Town of Sardinia

Town Board Agenda

Town Board Proceedings

October 8, 2015

Public Hearing Scheduled 6:15

Regular Board Meeting - Scheduled time 6:30pm

TOWN BOARD MEMBERS

COUNCILMAN: Douglas J. Morrell

COUNCILMAN: David L. Montgomery

COUNCILMAN: Len Hochadel

COUNCILWOMAN: Cheryl L. Earl

SUPERVISOR Beverly Gambino

Others present

TOWN CLERK Betsy A. Marsh

HWY SUPERINTENDENT Donald Hopkins

TOWN ATTORNEY David DiMatteo, Esq.

Meeting called to order by Supervisor Gambino at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_pm

Roll Call

Pledge of Allegiance

Moment of Silence

Approval of Minute

1. Regular Board Meeting September10, 2015

Approval of Bills

Monthly Committee Department Reports

COMMITTEES AND LIASONS

Personnel/Administration Beverly/Len

Finance/Planning & Economic Development Beverly/Len

Security and Disaster Preparedness Gerard Whittington

Public Safety (Constable, Building Code Dave/Doug

Enforcement, Animal Control)

Building & Capital Projects –Town Hall Beverly/Len

Parks Cheryl/Len

Highway Cheryl/Doug

Recreation/Youth Chris Warner/Beverly

Community Events/Celebrations Len

Community Service Len/Dave

Senior Citizens and Programs Dave

Environmental Committee Landfill/Mining Doug/Len

Liaison to Fire Company Beverly/Doug

Liaison to Planning Board Doug

Liaison to Veterans Beverly

Water Evaluation Committee Dave/Cheryl

Street Lighting Cheryl

**Report from Highway Superintendent Donald Hopkins**

**Old Business – Update on Town Hall Roof**

**Schutt Road Demolition Project**

**Reflective House Numbering Eagle Scout Project**

**REQUEST TO “OVERRIDE THE TAX LEVY LIMIT ESTABLISHED IN GENERAL MUNICIPAL LAW SECTION 3-C**

**WHEREAS,** all Board Members, having due notice of said meeting, and that pursuant to Article 7, Section 104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law, and

**WHEREAS,** Chapter 97 of the Laws of 2011 – “The Property Tax Cap” add a new section 3-c to the General Municipal Law that provides that the amount of real property taxes that may be levied by or on behalf of any local government shall not exceed two percent (2%); and

**WHEREAS,** in order to adopt a budget that requires a tax levy that is greater that the tax levy limit for the coming fiscal year, only if the Town Board first enacts, by a vote of sixty percent (60%) of the total voting power, a local law to override such limits for such coming fiscal year only, and

**WHEREAS,** a Notice of Public Hearing was duly published in the Town’s official newspaper and public hearing was held on October 8th 2015 at which time all parties in attendance were provided an opportunity to speak or provide written comment in favor of or in opposition to the proposed local law; and

**WHEREAS,** that the Town Board of the Town of Sardinia feels it is in the best interests of the Town of Sardinia to adopt said law.

**NOW ON MOTION OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,** which has been duly seconded by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, therefore, be it

**RESOLVED,** that the Town Board of the Town of Sardinia feels it is in the best interests of the Town of Sardinia to adopt Local Law NO.1 of 2015 entitled, “Override the Tax Levy Limit Established in General Municipal Law Section 3-c” and be it

**FURTHER RESOLVED,** that the Town Clerk be and she hereby is directed to enter the adoption of said local law in the minutes of this meeting and give due notice of the adoption of said local law to the Secretary of the State of New York.

