

5-13-2010 – REGULAR BOARD MEETING

Present:

Councilman Cheryl L. Earl
Councilman Daniel L. Miller
Councilman David L. Montgomery
Councilman Norman J. Uhteg
Supervisor Mary L. Hannon

Also Present:

Attorney for the Town Linda Joseph
Highway Superintendent Donald W. Hopkins
Town Clerk Betsy A. Marsh
Approx. 30 guests

The Sardinia Town Board held its Regular Town Board meeting for May on May 13, 2010 at the Sardinia Community Center. Supervisor Mary L. Hannon called the meeting to order at 6:30 PM, with the Pledge to the Flag and a moment of silence.

Supervisor Hannon introduced Accountant Thomas Malecki of Drescher and Malecki, who then reported on the state of the Town's financial condition. He stated that the Town's fund balance was very good at \$2.9 million, and the Highway's fund balance is \$813,000. He stated that the Fire Protection District fund is at a deficit at this point due to the Service Award Program, but that more money will be added to that fund from the Waste Management fees to bring that up to where it should be. Mr. Malecki stated that the records were messy, but they were able to straighten them out and have now gotten everything entered into the new QuickBooks program. Councilman Earl asked if there were any accounting procedures or policies that the Town was lacking or need to adopt. Mr. Malecki stated that there are some that will be required within a couple of years.

The Town Clerk has submitted the minutes of the April 8, 2010 Regular Town Board meeting, the April 8, 2010 Public hearing concerning a ZBA member, and the April 8, 2010 Public Hearing on Local Law #1 of 2010. All of these minutes were approved and filed on a motion by Montgomery, seconded by Earl and carried, 5 ayes, 0 noes.

Committee and Department Reports included:

Councilman Uhteg stated that the resolution adding street lighting will be coming up later in the agenda. He stated he e-mailed everyone concerning the Labor Day in the Park event. He stated that Connie Rice and Virginia Domes have offered to be co-chairs of the event again this year, and stated that the event cost the Town between \$1,000.00 and \$1,500.00 last year. Councilman Uhteg stated that \$2,000.00 was budgeted for this year for the event, and asked the Board if they would approve holding the event again this year. Supervisor Hannon asked Board members for their thoughts on the subject. Councilman Montgomery stated that he doesn't feel the event benefits the entire Town. Councilman Uhteg stated it is a good event and popular, and that the attendance count at last year's event was 1100 people. Mr. Montgomery felt the money could be rebated to the taxpayers. Councilman Earl asked if the amount budgeted covered all of the expenses, and Mr. Uhteg stated it did. Virginia Domes stated this is a nice family day, the Old Timers' baseball game is a popular event, and Tiger Tom is very popular with the children. She stated that the local churches make money at the event and the American Legion collects money for parking as a fundraiser. Councilman Earl stated that the Town of Sardinia has always been known for its Firemen's Carnival. Councilman Miller and Supervisor Hannon didn't feel it was right to charge for parking at the Town Park. Councilman Uhteg stated that the parking is a donation, and people don't have to pay. The Board was not in favor of funding the event. Councilman Uhteg stated he has a band lined up for a Concert in the Park on July 15th and is working on July and August concert dates.

Councilman Montgomery stated that the HAZNY meeting was held and thanked all who attended. He stated there will be a NIMCAST in July, and he will be looking for a date to hold that. Mr. Montgomery stated he has contacted the Food for All food stamp and Kelly Kowalski, who handles Concord as well as Sardinia, will get back to him with dates for the program. Councilman Montgomery stated that 262 carbon monoxide alarms have been given out so far and are much appreciated by the residents. The Supervisor stated that the plan is to give out 1 per household, and urged residents who have not yet gotten one to stop by the Clerk's office. She thanked Mr. Montgomery for doing all the running for the purchasing of these detectors. Councilman Montgomery stated the fence at Manion Park will be handled later in the agenda; and that he has scheduled the annual Senior Flu clinic for Friday, October 29th from 9 AM until 1 PM.

