gotten a whole stack at once. The Supervisor stated he has gotten them each month. He disputed that, stating he had gotten 43 pages at once. The Supervisor stated that is just this month’s, with the Year-to-date figures. He also stated that he had tried to call her and his phone is blocked. Councilman Earl stated hers is blocked, also. Supervisor Gambino stated he can call her at the Town Hall, she is there every day, or at her home, and gave her home phone number, which she stated is also on the sign in front of her home. She stated she doesn’t know if her number is still in the phone book, since she doesn’t look herself up. She stated this is her personal cell phone, and he can call those other phones to contact her, stating that not everyone has a cell phone, but can still be reached. The Supervisor asked what is going on with the 2 new streetlights. She stated the Town has never gotten an invoice. Mr. Montgomery stated that he talked to NYSEG, and was told it is in Engineering and has been delayed due to recent storms. He stated he is hoping they will be done shortly. Councilman Earl stated, concerning the phone issue, that she has tried contacting the Supervisor on her cell and stated it would have been nice to know she can’t be reached on it. The Supervisor stated that the Councilman has called her at the office. Councilman Earl stated she has left messages there and only gotten e-mails back. Ms. Earl also questioned the financials, stating that in the Journal entries, the JCAP grant money is not in there, and the Supervisor should contact Drescher & Malecki, since it may have been done in error. The Supervisor stated that Drescher & Malecki was just here 2 days ago, on Tuesday, and everything was verified as correct. Councilman Earl felt she should check with them again.

Councilman Morrell reported that the elevator is now fixed, and was repaired by ThyssenKrupp. Concerning a maintenance agreement, Elevator Maintenance is $50.00 a year cheaper, but he feels ThyssenKrupp has a better deal and is better at fixing their elevators, plus Elevator Maintenance’s agreement calls for 2 visits per year, ThyssenKrupp’s call for 4 visits per year. He stated their Bronze Plan costs $55.00 per month. **The matter was discussed, including the different plans offered, and on a motion by Earl, seconded by Gambino, the Board voted to go with the ThyssenKrupp Bronze elevator maintenance plan. Carried, 5 ayes, 0 noes.**

Councilman Montgomery asked about the status of the time clocks. The Supervisor explained that the ones originally selected had to be ordered on line but they needed a credit card. She stated she has contacted Liberator, and that type needs to be hooked into as computer. She stated that our I.T. person says the type it won’t work on our computers. She stated she had spoken to Denny Powers, the Supervisor of the Town of Elma, who uses a company called Quest, but she has not looked into the cost yet. The matter was discussed, and the old, punch card style machines will be looked at, as well as costs.

The Supervisor stated that Highway Superintendent Hopkins is not here this evening, but has submitted the information for a pick up truck at Ed Schultes Ford, which he can get through “piggybacking” the Chautauqua County purchase, at a cost of $22,429.00, with tow package included. The Board discussed the truck, which is a ½ ton pick up, to replace the Chevy pick up. She stated that delivery time is 60 to 90 days from ordering. After discussion, Board members felt he should go with a ¾ ton pick up. Mr. Hopkins will be asked about which way he wants to go and the Board can then either hold a Special meeting to approve, or wait until next month.