**Be it so resolved,**

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| **Motion:** | **Second:** | **Time:** |
| **Aye:** | **Nay:** | **Abstain:** |

**REQUEST TO REMOVE FUNDS FROM BUDGET ACCOUNT #A878 CAPITAL RESERVE FUND FOR PAYMENT OF TOWN HALL ROOF REPLACEMENT**

**WHEREAS,** all Board Members, having due notice of said meeting, and that pursuant to Article 7, Section 104 of the Public Officers Law, said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by law, and

**WHEREAS,** the Town Board of Sardinia is aware that the Town Hall will need a roof replacement; and

**WHEREAS,** the Town Board of the Town of Sardinia has received and accepted a bid for the same from Weaver Metal and Roofing Inc. in the amount of $173,778.65; and

**WHEREAS,** the Town of Sardinia is desirous to remove funds in the amount of $173,778.65 for the roof replacement from Budget Account No. A878 of the Capital Reserve fund; and

**WHEREAS,** in accordance with Town Law Section 107 “Contents of Preliminary Budget” and General Municipal Law Section 6-c, a resolution establishing a specific capital reserve fund is subject to permissive referendum if bonds issued to finance such project would be subject to permissive referendum; and

**WHEREAS,** that said action is subject to a permissive referendum and shall become effective in thirty (30) days after its adoption, or, thereafter, upon approval by the affirmative vote of a majority of the qualified electors of the Town voting on such proposition for its approval, if within thirty (30) days after its adoption there is filed with the Town Clerk a petition signed and acknowledged by electors in the Town in number equal to at least twenty per centum of such electors in the Town, as shown on the register of electors for the previous general Town election, protesting against such act or resolution and requesting that it be submitted to the electors of the Town for their approval or disapproval; and

**WHEREAS,** that the Town Board of the Town of Sardinia feels it is in the best interests of the Town of Sardinia to remove $173,778.65 from the Town of Sardinia’s Capital Reserve fund to pay for the construction of a new roof on the Town Hall.

**NOW ON MOTION OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,** which has been duly seconded by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, therefore, be it

**RESOLVED,** that the Town Board of the Town of Sardinia feels it is in the best interest of the Town of Sardinia to remove $173,778.65 from the Town of Sardinia’s Capital Reserve fund to pay for the construction of a new roof on the Town Hall; and be it further

**RESOLVED,** that said action is subject to a permissive referendum and shall become effective in thirty (30) days after its adoption, or , thereafter, upon approval by the affirmative vote of a majority of the qualified electors of the Town voting on such proposition for its approval, if within thirty (30) days after its adoption there is filed with the Town Clerk a petition signed and acknowledged by electors in the Town in number equal to at least twenty per centum of such electors I the Tow, as shown on the register of electors for the previous general Town election, protesting against such act or resolution and requesting that it be submitted to the electors of the Town for their approval or disapproval; and be it further

**RESOLVED**, by the Town Board of the Town of Sardinia that this resolution shall not take effect until thirty (30) days after its adoption or until approved or until approved by the affirmative vote of a majority of the qualified electors of the Town of Sardinia; and be it further

**RESOLVED**, that the Town Clerk be and she hereby directed to publish an abstract of this resolution in the newspaper of the Town of Sardinia within (10) days of the adoption of same.

**Be it so resolved,**

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| **Motion:** | **Second:** | **Time:** |
| **Aye:** | **Nay:** | **Abstain:** |

**REQUEST FOR USE OF TOWN HALL FOR KIWANIS HALLOWEEN PARTY**

**WHEREAS,** the Sardinia Town Board has received a request for use of the Sardinia Town Hall

For the Chaffee- Sardinia Kiwanis Halloween Party on Saturday October 31, 2015, and

**WHEREAS,** this event has annually occurred at the Sardinia Town Hall and has hosted our Sardinia youth for a fun-filled activity, limiting the vandalism that has occasionally occurred in the past, and,

**NOW, THEREFORE, BE IT RESOLVED,** the Sardinia Town Board hereby approves the request of the Chaffee-Sardinia Kiwanis to host their annual Halloween party on October 31, 2015 at the Sardinia Town Hall, pending their Certificate of Insurance form, and waiving the rental fee as they are a non-for-profit organization, and

