

4-11-2013 – REGULAR BOARD MEETING

Present:

Councilman Cheryl L. Earl
Councilman Daniel L. Miller
Councilman David L. Montgomery
Councilman Douglas J. Morrell
Supervisor Mary L. Hannon

Also Present:

Attorney for the Town Linda Joseph
Town Clerk Betsy A. Marsh
Approx. 20 guests

The Sardinia Town Board held its Regular Town Board meeting for April on April 11, 2013 at the Sardinia Town Hall/Community Center. Supervisor Hannon called the meeting to order at 6:30 PM, with the Pledge to the Flag and a moment of silence, remembering Max Opprecht, who recently passed away. She noted that Mr. Opprecht was the Town's former Assessor and, at the time of his death, the Chairman of the Board of Assessment Review.

The Town Clerk has submitted the minutes of the March 14, 2013 Public Hearing on Proposed Local Law #1 of 2013, a Zoning amendment to the Mining Overlay District, and March 14, 2013 Public Hearing on Waste Management's application for a Special Use Permit for its proposed "Valley Fill" Expansion, as well as the March 14, 2013 Regular meeting. Those minutes were approved as submitted on a motion by Montgomery, seconded by Morrell, and carried, 5 ayes, 0 noes.

Departmental Report Included:

The Supervisor reported she has received a package with proposed bid package for the Highway Barn roof project from Metzger Engineering, and he will be e-mailing them to all Board members so that everyone can review before next month; she stated she and Councilman Montgomery will be touring the Central Police Services' Safety Campus in downtown Buffalo and will report on that next month; she and Bookkeeper Bev Gambino will be attending a half day seminar on Harassment policies and Non-Discrimination in municipalities; she received an e-mail from the Erie County Water Quality Committee concerning their Earth Day Rain Barrel painting contest, with schools participating, including Springville School, notifying that winners of the contest will be on hand in the lobby of the Rath Building on April 24th at 3:00 PM if anyone is interested in attending.

Councilman Morrell reported that he has received quotes from three companies regarding porta-potties for the summer, and he will wait to discuss them since the matter is on the agenda for later in the meeting.

Councilman Montgomery reported that he attended the Erie County Disaster Coordinator's meeting, and it was brought up that the State is looking at Article 2B which Mr. Montgomery stated would take away Home Rule and in the event of a disaster, the State would take over. He stated that they also will require that Mayors and Supervisors go to Albany for a 1 day training session, and Emergency Managers will be required to take 4 days of training. Mr. Montgomery stated there will be a resolution drawn up for the municipalities to adopt, maybe for next month's meeting. He stated that he and Highway Superintendent Hopkins attended the Assoc. of Erie County Governments meeting in Lackawanna which featured a very interesting program and speaker on 8-1-1, pertaining to anyone who will be digging, and stated everyone should call 8-1-1 to protect themselves before putting a hole in the ground. Mr. Montgomery stated he has received a letter from the Visiting Nurses' Association concerning the annual Senior Flu clinic, and stated he would like to schedule this year's clinic for Friday November 1st. On a motion by Morrell, seconded by Montgomery, the Town's annual Senior Flu clinic was scheduled for November 1, 2013. Carried, 5 ayes, 0 noes.

Councilman Montgomery stated that the Highway Superintendent is out of Town, so he has given a written report and asked that Mr. Montgomery read it at the meeting. The Highway Superintendent's report stated that the Townwide trash pick up will be held on Wednesday May 1st, and stated that it has been moved to a Wednesday so it does not conflict with the regular Monday garbage pick up. Mr. Hopkins report stated that he will be placing an ad in the Pennysavers that will notify that trash must be at the road by 6 AM on May 1st, all roads will be covered only once, and no hazardous waste or appliances with Freon will be picked up. He also reminded that Waste Management will be holding a Household hazardous and Electronics drop off day on April 27th. Mr. Hopkins' report also informed that the NY State CHIPS program for highway repairs was increased State wide by \$75 million, and the Town's share was an increase of 27%, up from \$31,605.00 to \$40,252.00. He thanked the NYS Assembly and Legislative bodies for realizing that NYS infrastructure is in need of repair. He also informed that bids for the repair of the Savage Rd. Bridge over Dry Creek were let on March 28th but he knows of no awarding of the bid.