Councilman Earl stated that the Youth Board has been very busy, and a resolution to hire summer staff is later on the agenda. She stated that she needs authorization to run an ad during the first and second weeks in June for recreation sign ups, and on a motion by Earl, seconded by Miller, Councilman Earl was authorized to advertise recreation sign ups. Carried, 5 ayes, 0 noes. Ms. Earl also stated that the Youth Board is recommending no increase in the cost of the resident family pass, which will remain \$30.00. They are, however, proposing an increase in the non-resident family pool pass from \$55.00 to \$60.00. On a motion by Miller, seconded by Earl, the Board approved charging \$30.00 for Town resident family pool passes, and \$60.00 for non-resident family pool passes. Carried, 5 ayes, 0 noes. The prices for the Summer Recreation program were discussed, and Councilman Earl stated that there will be no charge for Town residents, but the Youth Board was in favor of raising the price for non-Town residents to participate in the program. The Youth Board suggested \$100.00 for out-of-Town swim lessons and recreation. After discussion, on a motion by Hannon, seconded by Miller, the Town Board felt that was too much of an increase, and felt that the charge should be \$50.00 for the first child and \$20.00 for each additional child. Carried, 5 ayes, 0 noes. Councilman Earl stated that the Youth Board also talked about ideas for field trips, and have discussed making the recreation program a drop off program. Youth Board member Jodee Roblee spoke, stating that the Youth Board feels that it would benefit more Town residents to have a drop off type program because there are so many working parent households, and they cannot be there with the children. She stated that they are unable, therefore, to have their children participate in the Rec program, even though they are residents, and stated that this program would only

be offered to Town residents. Upon discussion of such a program, the Town Board stated they did not feel comfortable having a drop off program without an enclosed shelter in the event of inclement weather, and that more research should be done.

Councilman Miller stated that he attended three meetings last month, including an Association of Erie County Governments meeting, where they discussed, among other things, the Rt. 219 project, and informed that the County has \$17.1 million in Federal Stimulus funds to be doled out to Towns. Mr. Miller stated that he hopes our new grant writer can perhaps help Sardinia obtain a share of that. He stated he also attended a meeting in Eden on Farmlands Preservation, and a meeting of the Cattaraugus Creek Watershed Advisory Board. Councilman Miller stated he has passed information from these meetings on to the Planning Board. He also stated he will discuss the flag pole project later in the agenda.

Highway Superintendent Donald Hopkins reported that his department picked up 37.53 tons of trash during the annual Spring Trash pickup, 3.13 tons of scrap metal, and 1.71 tons of tires. He stated that the Town has received \$541.00 for the scrap metal, but the cost for the disposal of the tires was \$188.00. Mr. Hopkins stated that the old 1984 International truck was auctioned off for \$2,000.00 at the Gary Auction, and stated that was more than he could have gotten for it at scrap prices. Mr. Hopkins stated that a lot of work has been done on the baseball diamonds, and they came out very well. The Supervisor noted that Gernatt Asphalt donated the sand for the diamonds, and new bleachers. Mr. Hopkins stated that the bleachers for Manion Park are at the Highway Barn now, and will be installed later this week, and the baseline fence will be erected later this month. The Highway Superintendent stated he is looking for a rubber tire excavator, and has been unable to find a used machine. He stated that he has now been looking at new ones, and would like the Board to allow him to put out for bid for an excavator, to be opened next month, with the Town reserving the right to reject any and all bids. On a motion by Earl, seconded by Montgomery, the Highway Superintendent was given permission to put together specs and put out to bid for a rubber tire excavator. Carried, 5 ayes, 0 noes. Councilman Earl asked Mr. Hopkins what happens in the event that the bids come through costing more than is budgeted for. She brought up the possibility of leasing or renting an excavator, stating that she knows of cases where the equipment can be rented, and the following year, the rental costs can be applied toward the lease payments. Councilman Miller stated he would favor buying the equipment, and transferring money within the budget to cover. It was felt that the Town should wait and see how the bids come in.