**Be it so resolved,**

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| **Motion:** | **Second:** | **Time:** |
| **Aye:** | **Nay:** | **Abstain:** |

**ADOPTION OF ERIE COUNTY, NEW YORK MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN**

[**http://www2.erie.gov/disaster/index.php?q=HMP%20General%20Information**](http://www2.erie.gov/disaster/index.php?q=HMP%20General%20Information)

**WHEREAS,** The Town of Sardinia, with the assistance from URS Corporation, has gathered information and prepared the Erie County, Bew York, Multi-Jurisdiction Hazard Mitigation Plan Update (the Plan; and

**WHEREAS,** the Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

**WHEREAS,** the County of Erie has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

**WHERE AS,** Town of Sardinia have reviewed the Plan and affirms that the Plan will be updated no less than every five years;

**NOW, THEREFORE, BE IT RESOLVED,** by the Sardinia Town Board that the Town of Sardinia adopts the Erie County, New York, Multi-Jurisdictional Hazard Mitigation Plan Update as this jurisdiction’s Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

**Be it so resolved,**

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| **Motion:** | **Second:** | **Time:** |
| **Aye:** | **Nay:** | **Abstain:** |

**APPROVAL OF VETERAN SERVICES CONTRACT SARDINIA LEGION POST 1131**

**WHEREAS,** the Sardinia Town Board agrees that the Sardinia Legion does provide a service to the Town and an amount of $2500 has been requested from the Sardinia Legion Post 1131, and,

**NOW, THEREFORE, BE IT RESOLVED,** the Sardinia Town Board has reviewed the contract and has agreed upon the terms for a contract with the Sardinia Legion Post 1131 in the amount of $2500 to be approved each year for a three year period of the contract, and

**BE IT FURTHER RESOLVED,** the Sardinia Town Board approves Supervisor Beverly Gambino to sign and enter into the contract on behalf of the Town of Sardinia, and

**Be it so resolved,**

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| **Motion:** | **Second:** | **Time:** |
| **Aye:** | **Nay:** | **Abstain:** |

**APPROVAL OF NEW APPOINTMENTS**

Moved by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ second by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_that Denise Schiener be appointed Zoning Board Secretary at the hourly rate of $13.07 and Alternate board member beginning October 9th 2015

Moved by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ second by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ that Mary Roth be appointed to Planning Board Member filling out the term of a previous member with appointment ending on 12/31/2018 beginning on October 22, 2015

Moved by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ second by \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ that be appointed to Zoning Board Member filling out the term of a previous member with appointment ending on 12/31/2017

**APPROVAL OF SARDINIA SENIOR CITIZENS THANKSGIVING DINNER**

**WHEREAS,** the Sardinia Town Board has received a request from the Senior Citizens to contribute to the cost of the annual Thanksgiving Dinner to be held on November 19, 2015 at 12:30 p.m. at the Holland Willows, and

**WHEREAS,** the cost of this dinner is $\_\_\_\_\_ per person; Waste Management will contribute $\_\_\_\_\_ per person the remainder $\_\_\_\_\_\_ per person is requested from the seniors for this event, and

**WHEREAS,** the Town of Sardinia has annually contributed to this event and has the funds available in the budget for this, and

**NOW, THEREFORE, BE IT RESOLVED,** the Sardinia Town Board hereby authorizes the payment to the Holland Willows not to exceed $\_\_\_\_\_ for the purpose of the Sardinia Senior Thanksgiving Dinner to be held on November 19, 2015 at 12:30 p.m. at the Holland Willows, and

**Be it so resolved,**

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| **Motion:** | **Second:** | **Time:** |
| **Aye:** | **Nay:** | **Abstain:** |

**NEW BUSINESS – Chaffee Sardinia Baseball team & Muckdogs permission to make updates to the baseball field at Manion Park**

**EXECUTIVE SESSION (if necessary)**

**ADJOURNMENT**