Councilman Miller reported that he attended the Erie County Water Quality Committee meeting on March 20th and there were changes to that group's by-laws to include the City of Buffalo, the Buffalo Water Authority, the Town of Holland, the Town of Grand Island, and the Village of East Aurora. He noted that the Supervisor already touched on the rain barrel contest. The Supervisor stated that she and Councilman Montgomery had completed and sent in the survey Mr. Miller left on her desk. He stated there is a Five Star Urban Water proposal for the Bennett Beach project, and he has a copy of that and the Committee received a \$5,000 grant from Scott's Natural of New York for the Lake Erie Water Protection Alliance for planting of trees and vegetation on public lands, and are looking for projects to fund. Mr. Miller stated that this morning he attended a meeting of the Southtowns Enhancement Coalition to make nominations of officers and Sue Johnson from Sen. Patrick Gallivan's office was on hand with State funding for the Coalition. He stated there is a conference in Niagara Falls on May 1st, 2nd, and 3rd, and the Coalition will be sending 2 members. The Supervisor asked if the Town has gotten any response concerning the Farm trail, and Mr. Miller stated he has sent out 40 letters to the local ag producers, farmer's markets and other businesses, and has not received any response as yet. He stated that Concord and many of the other Towns are having the same problem. He spoke about the Harvest Farm to Table Dinner and stated

that any producer who donates enough food for 10 people at that dinner would receive a year's membership for free, explaining that the dinner is a fundraiser for the Southtowns Enhancement Coalition. He stated there is a Planning Committee meeting on Wednesday April 17th. He stated that all dues paid go for the website and the newsletter for the Farm Trail.

Councilman Earl reported that she has been conducting interviews for summer recreation staff and lifeguards, and appointments are later in the agenda. She stated that the new bleachers will be delivered to the Highway Barn sometime in the next 2 weeks, and stated that Gernatt Asphalt is donating 2 sets of bleachers, 1 for the ball field here behind the Town Hall, and 1 set for Veterans Park. She stated that the last Friday in April will be the last night of Friday Night Recreation, and the Youth Board will be deciding on pool passes and will vote on that at their next meeting. Councilman Earl stated she conducted more interviews this week and has a few more to do, and everyone should be hired for Summer Recreation at next month's meeting.

Attorney for the Town Linda Joseph reported that there have been some good developments this month, and stated that there is now an agreement with Waste Management on their assessment status, which will save some litigation money; she stated she also worked on the Host agreement with them, and the Valley Fill Special Use Permit which are both on the agenda later in the meeting; she stated a lawsuit from Marv Zielonka was served, and the Insurance carrier will be defending that action, the report from their attorney indicates that he will be moving to dismiss and his view is that it is a frivolous lawsuit. Attorney Joseph stated that the really good news is that there is now a proposed contract with the Fire Company and they will be recommending to their officers that the contract be adopted. She stated she has been working on the abandoned of property and stated the County has agreed to put one of the properties up for foreclosure. She stated that Mr. Koch has a signage issue and the Code Enforcement Officer will be sending him a letter. Attorney Joseph stated that, concerning the Hutchinson Rd. townhouses project, good progress has been made, and we are expecting a target date of the end of June for the Planning Board to make a recommendation on the re-zoning for that project. She stated that unfortunately it takes such a lot of time, but there is a public comment period that we have to go through, things that have to do with the DEC, but are moving it along as quickly as we can. She stated that she has worked on the Child Protection policy for Councilman Earl. The Supervisor wanted to make note that concerning the signage issue, the sign is okay, it is what is on it that is at issue, stating that it was supposed to be used for the tenants in the Business Park only, and that has not been met. Attorney Joseph stated that is correct, that a variance had been issued for the sign, and the application specifically limited the use when the ZBA granted the variance, so the CEO is working on that.

Under Public Comments:

John Schiener, Treasurer of the Fire Company, stated that some of his fellow firefighters had asked him to comment on their behalf, stating that they have read or heard unfavorable comments that have been made against the Fire Company, and wanted him to speak to those. He stated that the Fire Company had submitted notice to the Town in July to inform that they wish to continue serving the Town under similar contractual terms, but with a slight increase in the amount of the contract of \$5,711.00. He contrasted that to the increase in the Town Budget for 2013 of approximately 5% each for employee pay and benefits. Mr. Schiener noted that the Fire Company has been providing fire rescue and emergency medical services to the Town for many, many years, and this year is the 65th anniversary of the formation of the Company. He stated that the negotiations this year were different than they had ever experienced before, first with the Town trying to dictate who could negotiate for the Fire Company, and then the Town showed up with 2 members of the public and the Attorney for the Town as lead negotiator. Mr. Schiener stated that at the first meeting, the Town proposed a 50% cut in the contract, based on a neighboring town's fire protection costs. He stated this did not turn out to be the case, and Sardinia actually pays much less for comparable service, and the Town also wanted the Fire Company to pay a portion of the dispatch cost, stating that other Fire Company's pay that cost, and it turned out that after research, those Fire Companies do not pay those costs. Mr. Schiener stated that the Fire Company finally took the Town's final offer which was \$1,904.00 less for 2013, and stated they feel that the Town's attorney fees far exceeded the original amount of \$5,700.00 asked for by the Fire Company. He stated he hoped that the Town would now waive the fees for the Fire Company to use the Park for its annual carnival, as was stated when the resolution to allow its use was adopted. As a final point, Mr. Schiener stated that it has been stated that the Fire Company rejected the offer of a new Fire Hall, and he stated that the prerequisite for a new hall was that the Fire Company close all its other halls, build it in some undisclosed location, with no particular size, construction dates, or lease provisions given. He stated that what they did say was they did not want a single hall, feeling it would jeopardize their response times, but they did say they would take a new hall in Chaffee to replace that facility.

Mike Hannon of Pratham Rd. stated he did not take kindly to being threatened by the Fire Company that the Town should get a new Fire Company in here. He stated he feels that in was uncalled for by a group that we have always supported all these years. Mr. Schiener responded to Mr. Hannon, stating those remarks had been taken out of context.

Supervisor Hannon stated that discussion is needed on the Firemen's Defined Benefits LOSAP program. She stated the Town had received a bill from Hometown Firefighters to open the account for the Defined Contribution in the amount of \$21,275.00. She stated that the problem she had was that the report she also received had an extra credit in the Defined Benefit plan in the amount of \$26,304.00. She stated that 2 years ago, when the Defined Contribution program was being put into place, Gene Heeter stated that the Town would have 3 years of non-payment. She stated she feels this should be the third year of no payments, and the Town should have the funds back from the Defined Benefit plan to pay for the new Defined Contribution plan going forward. She stated that when she asked further from Mr. Heeter, she did not get a clear response. She told him she needed a letter that would explain why he is holding onto the funds. The Supervisor stated he told her that the plan was 100% funded and she corrected him, stating that it is 106% funded. She stated that the \$26,000.00 should come back to the Town to pay for that expense. She stated she is leaving it up to the Board whether or not to have the Attorney for the Town look into the matter and asked for Board comments. Councilman Montgomery felt the Board should table any approval for the payment until Mr. Heeter sends a letter explaining why he is holding the funds. Supervisor Hannon felt the Town should just pay the bill owed and have Attorney Joseph go after the \$26,000.00 and get it back. The attorney agreed that would be the better way to procede. Councilman Miller asked if we can expect interest on the amount due back, and stated he feels we should pay the bill and continue to try to get back the money owed to the Town. On a motion by Miller, seconded by Earl, the bill from Hometown Firefighters in the amount of

\$21,275.00 will be paid and Attorney Joseph will look into getting the \$26,000.00 back. Carried, 5 ayes, 0 noes.

Abstract #4, including vouchers #178 through #259, and totaling \$254,897.00, of which \$19,729.54 is General Fund expenditure; \$21,338.48 was Highway Fund expenditure, \$212,806.59 was Fire District expenditure, and \$1,022.39 was Lighting District expenditure, was then approved on a motion by Earl, seconded by Morrell, and carried 5 ayes, 0 noes.

In Unfinished Business:

The Supervisor stated that the Waste management Valley Fill portion of the landfill will only be used with a pump until such time as the facility begins using it for land filling, which she stated is why the Town has agreed on a \$.0125 per yard amendment to the Host agreement fee schedule for the Valley Fill area until it being used for landfill are. On a motion by Montgomery, seconded by Earl, the following resolution, to be known as Resolution #21 of 2013, was moved for adoption:

**RESOLUTION #21 - 2013
APPROVAL OF AMENDMENT TO HOST AGREEMENT**

WHEREAS, the Town and Waste Management have entered into a Municipal Host Agreement dated March 10, 2004 ("Municipal Host Agreement") with respect to a landfill located within the Town;

WHEREAS, the Town and Waste Management desire to amend Schedule B to the Municipal Host Agreement with respect to certain fees applicable to waste accepted at the landfill;

WHEREAS, the Town Supervisor has provided a copy of the proposed Amended Schedule B to the members of the Town Board in advance of today's Town Board Meeting and the substance of the revised Schedule B has been explained during today's Monthly Committee Department Reports;

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby approves an amendment to the March 10, 2004 Municipal Host Agreement to substitute the attached revised Schedule B, and the Town Supervisor is hereby authorized to execute all necessary documents to give effect to such amendment.

