

The regular meeting of the Villenova Town Board, held April 10, 2019 at 1094 Butcher Road, South Dayton NY was called to order by Supervisor Ardillo at 7:00PM after the Pledge to the Flag.

**Present:**        **Richard Ardillo**        - **Supervisor**  
                      **Sarah LoManto**        - **Councilmember**  
                      **Keith Butcher**        - **Councilmember**  
                      **Nathan Palmer**        - **Councilmember**  
                      **Yvonne Park**            - **Councilmember**

**Others Present:**  
                      **Chuck Luce**            - **Highway Superintendent**  
                      **Donald Michalak**       - **Town Attorney**  
                      **Residents**            - **Sue Palmer, Tina Graziano, Nancy Huber**

**Recording Secretary:**  
                      **Julie Goodway**        - **Town Clerk**

**Supervisor Ardillo thanked Deputy LoManto for filling in at last months meeting.**

\*\*\*A **MOTION** was made by Sarah LoManto, seconded by Yvonne Park WHEREAS, minutes of the March 13,2019 meeting be accepted as presented by Town Clerk Goodway.

**Adopted:**        **Ardillo**            - **aye**  
                      **LoManto**           - **aye**  
                      **Butcher**           - **aye**  
                      **Palmer**            - **aye**  
                      **Park**                - **aye**

#### **Reports:**

**Town Clerk** – Received and disbursed a total of \$123.00, issued a check in the amount of \$102. to the Supervisor for the portion of town fees collected.

**Tax Collector** – Received a total of \$1,276,445.59, \$34,297.55 paid directly to the county, \$2,324.39 in interest and penalties leaving \$175,556.29 in unpaid taxes. As soon as the bank statement is received records can be finalized.

**Justice** – Received and disbursed a total of \$363.00.

**Assessor** – Issued 1 veteran and 1 clergy exemption.

**Highway Superintendent** – They have been prepping for spring. They've experienced a lot of bread downs recently. He questioned the town attorney regarding Spectrum/Charter Ones installation of lines on the Pope Hill Road. Don will make contact with them. Councilperson LoManto inquired about the intended scheduled for this coming season. Chuck states he intends to complete the end of Dye road going toward the Hanover line.

**Town Attorney** – States he met with Sarah LoManto to discuss the Charter Communications contract. He will now contact mark at Charter, attempt to finalize their ideas before the next meeting of the board. The board asked that the contract eliminate the need for the Town to pay the portion of town tax due on their tax bill. It was discussed the cable company wishes the board to sign a non disclosure agreement before any information is released to the board regarding their intended location of access lines being run. Notified the board Hodgson & Russ will be conducting a seminar on municipal law in Buffalo on May 16.

\*\*\*A **MOTION** was made by Yvonne Park, seconded by Keith Butcher authorizing the Attorney to sign a non-disclosure agreement with Charter 1, with the following condition, the board must read and agree to the terms and conditions of said agreement.

**Roll Call:**        **Ardillo**            - **nay**  
                      **LoManto**           - **nay**  
                      **Butcher**           - **nay**  
                      **Palmer**            - **nay**  
                      **Park**                - **nay**

**All votes being cast – the motion is DENIED until more information is received, the board wants the opportunity to review their options and further discuss this. This motion is rescinded.**

\*\*\*A **MOTION** was made by Sarah LoManto, seconded by Keith Butcher to close the regular meeting of the board at 7:10PM for the purpose of conducting a series of public hearings.

Proof of publication having been received and noted: the public hearing regarding the Mowing Bid is as follows:

2 sealed bids received:

Roger Gloss: \$180.00/per mowing total of all 4 cemeteries plus a spring clean up fee of \$85.00

Earth Works: (Matt Ellis) \$3,600.00 for the season.

Proof of publication having been received and noted: the public hearing regarding the Land Lease is as follows:

2 sealed bids received

Moss Acres: 5 year lease proposal at \$1,205.00/per year

Kris Ivett: 5 year lease proposal as follows:

Year 1 - \$50/acre x 15 acres = \$ 750.00  
 Year 2 - \$55/acre x 15 acres = \$ 825.00  
 Year 3 - \$60/acre x 15 acres = \$ 900.00  
 Year 4 - \$65/acre x 15 acres = \$ 975.00  
 Year 5 - \$70/acre x 15 acres = \$1,050.00

\*\*\*A MOTION was made by Yvonne Park, seconded by Sarah LoManto to close the public hearings at 7:20PM and reconvene the regular meeting of the board.