Attorney David DiMatteo stated that one of the matters unresolved is the matter of the of the Tri-County Business Park Water Corp. and the Tri-County Business Park Sewer Corp., and we have been waiting for the Erie County and NY State Health Departments to approve those systems. He stated he has drafted a resolution authorizing the formation of these districts, but no one should sense from that that the Town is not approving the design nor that has made a decision on the appropriateness of if, only that he has gone through the proper channels and it is appropriate at this time for him to form these corporations. Councilman Earl asked if this resolution would do anything should the systems ever become the responsibility of the Town. Attorney DiMatteo stated absolutely not. He stated he could insert that into the draft resolution. He stated that there could come a time, perhaps 20 years down the road, the common life of such systems, when the system becomes dilapidated, the Town could receive a petition form those on the system asking the Town to form a sewer or water district. He stated that the municipality always becomes responsible for such systems, and stated that only those on the system would be taxed as a district. Planning Board member Bob Church asked if Mr. Koch, the owner of the Tri-County Business Park, has received the approvals of the Erie County and NYS Health Departments and the DEC, and Attorney DiMatteo stated he has, and has the paperwork saying those agencies have received everything, are satisfied, and authorize the formation. Councilman Earl asked if this paperwork should have gone to the Planning Board, and Mr. DiMatteo stated that he can forward it to them, but they are only an advisory Board and the Town Board must make the final decision. He stated his legal advice is that Mr. Koch has met all the requirements and legal standards. Councilman Earl and Councilman Montgomery asked if they could have this type of information before the meetings, and Mr. DiMatteo stated if he could have their e-mail addresses, he could forward to them. They then asked to table the matter until they could review. The Board agreed to table. Attorney DiMatteo stated, concerning the re-Zoning for the Hutchinson Rd. Townhouses project, he had drafted a resolution to approve the re-Zoning. A public hearing was held, all proper notices were given to all governmental agencies, and no written comments were received from any of those entities. He stated the Board is now at a point to vote to accept or deny the re-zoning. He stated he has provided a copy of the draft resolution and a compilation of all documents previously received to the Town Clerk. Attorney DiMatteo stated that another matter he has is a litigation matter and if the Board wishes to discuss, it should be discussed in Executive Session. The last matter the Attorney reported on was 12880 Schutt Rd., the Rupert property, which has been deemed unsafe by the Code Enforcement Officer Gene Degman. He stated he has sent a letter to Erie County Real Property concerning the back taxes, and stated that his concern is expending public funds and that if the Town demo’s the property and then the County forecloses, the Town loses all of that money and never recoups it. He stated he has not heard back from the County. He stated that in other counties, the County would forgive the taxes and the Town could have the property to demolish. He stated that Erie County has never foreclosed on this property and the title is still with the deceased owner. Attorney DiMatteo explained the notification process that the Town would have to go through, and stated that the Town is vested with the authority to demolish the buildings, but he can’t promise that the County would not then foreclose, and the Town would not be able to recoup those funds.

Supervisor Gambino stated the next resolution is to approve the application of Brian Benstead as a member of the Fire Company. On a motion by Hochadel, seconded by Earl, the following resolution, to be known as Resolution #29 of 2014, was moved for adoption:

**RESOLUTION #29 – 2014**

**APPOINTMENT OF CHAFFEE-SARDINIA VOLUNTEER FIREMAN**

**WHEREAS,** the Sardinia Town Board is in receipt of the application of Brian J. Benstead applying for a volunteer position as a Volunteer Firefighter to the Chaffee-Sardinia Memorial Fire Company, and

**WHEREAS,** the Sardinia Town Board supports and approves this appointment,

**NOW, THEREFORE, BE IT RESOLVED,** that the Town Board approves the appointment of Brian J. Benstead as Volunteer Fireman to the Chaffee-Sardinia Memorial Fire Department.

**Upon roll call vote, Earl, aye, Hochadel, aye, Montgomery, aye, Morrell, aye, Gambino, aye. So Resolved.**

The Supervisor stated that the next resolution is to approve a request for use of the Town Hall for the upcoming 2014/2015 school year for their meetings. On a motion by Earl, seconded by Montgomery, the following resolution, to be known as Resolution #30 of 2014, was moved for adoption:

**RESOLUTION #30 – 2014**

**APPROVAL OF GIRL SCOUTS OF WNY ENCHANTED MOUNTAINS NE TO UTILIZE**

**THE TOWN HALL DURING THE SCHOOL YEAR OF 2014/2015**

**WHEREAS,** the Sardinia Town Board has received a request from the Girl Scouts of WNY Enchanted Mountains NE to utilize the Sardinia Town Hall gym, kitchen, bathrooms, and recreation room for Troop meetings during the 2014/2015 school year on the first and third Thursdays, beginning in September, and

**WHEREAS,** the Girl Scouts of WNY Enchanted Mountains NE have their insurance policy on file with the Town Clerk’s Office, and

**WHEREAS,** the Girl Scouts group has always been respectful of the building and staff, and

**NOW, THEREFORE, BE IT RESOLVED,** the Sardinia Town Board approves the request of the Girl Scouts of WNY Enchanted Mountains NE to utilize the Town Hall rooms requested during the 2014/2015 school year.