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

Supervisor Hannon stated that the next resolution is on the Waste Management Special Use Permit application and stated that the Notice of Complete Application has been received from the DEC regarding that project. She stated that the Town did hold 2 Public Hearings on this Permit, and asked for any comments from Board members. There were none, and on a motion by Earl, seconded by Montgomery, the following resolution, to be known as Resolution #22 of 2013, was moved for adoption:

**RESOLUTION #22 - 2013
APPROVAL OF SPECIAL USE PERMIT - WASTE MANAGEMENT VALLEY FILL**

WHEREAS, Waste Management has submitted an application to the New York State Department of Environmental Conservation ("NYDEC") to modify its Part 360 Permit to add additional capacity known as the "Valley Fill";

WHEREAS, pursuant to the Town of Sardinia Zoning Ordinance, a Special Use Permit is required for any modification to Waste Management's Part 360 Permit;

WHEREAS, Waste Management has submitted an application to the Town for a Special Use Permit for the Valley Fill;

WHEREAS, the Town Planning Board has recommended to the Town Board approval of Waste Management's Application for a Special Use Permit for the Valley Fill;

WHEREAS, a public hearing was held on Waste Management's Application for a Special Use Permit on February 14, 2013 and on March 14, 2013;

NOW THEREFORE BE IT RESOLVED, that the Town Board hereby approves Waste Management's Application for A Special Use Permit for the Valley Fill subject to NYDEC issuance of all necessary permits and approvals for the Valley Fill expansion.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Morrell, abstained, Hannon, aye. So Resolved, 4 ayes, 1 abstention, 0 noes.

Supervisor Hannon stated that the next order of business is for discussion on the Firemen's contract. She stated that, as noted in the past resolution giving the Firemen permission for use of the Park for the annual Carnival, a request would have to be made for a waiver of the Park fees. She also stated that she would think the Firemen would be very pleased that Attorney Joseph stepped in and worked out some of the wording, since during some of the negotiations, part of it was the rollover contract, and if the Attorney had not caught those wordings and get that changed, right now the Fire Company would be in a rollover contract that could continue on endlessly and keep returning to the 2010 payment. Attorney Joseph stated that another point to be made is that the Firemen requested she do that with their attorney, and she doesn't understand some of the criticism. Supervisor Hannon called for a motion to put that proposed contract out for Public Hearing on May 9th at 6:15 PM. **On a motion by Earl, seconded by Montgomery, a Public Hearing on the proposed contract with the Memorial Volunteer Fire Co. of Chaffee-Sardinia, Inc. was scheduled for Thursday, May 9, 2013, at 6:15 PM. Carried, 5 ayes, 0 noes.**

The Supervisor stated that the next resolution is approval of lifeguards and recreation attendants, and stated that she knows that there are a few people who are getting re-certified, and asked that "pending certification" be added to the end of that resolution. On a motion by Earl, seconded by Montgomery, the following resolution, to be known as Resolution #23 of 2013, was moved for adoption:

**RESOLUTION #23 - 2013
APPROVAL OF POSITIONS**

WHEREAS, the Sardinia Town Board has received recommendations from the Sardinia Youth Board to fill the following positions with individuals listed at the pay rate posted:

<u>POSITION</u>	<u>NAME</u>	<u>RATE OF PAY per hour</u>
Pool Director/Head Lifeguard	Danielle Scott	\$13.26
Lifeguard – WSI	Cortney Hilts	\$12.20
Lifeguard – WSI	Melissa Lord	\$12.20
Lifeguard – WSI	Casie Neil	\$12.20
Lifeguard – Return	Shane Ellis	\$11.14
Lifeguard – Return	Nicole Czerwinski	\$11.14
Lifeguard – Return	Brittany Czerwinski	\$11.14
Lifeguard – Return	Kenneth Dabolt	\$11.14
Lifeguard – Return	Heather Slomba	\$11.14
Lifeguard – Return	Derron Hilts	\$11.14
Lifeguard – New	Andrew Mumbach	\$10.08
Lifeguard – New	Patrick Hannon	\$10.08
Recreation Director	Annette Darling	\$12.20
Recreation Attendant-Return	Jennifer Skrzypek	\$10.08
Recreation Attendant – Return	Amber Stojek	\$10.08

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves the above listed personnel for the 2013 summer recreation season, pending certification.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Morrell, abstained, Hannon, aye. So Resolved, 5 ayes, 0 noes.

