

Evans Town Board

At a regular meeting of the Town Board of the Town of Evans, held at the Evans Town Hall, 8787 Erie Road, Angola, New York on Wednesday, March 15, 2006 at 7:30pm there were:

PRESENT:	Karen C. Erickson	Councilman
	Joseph F. Govenettio	Councilman
	Kathleen A. Bartus	Councilman
	Michael M. Spence	Councilman
	Robert R. Catalino, II	Supervisor
ALSO PRESENT:	Lynn R. Stoessel	Deputy Town Clerk
	J. Grant Zajas	Town Attorney
	Jeanne C. Ebersole	Assessor
	Charles LaBarbera	Building Department Head
	Ron Milks	Asst. Building Inspector
	Charles Katra	Dir of Finance
	Edward Michalski	Highway Superintendent
	John Ruszaj	Maintenance Worker
	Russ Manguso	Parks Asst Crew Chief-A
	Sandra Brant	Planning Board Chairman
	Robert Ferguson	Police Chief
	Diana Cafferty	Receiver of Taxes
	Patrick Conrad	Maintenance Worker Laborer-A
	Tom Kait	Water Crew Chief
	Rick Hanavan	Wendel Duchscherer Engineers
	Rob Klavoon	Wendel Duchscherer Engineers
ABSENT:	Lori Szewczyk	Dir of Community Development
	Julie Roach	Recreation Specialist/Seniors

Councilman Govenettio read a statement that he is resigning from the position of Town Councilman effective April 4, 2006.

RESOLUTION 142 Approve minutes

Supervisor Catalino moved and Councilman Bartus seconded that the reading of the minutes of the meeting of March 1, 2006 be dispensed with and approved as submitted by the Town Clerk.

Carried.

Supervisor Catalino extended the privilege of the floor to any and all persons present.

Tom Mroz, 1779 Sturgeon Point Road stated he is disappointed with the direction of the Town and requests the resignation of the Town Supervisor.

Bob Doering, 9136 Lake Shore Road requests that the Town have an elected town watchdog who would volunteer their time. Outlined what he feels is fraudulent in the town officials attendance at the New York State Association of Towns meeting in New York City. Requests that all officials who attended should resign.

George Kunich, 779 Bennett Road feels only one person should have gone to the New York State Association of Towns meeting and someone is needed to watch over the Town government.

Joe Hageman, 6675 Gates commented that the abuses in County and Town government need to stop. Start saving and stop the perks. Requests a long range plan.

Bob Catalano, 7339 Erie Road cited sections of Roberts Rules of Order regarding privilege of the floor when an individual is recognized they can not be interrupted. The rules can not be ignored.

Jack Harris, 6952 Versailles thanked Joe Govenettio for his years of service. He appreciates all of the services that he receives from all of the town departments. He has listened to all of the complaints and has not heard a solution offered.

Bob Doering, 9136 Lake Shore Road stated if per diem method is used then you are limited to the IRS rates and in 2005 the IRS rates were \$51.00.

Barb Markiewicz, 9622 Point Breeze Drive read a prepared statement. (See Addendum A)

Michelle Parker, 6526 Hamilton commented that it has been proven that people who are unhappy tend to be more vocal and when people are happy they tend not to be as vocal. Thanked the Building Department and the Town for their assistance. There are good things going on in this Town. Feels the property values are going to suffer because of the negativity as well as hinder commercial businesses from coming here.

Tom Gorney, 524 Sycamore requested an update regarding his request to purchase a section of Grey Street. Commented that he is working with Councilman Spence for scheduling a community wide clean-up as there is debris in the ditches. He is concerned about the sex offenders living in the Town as summer is coming.

Rich Cole, 6886 Kimberly Lane thanked Joe Govenettio for his service, the people present for attending tonights meeting. Complained that the schools are not in the top 5 for the state.

Joe Hageman, 6775 Gates complained that Evans pays higher taxes than Amherst, Hamburg and Eden and that he feels that the Town Board has mismanaged the finances. Questioned if the Town Board has a short terms or long term plan to correct the deficit.