**Adopted:**     **Ardillo**        - aye  
                   **LoManto**       - aye  
                   **Butcher**       - aye  
                   **Palmer**         - aye  
                   **Park**            - aye

\*\*\*A MOTION was made by Sarah LoManto, seconded by Keith Butcher to accept and award the mowing bid to Roger Gloss at a cost not to exceed \$180.00/per mowing with a spring clean up cost of \$85.00. Cemeteries are to be mowed/weed wacked at least every other week and will be monitored for compliance.

**Adopted:**     **Ardillo**        - aye  
                   **LoManto**       - aye  
                   **Butcher**       - aye  
                   **Palmer**         - aye  
                   **Park**            - aye

\*\*\*A MOTION was made by Sarah LoManto, seconded by Nathan Palmer to accept the bid for land lease from Moss Acres at a fee of \$1,205.00/year. The lease is subject to Moss Acres accepting the town terms and conditions to include the lease is for tillable ground only to be used solely for agricultural crop purposes, no hunting, no four wheelers, no sub lease or sub contracting, proof of insurance and hold harmless agreement must be signed. Payment for the first year is due in full at signing, payment for each consecutive year is due in full by the first of February. If payment is not received by the first board meeting in February, the lease will be terminated and the land lease will be rebid.

**Adopted:**     **Ardillo**        - aye  
                   **LoManto**       - aye  
                   **Butcher**       - aye  
                   **Palmer**         - aye  
                   **Park**            - aye

\*\*\*A MOTION was made by Yvonne Park, seconded by Keith Butcher authorizing the Supervisor, Rich Ardillo to execute said land lease contract with Moss Acres.

**Adopted:**     **Ardillo**        - aye  
                   **LoManto**       - aye  
                   **Butcher**       - aye  
                   **Palmer**         - aye  
                   **Park**            - aye

**Supervisor Ardillo** – reports he paid bills, issued copies of the Financial Report as prepared by Bahgat & Laurito Bahgat. Inquired the status of the new truck; informed the highway superintendent he will need notice of when the truck will be delivered in order to have the time to prepare the check. He confirmed with the highway superintendent the amount of road sand/salt mix to order for next season.

\*\*\*A MOTION was made by Yvonne Park, seconded by Keith Butcher to accept all department head reports as given.

**Adopted:**     **Ardillo**        - aye  
                   **LoManto**       - aye

**Butcher** - aye  
**Palmer** - aye  
**Park** - aye

\*\*\*A MOTION was made by Sarah LoManto, seconded by Nathan Palmer WHEREAS General Vouchers #35 – 47 totaling \$6,188.58 with General Prepays #10-12 totaling \$10,798.04, and Highway Vouchers #32 – 45 totaling \$48,411.97 were submitted, reviewed and approved for payment.

**Adopted:** **Ardillo** - aye  
**LoManto** - aye  
**Butcher** - aye  
**Palmer** - aye  
**Park** - aye

\*\*\*A MOTION was made by Yvonne Park, seconded by Nathan Palmer WHEREAS Ball Hill Wind Park Project Voucher #19 totaling \$14,894.25 was submitted reviewed and approved for payment. (Sarah LoManto did not review, nor approve she abstained.)

**Adopted:** **Ardillo** - aye  
**LoManto** - abstained  
**Butcher** - aye  
**Palmer** - aye  
**Park** - aye

\*\*\*A MOTION was made by Yvonne Park, seconded by Sarah LoManto appointing William Clarke to the position of Board of Assessment Review member.

**Adopted:** **Ardillo** - aye  
**LoManto** - aye  
**Butcher** - aye  
**Palmer** - aye  
**Park** - aye

**Code Enforcement Officer:** (arrived at 7:45PM) Issued permits for 3 new builds, filed the annual NYS Code Officials report. Informed the board he was called and asked to look into Charter 1's work on Pope Hill, there were complaints about where they were parking and whether or not they needed permits. He notes he did speak with someone on the project, they do not have the proper road push permit, they didn't call 1 800 dig NY before they began and apparently the DEC has become involved as they pushed under a protected stream. Keith Butcher inquired as to whether there is an ordinance against farm animals running loose, not fenced in.

With no comments from the floor

\*\*\*A MOTION was made by Sarah LoManto, seconded by Yvonne Park to adjourn meeting at 7:55PM

**Adopted:** **Ardillo** - aye  
**LoManto** - aye  
**Butcher** - aye  
**Palmer** - aye  
**Park** - aye

Respectfully Submitted  
Julie Goodway  
Villanova Town Clerk