Town Attorney Linda Joseph reported that efforts have been underway to try and verify the amount of the billing for the Firemen's Length of Service Award from the Affordable Benefits Company. She stated that the figures don't match, and the Town still does not have a number so that the Town can pay the bill. She stated that the President of the Fire Company has not had his questions answered, either. Attorney Joseph stated that the amortization schedule is also in question, since it is showing the opposite of a normal amortization formula. She stated the Town has not gotten any real answers, and the figures are \$30,000.00 more than the Town had computed. Ms. Joseph stated that this is the reason the Town has not paid as yet. Attorney Joseph stated that we cannot terminate that contract, and are stuck with it. Councilman Montgomery asked if the Town would be better off paying the entire amount off. Ms. Joseph stated that the interest rate is 5% for the 10 year time frame, and the Town would actually save money that way.

Under Public Comments:

Bill Connors of Sardinia asked how to go about getting streetlights fixed. He stated that these lights have been out for a while. The Clerk stated that if people report the outages to her with a pole number, or intersection, or house number, she faxes the information to NYSEG. Councilman Uhteg stated he could get in touch with someone to make sure they are repaired. Mr. Connors stated he doesn't feel it is his responsibility to ride around and get the information. Councilman Earl suggested that anyone seeing a streetlight out should contact the Clerk or a Councilman with the information, and they will pass it on to the power company.

Larry Green of Sardinia asked the Board what is going on with the 18-wheeler on Deerfield Dr. He stated this has been going on for three years now. Councilman Earl asked if there had been a Town Board resolution last year, and there had not been any action.

William Barrier of Genesee Rd. stated he feels that the length of time given for people to speak at a Public Hearing is not long enough, and silence the people.

Ann Wittmeyer of Genesee Rd. urged the Board to reconsider and fund the Labor Day in the Park event. She stated it is a small price to pay for a nice event.

Supervisor Hannon then asked for a motion to approve payment of the bills, and on a motion by Earl, seconded by Miller, General Fund Warrant #5 of 2010, including vouchers #215 through #282, totaling \$38,107,345; and Highway Fund Abstract #5 of 2010, including vouchers #56 through #71, and totaling \$9,140.23, were approved for payment. Carried, 5 ayes, 0 noes.

Under unfinished business:

Supervisor Hannon stated that a resolution is needed to approve the additional streetlights at the various intersections throughout the Town, and the following resolution, to be known as Resolution #37 of 2010, was moved for adoption by Montgomery, seconded by Uhteg:

RESOLUTION #37 - 2010
APPROVAL FOR ADDITIONAL STREETLIGHTING AT VARIOUS INTERSECTIONS

WHEREAS, the Sardinia Town Board approves the installation of six new streetlights at various intersections as

described below, and

WHEREAS, NYSEG will install 6 new -250W HPS Street Lights and 5 new dedicated wood poles on this project. The job will also involve the installation of billable brackets (16 ft. or longer). In addition, the town will be billed a one time charge for the installation of 3 new Transformers and Overhead Wire to provide power to the light.

Rt-39 & Johnson Rd.

1 ea.-Transformer (1 time charge)	-\$1,531.90 ea.
218 ft.- Overhead wire (1 time charge)	-\$571.16
1 ea.-250 watt HPS Cobra Head Light	-\$120.89 ea. *
1 ea.- Standard Wood Pole	-\$119.04 ea. *
1 ea.-14 ft. bracket	-no charge

Rt-39 & Bolton Rd.