**Upon roll call vote, Earl, aye, Hochadel, aye, Montgomery, aye, Morrell, aye, Gambino, aye. So Resolved.**

Supervisor Gambino stated that the next resolution is to approve fees for the Recreation field trips. On a motion by Earl, seconded by Hochadel, the following resolution, to be known as Resolution #31 of 2014, was moved for adoption as follows:

**RESOLUTION #31 – 2014**

**APPROVAL OF 2014 RECREATION FEE’S FOR FIELD TRIPS**

**WHEREAS**, the 2014 Sardinia Summer Recreation Field Trips are scheduled as follows:

A&A Children’s Train July 11th @ 10am - Recreation & residents pay $5 per ticket, Town of Sardinia to pick up remainder. Estimated 25 attendees at $10.00 dollars per person. **Approximate amount for Approval $250.00**

Bowling in Arcade July 18th - Free to recreation participants.

Earth Spirit Week July 22-25th. Free to recreation participants

Bison’s Baseball Game July 31st - Recreation & residents pay $7.25 per ticket (Town pays $7.25 per person)

Bus for Bison Baseball on July 31st for the **Approval** **Amount of $370.00 dollars.**

Fantasy Island August 1st - $15 per person. **Approval of $1500.00,** residents paying $7.50 per ticket, Town of Sardinia paying the remainder. Fantasy Island requires amount paid in full. Town of Sardinia receives 1(one) free ticket for every 15 tickets purchased.

Bus to Fantasy Island **Approval Amount of $440.00**

Shelter @Fantasy Island **Approval Amount of $50.00**

Buffalo Zoo August 8th - Recreation & residents pay $5.25 for ages 2-14 and $7.50 for ages

14 & up. Buffalo Zoo needs three (3) weeks advance.

Bus to Buffalo Zoo **Approval Amount $522.50**

End of Year Picnic August 15th, and

(\*\*Laser tag has been eliminated from program, which was previously approved in April)

(\*\* Town Budget for Field trip transportation is $1,500.00 – total amount seeking approval is $1,332.10)

**WHEREAS,** Sardinia Recreation has requested use of the gym on rainy days during regular recreation times of 9 AM to 1 PM.

**NOW, THEREFORE, BE IT RESOLVED,** the Sardinia Town Board encourages and supports our youth, and approves the field trips and associated fees along with the utilization of the gym on rainy days.

**Upon roll call vote, Earl, aye, Hochadel, aye, Montgomery, aye, Morrell, aye, Gambino, aye. So Resolved.**

The Supervisor stated that the next resolution is to approve fund transfers within the 2014 own Budget. The following resolution, to be known as Resolution #32 of 2014 was then moved for adoption on a motion by Hochadel, seconded by Earl:

**RESOLUTION #32 - 2014**

**APPROVAL OF FUND TRANSFER**

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

**TRANSFER FROM AMOUNT TRANSFER TO\_\_\_\_\_\_\_\_**

**A9901.910 Transfer to Fire Protection Fund $287,616.00 SF201 Cash/Saving Fire Pro. Dist.**

**A6772.410 Meals on Wheels $1500.00 A7140.420 Field Trip Registration**

**A1420.400 Attorney $3100.00 A1320.400 Auditor – Annual**

**A1440.400 Engineering $481.84 A1620.440 Operations of Buildings Repairs**

**A1420.400 Attorney $5500.00 A1620.471 Operation Build. Comp.Upgrade**

**A1990.400 Contingent Acct $1000.00 A7989.410 Celebrations – Other Culture**

**A1990.400 Contingent Acct $2,002.40 A8510.400 Comm. Beautification**

**A7180.200 Special Rec Equip. $590.58 A7180.400 Special Rec. Contractual**

**A3120.200 Police Equipment $137.75 A1920.400 Municip Association Dues**

**A1990.400 Contingent Acct $3133.91 SF3410.440 Fire Company Dispatch**

**NOW, THEREFORE, BE IT RESOLVED,** the Sardinia Town Board approves the above mentioned transfer of funds for 2014.

**Upon roll call vote, Earl, aye, Hochadel, aye, Montgomery, aye, Morrell, aye, Gambino, aye. So Resolved.**

Supervisor Gambino stated that the next resolution is for computer software for tax collection, for the Town Clerk’s computer. She stated that with the new computers being installed, the old program, a DOS based program, will not be supported. The following resolution, to be known as Resolution #33 of 2014, was the moved for adoption by Earl, seconded by Hochadel:

**RESOLUTION #33 – 2014**

**APPROVAL TO PURCHASE TAX COLLECTION SYSTEM**

**WHEREAS,** the current tax collection system that is being utilized by the Town Clerks Office is eighteen years old, and

**WHEREAS,** with the installation of new computer system/operating system the current tax collection software program is outdated and incompatible with the new computer system, and

**WHEREAS,** the Town of Sardinia has utilized the current system until the very end of its capabilities, being one of two towns in Erie County to still use this software, and

**WHEREAS,** the Town of Sardinia’s Town Clerk and Town Board wish to update the current tax collection program, and

**WHEREAS,** the availability of such programs are limited the Tax Collection System that is available to the Town of Sardinia from TSL, Co. Inc. has a base price of **$2500.00** with a data conversion of the previous DOS collection software into the new program of **$300.00**

**NOW, THEREFORE, BE IT RESOLVED,** that the Town of Sardinia approves the purchase of the Tax Collection System from TSL, Co. along with the data conversion for a total of **$2800.00.**

**Upon roll call vote, Earl, aye, Hochadel, aye, Montgomery, aye, Morrell, aye, Gambino, aye. So Resolved.**

The Supervisor stated that the next resolution is to allow Best Value Competitive Bidding to be added to the Town’s Purchasing Policy for purchases which must be bid out, stating that the cheaper is not always better, etc., as discussed earlier in the year. On a motion by Hochadel, seconded by Morrell, the following resolution, to be known as Resolution #34 of 2014, was moved for adoption:

**RESOLUTION #34 - 2014**

**BEST VALUE COMPETITIVE BIDDING**

**WHEREAS,** the Town Board wishes to add value to the purchases that it makes for its citizens and taxpayers, and

**WHEREAS,** the Town Board realizes that sometimes “cheaper is not necessarily better”, and

**WHEREAS,** a local law authorizing the use of a Best Value Award methodology, in the competitive bidding process, for purchase contracts (including contracts for service work, but excluding any purchase contracts necessary for the completion of a public works contract pursuant to article eight of the labor law) may be awarded on the basis of low bid or best value, as authorized in Section 103 of the General Municipal Law and defined in section one hundred sixty three of the state finance law, and

**WHEREAS,** “Best Value” means the basis for awarding contracts for services to the offerer which optimizes quality, cost and efficiency, among responsive and responsible offerers. Such basis shall reflect, wherever possible, objective and quantifiable analysis. Such basis may also identify a quantitative factor for offerers that are small businesses or certified minority – or woman owned business enterprises as defined in subdivisions (1), (7), (15), and (20) of Section 310 of the Executive Law to be used in evaluation of offers for awarding of contracts for services.

**WHEREAS,** the complete “Town of Sardinia Best Value Competitive Bidding Law “draft is attached as part of this agenda, and

**NOW, THEREFORE, BE IT RESOLVED,** the Sardinia Town Board approves the attached Best Value Award methodology.

**Upon roll call vote, Earl, aye, Hochadel, aye, Montgomery, aye, Morrell, aye, Gambino, aye. So Resolved.**

The Supervisor stated that the next draft resolution is for securing a Town credit card. She stated it is up to the Board if they are interested in getting one, stating that the Building/Parks Caretaker would probably be the one to use it the most, since he sometimes has to pay for emergency weekend repairs out of pocket. The idea of a Town card was discussed, and the Board asked if a limit on such a card might be a good idea. After discussion, the matter of a Credit Card for Town use was tabled until such time as the Supervisor can see if we can get a purchase limit on the card.