Concerning appointing a vendor for Port-a-Johns for the summer season, the Supervisor called upon Councilman Morrell for the quotes. He reported that he had 3 quotes, which were as follows:

Zueches	\$70.00 per unit per month
Royal Flush	\$73.00 per unit per month, plus \$15.00 delivery charge
Blue Moon	\$75.00 per unit per month

On a motion by Morrell, seconded by Montgomery, two porta-johns will be ordered for the summer from the low bidder, Zueches Environmental Services of Franklinville. Carried, 5 ayes, 0 noes. Mr. Morrell will contact Zueches.

Supervisor Hannon then opened discussion on the abandoned property issue. She stated there are 2 properties, one located at 12059 Olean Rd., and that property, according to the County Real Property Director, will be going up for action in October, and the other property is at 12880 Schutt Rd. She stated that Attorney Joseph is working hard to get that one on the auction list, also, so she suggested that the Board not take action at this time. She stated that if the Town were to take action, the cost would go up for any future owner, and felt it would be better to give the County time to put the second property up for auction, also. **On a motion by Earl, seconded by Morrell, the Board voted not to take any action on the properties at this time. Carried, 5 ayes, 0 noes.**

The Supervisor stated that there is 1 fund transfer necessary to pay Hometown Firefighters for the Defined Benefit Trust Plan for the Firemen's LOSAP, and on a motion by Earl, seconded Miller, the following resolution, to be known as Resolution #24 of 2013 was moved for adoption:

**RESOLUTION #24 - 2013
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>
SF599	\$20,275.00	SF9010.800

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board approves the above mentioned transfer of funds for 2013.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Morrell, aye, Hannon, aye. So resolved.

Under New Business:

Supervisor Hannon stated the next resolution concerns the Erie County Water Quality Committee. On a motion by Earl, seconded by Morrell, the following resolution, to be known as Resolution #25 of 2013 was moved for adoption:

**RESOLUTION #25 - 2013
APPROVAL OF NEW REPRESENTATIVE FOR THE
ERIE COUNTY WATER QUALITY COMMITTEE**

WHEREAS, the Sardinia Town Board has previously appointed Councilman Dan Miller as the representative for the Erie County Water Quality Committee, and

WHEREAS, Councilman David Montgomery and Councilman Cheryl Earl have been appointed on the Town's Water Evaluation Committee, and

WHEREAS, because of the recent appointments, it is recommended that Councilman David Montgomery be appointed to this Erie County Water Quality Committee as the Town of Sardinia's representative, taking the place of Councilman Dan Miller, and further

WHEREAS, in the absence of Councilman David Montgomery, it is recommended that Councilman Cheryl Earl act as temporary representative on an as-needed basis;

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves the appointment of Councilman David Montgomery as our new representative of the Erie County Water Quality Committee for the Town of Sardinia, and Councilman Cheryl Earl as the alternate representative on this committee; and

Upon roll call vote, Earl, aye, Miller, no, Montgomery, aye, Morrell, aye, Hannon, aye. So resolved, 4 ayes, 1 no.

Supervisor Hannon stated that the next resolution is for approval of James Montgomery as a permanent appointment to the Board of Assessment Review, and to appoint Keith Ramsey as Chairman of the Board of Assessment Review due to the vacancies created with Max Opprecht's passing. On a motion by Earl, seconded by Morrell, the following resolution, to be known as Resolution #26 of 2013, was moved for adoption by Earl, seconded by Morrell:

**RESOLUTION #26 - 2013
APPROVAL OF PERMANENT APPOINTMENT OF
JAMES MONTGOMERY TO FILL VACANCY OF MAX OPPRECHT AS MEMBER OF ASSESSMENT
BOARD
And
APPROVAL OF APPOINTMENT OF KEITH RAMSEY AS
THE CHAIRMAN OF THE ASSESSMENT BOARD**

WHEREAS, the Town of Sardinia has received notice of the passing of Max Opprecht, a former member of the Sardinia Assessment Board, and

WHEREAS, the Sardinia Town Board has appointed James Montgomery as an alternate to the Sardinia Assessment Board, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves the permanent appointment of James Montgomery to fill the vacancy left by the passing of Max Opprecht as a Member of the Assessment Board, and

FURTHER, NOW, THEREFORE BE IT RESOLVED, the Sardinia Town Board hereby approves the permanent appointment of Keith Ramsey, currently a member, to fill the vacancy of Chairman, left by the passing of Max Opprecht as Chairman of the Assessment Board.