1 ea.-Transformer (1 time charge)	-\$1,531.90 ea.
45 ft.-Overhead wire (1 time charge)	-\$117.90
1 ea.-250 watt HPS Cobra Head Light	-\$120.89 ea *
1 ea. -Standard Wood Pole	-\$119.04 ea. *
1 ea.- 22 ft. Bracket	-\$28.08 ea.*

Rt-39 & Van Slyke Rd

158 ft.-Overhead wire (1 time charge)	-\$413.96
1 ea.- 250 watt HPS cobra Head Light	-\$120.89 ea. *
1 ea.- Standard Wood Pole	-\$119.04 ea. *
1 ea.- 14 ft. Bracket	-no charge

Middle Rd. & Pratham

85 ft.-Overhead Wire (1 time charge)	-\$222.70
1 ea.- 250 watt HPS Cobra Head Light	-\$120.89 ea. *
1 ea.- Standard Wood Pole	-\$119.04 ea. *
1 ea. -18 ft. Bracket	-\$28.08 ea. *

Allen Rd. & Domes

1 ea. – Transformer (1 time charge)	-\$1,531.90 ea.
92 ft. –Overhead wire (1 time charge)	-\$241.04
1 ea. -250 watt HPS Cobra Head Light	-\$120.89 ea. *
1 ea. – Standard Wood Pole	-\$119.04 ea. *
1 ea. -14 ft. Bracket	- no charge

Allen Rd. & Warner Gulf

122 ft. – Overhead Wire (1 time charge)	-\$319.64
1 ea. -250 watt HPS Cobra Head Light	-\$120.89 ea. *
1 ea. –Standard Wood Pole	-\$119.04 ea. *
1 ea. -16 ft. Bracket	-28.08 ea. *

*Charge per unit is in effect as of the date of this proposal and is subject to change with any PSC approved rate changes.

*Charges provided are annual charges per unit.

Does not include supply power as power is purchased on the variable rate and varies Monthly.

WHEREAS, the cost of these additional streetlights will be covered under the NYSEG Entire-Town street lighting district; and

WHEREAS, the Sardinia Town Board feels this improvement will enhance the safety of not only the vehicular traffic, but also the pedestrians, as well;

BE IT RESOLVED, the Sardinia Town Board hereby approves installation of the above listed streetlights, to be billed to the NYSEG Town Entire street lighting district.

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

Councilman Miller has been researching various aspects of a project to replace and move the flag pole in front of the Town Hall/Community Center, and now has prices. He stated that Ace Flag was the lowest price at \$880.00 for a 25' flag pole and \$1,100.00 for a 30' flag pole, including installation, and \$475.00 to move it to Manion Park and install it there. He stated that Custom Flag's price was \$1,135.00 for the 25', and \$1,335.00, and \$950.00 for the installation at Manion Park, and NY Flag Company's prices are \$2,159.00 for the 25' pole, \$2,398.00 for the 30' pole, and \$1,268.00 for the installation at the Park. After brief discussion, the following resolution, to be known as #38 of 2010, was moved for adoption on a motion by Miller, seconded by Earl:

**RESOLUTION #38 - 2010
FLAGPOLE PURCHASE**

WHEREAS, the Sardinia Town Board has previously agreed that the current location of the flagpole is unfavorable for vehicles, and that since the flag pole is to be relocated and needs to be repaired; it is the Board's agreement that a new 25' flagpole be purchased at the price of \$880.00 from Ace Flag Company, and

WHEREAS, the repaired flagpole will be replaced at Manion Park, keeping with the Town's patriotic spirit, at a cost of \$475.00 to install it there, and

WHEREAS, the cost of the new flagpole, the repair of the existing one, and the installation of both flagpoles are included in the price as quoted,

THEREFORE, BE IT RESOLVED, the Town Board hereby approves the expenditure of \$1,355.00 for a new flag pole and installation, and installation of the old flag pole at Manion Park.

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

Supervisor Hannon stated that the fence at Manion Park needs replacement, specifically the 310' between the Park and the pond area, near the Park Shelters. She stated it is a safety issue, and Councilman Montgomery has been getting prices for the fencing. Councilman Montgomery stated that these prices include the removal of the old fence and installation of the new. He stated that Springville Fence has the lowest cost at \$3,850.00, Custom Fence's price is \$4,650.00, and City Fence's price is \$5,334.00. The following resolution, to be known as Resolution #39 of 2010, was moved for adoption by Earl, seconded by Miller:

**RESOLUTION #39 - 2010
PURCHASE OF NEW FENCE FOR MANION PARK**

WHEREAS, the Sardinia Town Board agrees that a replacement of 310 feet of fence for the section closest to the shelters at Manion Park is a necessary purchase addressing a safety concern; and

BE IT RESOLVED, the Sardinia Town Board hereby authorizes Springville Fence to install 310 feet of fence as determined by Councilman David Montgomery for the purchase price of \$3,850.00.