Supervisor Gambino stated that the next resolution is regarding the JCAP Fund grant. She stated that, looking back in the minutes and the agendas, no approval was ever given for any of the actual purchases listed in the grant, only approval to make application for the grant. The items listed in the proposed resolution were discussed. She stated that the 2 new judicial robes are under $500.00, an she has no problem with that. The Walk through metal detector was discussed, but the Supervisor stated that the Code Enforcement Officer states it cannot be put in the current Courtroom hallway due to blocking stairways to the exits. She stated the attorneys tables would be too large for the current courtroom. Councilman Earl stated that the Town will have to file for an extension of the grant, since the money must be used within 180 days of when the money was received. The Supervisor stated the other thing the Town could use the money for is panic alarms, which would go directly to Springville Control, and the video feed from the security cameras could also go directly to Springville Control, as is done in the Town of Concord. She stated that the Office of Court Administration had done a security inspection in 2008, and one of the other things for security purposes would be to remove the signs for the Town Justice parking, since it points out the Judge’s cars. She stated that she has asked the Highway Superintendent to have new signs made up through the County sign shop that would just say “Official Parking Only” and does not specify any particular official. She stated they are very inexpensive, approximately $10.00 each. Councilman Earl stated that the Justices are interested in moving the court upstairs. The Supervisor stated that on the grant application, it says they want to use the Planning Board room, the baseball storage room, and the Senior Citizens library, and 2 other rooms on the third floor. The Supervisor stated that, according to the grant application, there are no construction costs included in the grant. Options were discussed, including renovating the gym into a courtroom. It was felt that the gym is better used as a gym, and gets a lot of use by the youth and for other Town functions. Councilman Earl wondered what would happen to the Post Office building in the event that the Sardinia Post Office is ever closed. The Clerk stated that the Town leased the land to the Postal Department for $1.00 for 20 years, and owns the land, but not the building. Former Supervisor John Schiener, who was Supervisor when the lease was executed, informed that in the event of the building no longer being used as Post Office, the building reverts back to the Town. The Town Attorney stated he is unaware of the conditions of the agreement, and the Clerk stated she would get him a copy of the lease. Ms. Earl stated that if the courtroom is not moved upstairs, there is no need for the metal detector or the attorney tables. The extra security cameras for stairwells and entrances were discussed and it was determined that they wouldn’t be needed unless the court moved upstairs, and if they are for the back parking lot, the video feed could also go to Springville Control. Ms. Earl stated that the grant may need to be amended. Attorney DiMatteo stated that this could be done by sending a letter to the Office of Court Administration. He asked if the doors are all open on court night, and it was confirmed that they are. He stated that perhaps other areas of the building should have cameras to keep track of whether people are going into other parts of the building to secrete themselves. The Clerk asked if the cameras were on all the time, or only when court is in session, stating that the Justices and the Court Clerk are the only ones with access to the video feed. She stated that if the cameras are on all the time, everyone else could be dead, but the court would know who did it when they checked the video feed. The Supervisor stated this was one of the reasons she would like to see the feed go directly to Springville Control, so they could monitor all the time. The Town’s Disaster Coordinator, Jerry Whittington, stated that the only problem the Town might have with Springville Control would be if they could see the video feed. Ms. Earl stated that it could go wireless through Time Warner Cable. Councilman Montgomery asked if there was money in the JCAP fund. The Supervisor stated that they applied for $26,000.00, and were approved for only $16,000.00, and there were no construction costs included. She stated she thought that Judge Thompson would come and present this to the Board. Councilman Montgomery asked what the two judges think about this, and if they want to move upstairs. Councilman Earl stated they don’t care, and have left it up to the Town Board to decide. The Supervisor stated she thinks they are most concerned with having an exit route from the courtroom, another doorway. The matter was discussed, and Attorney DiMatteo stated that the Court is an important part of Town government, moving the court upstairs would be very costly, and suggested that the Town contact the OCA for architectural layouts, which would probably be done at no cost to the Town. Councilman Earl stated that the Town should ask for a grant amendment and extension, and for now, approve the robes and surveillance cameras. Councilman Morrell felt the Town should get the OCA in before any kind of reconfiguration is done. On a motion by Gambino, seconded by Morrell, the Board authorized the purchase of the judicial robes, contacting OCA for an extension of the grant, and to ask the Office of Court Administration to do an architectural survey of the building. Carried, 5 ayes, 0 noes.