Upon roll call vote, Earl, aye, Miller, no, Montgomery, aye, Morrell, aye, Hannon, aye. So resolved, 4 ayes, 1 no.

Supervisor Hannon stated that the next resolution is to appoint a representative to the Erie County Environmental Management Council for a 2 year term. She stated that Darren Farthing had been the Town's representative, but had been unable to make most of the meetings. She stated she would like the next representative to attend monthly and report to the Board on a monthly basis. She stated she would like to add "if possible" to that resolution, stating she knows it is difficult for someone to attend every meeting. She stated she would like to appoint Gene Parzych, who was here last month reporting on some environmental issues, and Mr. Parzych has agreed to the appointment. The following resolution, to be known as Resolution #27 of 2013, was moved for adoption on a motion by Earl, seconded by Morrell:

**RESOLUTION #27 - 2013
APPROVAL OF GENE PARZYCH TO REPRESENT TOWN OF SARDINIA
ON THE ERIE COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL (ECEMC) FOR A TWO-YEAR TERM**

WHEREAS, the Sardinia Town Board recognizes the need for representation to the Erie County Environmental Management Council (ECEMC) and

WHEREAS, the Sardinia Town Board has been requested by ECEMC to appoint a representative to this council for a 2-year term expiring May 31, 2015, and

WHEREAS, Gene Parzych has confirmed interest in this Council and will report back to the Town on a monthly basis, if possible, regarding activities of this committee; and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves the appointment of Gene Parzych to represent the Town of Sardinia at the monthly meetings and provide the Sardinia Town Board with a monthly report for a 2-year term on the ECEMC, expiring on May 31, 2015.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Morrell, aye, Hannon, aye. So resolved, 5ayes, 0 noes.

The Supervisor stated that the next resolution is for approval of appointments to 2 positions, 1 is our part-time Parks Caretaker, Mark Stevens, who comes on in the summer, and Michelle Jones, current Planning Board secretary, who has agreed to serve as Zoning Board of Appeals secretary and Alternate Member, a vacancy created by the resignation of Stacy Mumbach from that position. On a motion by Earl, seconded by Montgomery, the following resolution, to be known as Resolution #28 of 2013, was moved for adoption:

**RESOLUTION #28 - 2013
APPROVAL OF APPOINTMENTS**

WHEREAS, the Sardinia Town Board approves appointments to fill vacant positions, and

WHEREAS, due to the notice of resignation received by Stacey Mumbach, and the need to fill a part-time seasonal parks worker, the below listed positions are to be approved:

NAME	POSITION	RATE OF PAY
Mark Stevens	Laborer – PT	\$13.91/per hour
Michelle Jones	Secretary ZBA/Alt. Member	\$12.51 per hour/sec and \$42.85 per mtg. date if serving as alternate member.

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board hereby approves the above listed names for the positions and rates of pay as noted, effective April 15, 2013.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Morrell, aye, Hannon, aye. So resolved, 5ayes, 0 noes.

Supervisor Hannon stated the Town has received the audit reports from the audits conducted of the Supervisor's office, the Town Clerk's office, and the Town Justice Court for 2012, and the next resolution is for approval of those audits. On a motion by Earl, seconded by Montgomery, the following resolution, to be known as Resolution #29 of 2013, was moved for adoption:

**RESOLUTION #29 - 2013
APPROVAL OF AUDIT FOR SUPERVISOR'S OFFICE for 2012,
TOWN CLERK FOR 2012,
AND JUSTICE COURT for 2012**

WHEREAS, the Sardinia Town Board has reviewed above noted audits as presented by Drescher & Malecki, noting any procedural adjustments that are necessary for compliance with New York State, and

NOW, THEREFORE, BE IT RESOLVED, the Sardinia Town Board accepts the audits performed by Drescher & Malecki for the Town of Sardinia Supervisor's Office for 2012, Town Clerk Audit for 2012 and Justice Audit for 2012.