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

The Supervisor stated that there are several appointments that need to be made to fill vacant positions. Therefore, the following resolution, to be known as Resolution #40 of 2010, was moved for adoption by Earl, seconded by Montgomery:

**RESOLUTION # 40 - 2010
APPOINTMENTS**

BE IT RESOLVED, the Sardinia Town Board hereby makes the following appointments to fill vacant positions, at the following rates of pay, and with the following effective dates:

Cheryl Collins, Court Clerk PT	\$15 per hour, effective May 13, 2010
William Hopkins, ZBA Member	\$39.40 per meeting, effective immediately
Vincent Perry, Planning Board Member	\$39.40 per meeting, effective immediately
Keith Ramsey, Assessment Review Member	\$87.60 per meeting, effective immediately

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

Supervisor Hannon stated that there are numerous repairs needed on the Town's playground equipment. She stated that the Highway Superintendent has gotten a price of \$822.98 for the needed parts. The following resolution, to be known as Resolution #41 of 2010, was then moved for adoption by Miller, seconded by Earl:

**RESOLUTION #41 - 2010
PURCHASE OF REPAIR ITEMS FOR PLAYGROUND EQUIPMENT FOR SARDINIA TOWN PARKS**

WHEREAS, the Sardinia Town Board realizes the need to maintain equipment for safety concerns and cost savings; and

BE IT RESOLVED, the Sardinia Town Board approves the purchase of materials needed to maintain the playground equipment at all Sardinia Town Parks from American Swing Products for the purchase price of \$ 822.98.

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

The Supervisor stated she would like to appoint Drescher and Malecki to continue on as Accountants for the Town. On a motion by Earl, seconded by Montgomery, Resolution #42 of 2010 was moved for adoption, as follows:

**RESOLUTION #42 - 2010
APPOINTMENT OF ACCOUNTING COMPANY TO REVIEW TOWN BOOKKEEPING RECORDS**

WHEREAS, the Town Board agrees that financial planning with a periodic review of the Town's finances are

imperative,

BE IT THEREFORE RESOLVED, the Town Board approves the appointment of Drescher and Malecki to fulfill the obligation of reviewing the books and advisement of long term planning to best utilize the Town's funds.

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

Supervisor Hannon stated that he Youth Board and Recreation/Youth Committee have interviewed applicants and have now submitted recommendations for hiring summer staff. Therefore, the following resolution, to be known as Resolution #43 of 2010, was moved for adoption by Earl, seconded by Montgomery:

**RESOLUTION #43 - 2010
HIRING OF POSITIONS FOR SUMMER RECREATION PROGRAM**

WHEREAS, Councilman Cheryl Earl and Recreation Supervisor Laura Marshall have conducted interviews and it is now their recommendation that the following staff be hired for the Summer Recreation Program; and

BE IT RESOLVED, the Sardinia Town Board hereby authorizes the hiring of the following individuals at the listed hourly rates, effective on this date, May 13, 2010:

POSITION	NAME	SALARY
Head Lifeguard	Sara Watkins	\$12.50 per hour
Lifeguard – WSI	Danielle Scott	\$11.50 per hour
Lifeguard – WSI	Missy Lord	\$11.50 per hour
Lifeguard (returning)	*Casie Neil	\$10.50 per hour
Lifeguard (returning)	*Courtney Hilts	\$10.50 per hour
Lifeguard (returning)	*Darron Hilts	\$10.50 per hour
Lifeguard (returning)	*Amy Linder	\$10.50 per hour
Lifeguard (returning)	*Michael Anna	\$10.50 per hour
Lifeguard (returning)	*Jenna Boza	\$10.50 per hour
Lifeguard (returning)	Jamie Levy	\$10.50 per hour
Lifeguard (1 st year)	Kasey Jones	\$ 9.50 per hour
Lifeguard (1 st year)	Alexander Black	\$ 9.50 per hour
Lifeguard (1 st year)	Dan Urbino	\$ 9.50 per hour
Lifeguard (1 st year)	Heather Slomba	\$ 9.50 per hour
Lifeguard (1 st year)	Ben Doud	\$ 9.50 per hour
Recreation Attend (returning)	Christine Hulton	\$ 9.50 per hour
Recreation Attend (returning)	Ashely Lock	\$ 9.50 per hour
Recreation Attend (returning)	Tony Lock	\$ 9.50 per hour
Recreation Attend(1 st year)	Courtney Wittmeyer	\$ 9.00 per hour
Recreation Attend(1 st year)	Lesa Warner	\$ 9.00 per hour
Recreation Attend(1 st year)	Erin Asquith	\$ 9.00 per hour

*Denotes individuals applying for WSI course. If passed, these individuals will qualify for \$11.50 per hour when acting as WSI.

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

The Supervisor stated that a grant writer for the Town was agreed upon and hired at the last meeting, and a contract between her and the Town has now been drawn up. Supervisor Hannon asked the Board for a resolution authorizing her to execute the contract, and the following resolution, to be known as Resolution #44 of 2010, was then moved for adoption by Montgomery, seconded by Miller:

**RESOLUTION #44 - 2010
APPROVAL TO SIGN CONTRACT WITH GRANT WRITER**

WHEREAS, the Town Board agrees that having a grant writer available to research and prepare grants at this time is profitable to the Town, and

WHEREAS, after review of Ms Connie Minor's contract, it is the consensus of the Town Board to approve Supervisor Mary Hannon to execute the contract reviewed by all Councilman, and

WHEREAS, it is the Town Board's wishes to have the grant writer proceed with a grant application for the Park(s) to help provide funds for improvements that are needed and within the grants that are available,

THEREFORE BE IT RESOLVED, the Sardinia Town Board hereby authorizes Supervisor Mary L. Hannon to execute the contract between the Town of Sardinia and Grant Writer Connie Minor.

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

Supervisor Hannon stated that the Town has received a letter from Suburban Adult Services, Inc. asking for use of the Town Hall/Community Center gym for a respite program for children with developmental disabilities during school breaks.

She stated that the letter was dated October 16, 2009, but the last Board turned them down, due to liability concerns, so SASI is resubmitting. Board members stated they had no problem with it, and on a motion by Earl, seconded by Uhteg,

the Board voted to allow SASI to use the building for the respite program. Carried, 5 ayes, 0 noes.

Concerning the placement of porta-potties for the summer season, Councilman Uhteg reported that Blue Moon was the cheapest at \$70.00 per unit for two. On a motion by Earl, seconded by Uhteg, two porta-potties will be ordered for placement, one at the Genesee Rd. Park and one at the Town Hall/Community Center, from Blue Moon at \$70.00 per unit per month. Carried, 5 ayes, 0 noes.

William Arlow asked what the status of the Parks Master was, and was told by Supervisor Hannon that it had been accepted by the Board, and was sent to the Planning Board for review. She stated that the grant writer has stated that it now usually a condition of receiving grant funding that a municipality have such a plan on file, so it is beneficial that Sardinia has one.

Councilman Montgomery stated he had met with the Highway Superintendent this morning and it was noted that to place the flags along Savage Rd. and Rt. 39, as well as a few in Chaffee, many of last year's flags are in need of replacement. Mr. Hopkins stated there are 10 to 15 which need to be replaced, and he has called around, and the cheapest was a price of \$28.00 each from Ace Flag Co. It was suggested that he check with the VFW in Arcade, who also sells them and they may be cheaper. On a motion by Miller, seconded by Earl, Mr. Hopkins was authorized to purchase flags at a price not to exceed \$400.00. 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 7:46 PM. Carried, 5 ayes, 0 noes.

Respectfully Submitted,

Town Clerk