Supervisor Gambino stated that the next resolution is to approve the updated Sexual Harassment and Workplace Violence Prevention Policy for insertion in the Town Policy manual. On a motion by Hochadel, seconded by Morrell, the following resolution, to be known as Resolution #35 of 2014, was moved for adoption:

**RESOLUTION #35 - 2014**

**APPROVAL OF UPDATED SEXUAL HARASSMENT POLICY AND**

**WORKPLACE VIOLENCE PREVENTION POLICY**

**WHEREAS,** the Sardinia Town Board believes that their employees are our most valued asset, and

**WHEREAS, all** employees have the right to work in an environment free from sexual harassment, physical

Assaults or threats of bodily harm while performing their official duties, and

**WHEREAS,** the Sardinia Town Board wishes to update and insert the attached two policies on the agenda into

the Sardinia Policy Manual,“ Workplace Violence Prevention Policy” and “Sexual Harassment Policy, and

**NOW, THEREFORE, BE IT RESOLVED,** that the Sardinia Town Board approves the two updated policies for

Insertion/Update into the current Sardinia Policy Manual.

**Upon roll call vote, Earl, aye, Hochadel, aye, Montgomery, aye, Morrell, aye, Gambino, aye. So Resolved.**

Supervisor Gambino stated that the matter of the Planning Board meetings have been brought to her. She stated that they only have one meeting per month but most times, there is no business to be discussed, and they adjourn. Chairman Hill was in the audience and the Supervisor asked for his feelings on the matter. He stated they have walk-ins once in a while, but most times it is frustrating because there is nothing to do. He stated he thinks they have to be there, however, in case someone comes to them, but they have had no one in 4 months. The Supervisor stated that they get paid per meeting and it costs the Town a little over $300.00 per meeting. After discussion, it was decided to leave the Planning Board meetings as is.

The Supervisor noted that the Attorney for the Town has requested that an Executive Session be held. **On a motion by Earl, seconded by Hochadel, the Board then moved into Executive Session at 8:06 PM to discuss litigation. Carried, 5 ayes, 0 noes.**

**The Board returned to Regular Session at 8:44 PM on a motion by Earl, seconded by Morrell, and carried, 5 ayes, 0 noes.**

**Warrant #7 of 2014, including vouchers #362 through #427, totaling $48,772.61, of which the General Fund was $27,711.16, the Highway Fund was $20,118.86, and the Lighting District Fund was $942.59, was approved for payment on a motion by Earl, seconded by Hochadel, and carried, 5 ayes, 0 noes.**

Attorney DiMatteo stated that in the matter of the People vs. Manfred Koch, he has been authorized to offer a settlement in the Appeal of a court case, and he will be passing that along.

Board members briefly discussed the proposed re-zoning for the Hutchinson Rd. Townhouses and other matters concerning the Tri-County Business Park, and felt that a joint meeting with the Planning Board to determine the approval or denial of the re-zoning and the sewer and water corporations for the Tri-County Business Park would be beneficial. Therefore, a motion was made by Earl, seconded by Morrell, the Town Board scheduled a joint Special/Emergency meeting between them and the Town Planning Board on July 16, 2014, 7:30 PM during the Planning Board’s regularly scheduled meeting. Carried, 5 ayes, 0 noes.

A member of the audience asked to be able to talk to the Attorney for the Town concerning the National Fuel proposal to put in a high pressure natural gas transmission pipeline through the Town. He asked if they have the Right of Immanent Domain, and was told that because they are a public utility, they do. He stated he has wetlands on his property and asked if a public utility can override the DEC, and the Attorney stated he thinks that they can. Mr. DiMatteo stated that they will have to do a SEQR review and a public comment period, and he should watch for that, and that there will be notices, especially in the State Environmental Notice Bulletin.

There being no further business to come before the Board, on a motion by Councilmen Hochadel, seconded by Councilmen Morrell, the meeting was adjourned at 8:52 PM. Carried, 5 ayes, 0 noes.

Respectfully Submitted,

Betsy Marsh, Town Clerk