Upon roll call vote, Earl, aye, Miller, aye, Montgomery, aye, Morrell, aye, Hannon, aye. So resolved, 5ayes, 0 noes.

The Supervisor stated she and Councilman Earl had met with Dan Centenelli, head of personnel in the Sheriff's office. She stated she then received a request letter from Sheriff Howard thanking her for agreeing to place a tamper-proof prescription drug drop-off box at the Town Hall. She stated she had not agreed to this, and asked Board members for their thoughts about placing such a box. Board members were in agreement that they did not like the idea, feeling it would invite break-ins by those wanting the drugs. **On a motion by Earl, seconded by Morrell, the Board voted to deny having such a drop-off box installed at the Town Hall. Carried, 5 ayes, 0 noes.**

Supervisor Hannon stated that a request for a speed reduction on South Protection Rd. has been made by Mike and Julie Juliano, and she asked for approval for the Town to go ahead with a request for a Traffic Engineering Study (T-E 9). **On a motion by Montgomery, seconded by Earl, the Board approved requesting a T-E 9 study be done to reduce the speed limit on South Protection Rd. Carried, 5 ayes, 0 noes.**

The Supervisor noted that the Fire Company's Treasurer's report and their minutes from February have been received; she also noted that she has received the LOSAP Defined Contribution Plan documents, which had changes since there are 2 Wiedemanns on the roster and their service points had been transposed. She noted the correction, and asked for a motion to approve that report, with the corrections. **On a motion by Earl, seconded by Montgomery, the Defined Contribution Plan report was approved, as corrected. Carried, 5 ayes, 0 noes.**

Supervisor Hannon then asked for a motion to approve the Firemen's LOSAP Defined Benefit Plan, which had no changes. **On a motion by Earl, seconded by Montgomery, the Defined Benefits Plan was approved. Carried, 5 ayes, 0 noes.**

The Supervisor stated the Town has received the documents which need to be signed by Board members to set up the new Trust packet for the Empire National Bank to handle the Defined Contribution Plan. **On a motion by Earl, seconded by Montgomery, that packet was approved. Carried, 5 ayes, 0 noes.**

The Supervisor stated that a representative from Senator Gallivan's office, Sue Johnson, will be here at the August Board meeting on August 8, 2013 and the Fire Company has sent a list of their upcoming fundraisers, including their fund drive letter to area residents and businesses, their annual Carnival on June 28th, 29th, and 30th; and their annual tool raffle on

September 8th.

Supervisor Hannon stated a request letter had been received from Linda Miller asking for approval and funding of a Senior Citizens trip scheduled for June 5th. The amount requested is \$3,500.00, not to exceed \$4,000.00. The Supervisor told Ms. Miller, who was on hand, that normally, the request is accompanied with a flier from the agency through which the trip is booked, telling where and what the trip will entail. Ms. Miller stated the trip will be to Tillman's Village Inn for a luncheon and the Marcy Downey Show "Here's to the Divas and Dames"; on to Oliver's Candies in Batavia, then on to the Kutter's Cheese factory, and back to Sardinia. **On a motion by Earl, seconded by Montgomery, the Senior Citizens' trip was approved at a cost not to exceed \$4,000.00. Carried, 5 ayes, 0 noes.**

The Supervisor stated that the Chaffee Community Baptist Church has also requested use of the back portion of the Genesee Rd. Park for a Father/Son cook off event, and possibly motivational speakers, on July 13th. They are asking for a waiver of fees because they are a non-profit organization. She stated the Clerk has informed that they have already reserved Shelter #5 and are looking for permission to use the other portions of the park, if needed. Councilman Earl stated the only conflict she can foresee is the possibility of a soccer game on the new soccer field at the back of the Park. She stated if there is a game, perhaps the league could use an alternate field that day. The Town Clerk asked if Councilman Earl could contact the head of the soccer league and have him e-mail a schedule to her for future scheduling at the Park. **On a motion by Earl, seconded by Morrell, the Chaffee Community Baptist Church was granted permission to use the Park, pending the soccer scheduling. Carried, 5 ayes, 0 noes.**

There being no further business to come before the Board, on a motion by Earl, seconded by Montgomery, the meeting was adjourned at 7:13 PM. Carried, 5 ayes, 0 noes.

Respectfully Submitted,

Town Clerk