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Town Attorney Zajas thanked Councilman Govenettio and that it has been a pleasure working with him.

Councilman Spence thanked Councilman Govenettio and hopes that he stays involved with the community.

-on May 6th there will be a latex paint recycling program held by Erie County. Please contact him with any questions.

-He has received complaints about garbage cans and recycling bins being blown around. Please try and save tax dollars by picking up your neighbors bins and returning them to the appropriate owners.

Councilman Bartus thanked Councilman Govenettio for his service to the community.

-reported that the State auditor was very complimentary of Jeanne Ebersole as Assessor.

-reported on upgrades and changes in the Assessor's office such as inputting information which was missing for hundred of parcels in the computer for easier taxpayer access, and in the process correcting inaccurate data on the computer, on-site training for staff, merged with the Town of North Collins, investigated and resolved errors on parcels missing garbage charges, numerous mailings for seniors and veterans, will be scheduling meetings in the future to inform the residents of the re-assessments and she has almost completed her certification.

-requests to suspend the rules of order to consider the adoption of a policy for town owned vehicles

Councilman Govenettio thanked the public, the current and past Town Board members and read a prepared statement. (See Addendum B)

Councilman Erickson reported that she is offended by Mr. Doering's comments of fraud and abuse as she holds herself to the highest integrity. She commented that she has never been reimbursed for more than what she is entitled to and often times does not claim all of her expenses.

-DMV is here @ Evans Town Hall - Monday through Friday from 9am to 4:45pm

-work is beginning on the temporary bridge at Lake Shore Road and Lake Street

-thanked Councilman Govenettio and his wife

Supervisor Catalino stated that starting tomorrow the Town Board is moving forward on the pressing issues in this Town.

-proud to have worked with Councilman Govenettio

-working on installing sidewalks on Lake Street from Route 5 to Main Street then to the bus garage

RESOLUTION 143 Committee and Department Head reports

Supervisor Catalino moved and Councilman Govenettio seconded to accept as presented the Committee and Department Head reports as follows:

Carol A. Meissner, Town Clerk:	
Petty Cash	\$-0-
February monthly	\$8,656.42
Diana Cafferty, Rec. of Taxes:	
February Water receipts	\$134,236.03
February duplicate bills	\$96.00
February interest	\$24.11

VOTE RESULT:	Supervisor Catalino	aye	
	Councilman Govenettio		aye
	Councilman Bartus	aye	
	Councilman Erickson	aye	
	Councilman Spence	aye	

RESOLUTION 144 Proposed Local Law #2 of the year 2005 (Zoning/Licensing) & Proposed Local Law #1 of the year 2006 (Sex Offender Residency)

Supervisor Catalino moved and Councilman Erickson seconded that Proposed Local Law #2 of the year 2005 (Zoning/Licensing) and Proposed Local Law #1 of the year 2006 (Sex Offender Residency) remain under old business on the agenda.
Carried.

RESOLUTION 145 Appointment to the North East Southtowns Solid Waste Management Board

Councilman Bartus moved and Councilman Govenettio seconded,

WHEREAS: new representatives are needed to sit on the North East-Southtowns Solid Waste Management Board (N.E.S.T.)

NOW THEREFORE BE IT

RESOLVED: that Rose Trask and Michael Spence are appointed to the North East Southtowns Solid Waste Management Board for 2006.
Carried.

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RESOLUTION 146 Creation of Deputy Town Clerk position

Councilman Erickson moved and Councilman Bartus seconded,

WHEREAS: pursuant to New York State Law the Town Clerk has the authority to appoint not more than three deputies, and

WHEREAS: in an effort to promote continuity and consistency in her department, as well as reduce training and re-training costs, the Town Clerk has requested an additional deputy, and

WHEREAS: funds are available in the 2006 budget for this position,

THEREFORE BE IT

RESOLVED: that the position of "Deputy Town Clerk" is hereby created in accordance with NYS and Erie County Civil Service and regulations, and the Director of Finance is hereby directed to file all necessary paperwork

BE IT FURTHER

RESOLVED: that the salary has been established pursuant to the Collective Bargaining Agreement and the following fund transfers are hereby approved:

FROM			TO
A1410	Town Clerk	A1410	Town Clerk
.112	15,000	.111	Salaried 22,050
.113	300		
.115	800		
.202	600		
.215	1,200		
.408	2,000		
.412	900		
A1315			
.113	1,250		

VOTE RESULT: Councilman Erickson aye
Councilman Bartus aye
Councilman Spence aye
Councilman Govenettio aye
Supervisor Catalino aye

RESOLUTION 147 Sign proposed grant award agreement for the creation of a K-9 unit

Councilman Spence moved and Councilman Erickson seconded,

WHEREAS: the Town of Evans Police Department has applied for and received a grant in the amount of \$35,000 to initiate the creation of a K-9 Unit;

THEREFORE BE IT

RESOLVED: that Supervisor Catalino is hereby authorized to sign the proposed Grant Award Agreement between the Division of Criminal Justice Services (DCJS) and the Town of Evans for the creation of the K-9 Unit.

Carried.

RESOLUTION 148 Appt of part time clerk

Councilman Erickson moved and Councilman Govenettio seconded,

WHEREAS: the Planning Division of the Town of Evans requests the Evans Town Board to appoint Jody Eder, 6753 Hamilton Dr., Derby to the part time position of clerk at a rate of \$8.00/hr,

THEREFORE BE IT

RESOLVED: that the Evans Town Board hereby appoints Jody Eder to position of part time clerk, effective March 13th, 2006.

VOTE RESULT:	Councilman Erickson	aye	
	Councilman Govenettio		aye
	Councilman Bartus	aye	
	Councilman Spence	aye	
	Supervisory Catalino	aye	

RESOLUTION 149 Appt of Assistant Code Enforcement Officer RPT

Councilman Erickson moved and Councilman Spence seconded,

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WHEREAS: the Code Enforcement Office is being restructured and there is a need for additional manpower in the code enforcement office (with no increase in the 2006 Budget) to help with enforcement of the Building Codes of the State of New York and Property Maintenance codes within the Village of Angola and Town of Evans

WHEREAS: David Burke, Jr. is number one on the current Civil Service List

THEREFORE BE IT

RESOLVED: that David Burke Jr. of 724 Lake Street, Angola, NY is hereby appointed Assistant Code Enforcement Officer, RPT at an hourly rate of 10.00 per hour as needed.

VOTE RESULT:

Councilman Erickson	aye	
Councilman Swyers	aye	
Councilman Govenettio		aye
Councilman Bartus	aye	
Supervisor Catalino	aye	

RESOLUTION 150 Water bill adjustment

Councilman Govenettio moved and Councilman Erickson seconded,

RESOLVED: that an adjustment be made to the following account because of a water leak:

Evelyn Zangerle, 395 Lake Breeze Road
Account #02011590
Adjustment: \$109.68 + penalty

VOTE RESULT:

Councilman Govenettio		aye
Councilman Erickson	aye	
Councilman Bartus	aye	
Councilman Spence	aye	
Supervisor Catalino	aye	

Supervisor Catalino pulled resolution #7 on tonights agenda regarding the hike/bike path.

RESOLUTION 151 Suspend the Rules of Order

Councilman Bartus moved and Supervisor Catalino seconded to suspend the rules of order for the conduct of business at Evans Town Board meetings for the consideration of a resolution establishing a policy for town owned vehicles.

VOTE RESULT:	Councilman Bartus	aye	
	Supervisor Catalino	aye	
	Councilman Spence	aye	
	Councilman Govenettio		aye
	Councilman Erickson	aye	

RESOLUTION 152 Policy for Town Owned Vehicles

Councilman Bartus moved and Councilman Erickson seconded,

It is and is hereby established as, the policy of the Town of Evans that, except for any vehicle assigned to the Police Department to the Superintendent of Highways:

1. All vehicles owned by the Town shall be used only and exclusively for Town business and no such vehicle shall be used for personal purposes unrelated to Town business.
2. No person, other than a Town employee shall operate any Town vehicle. This provision shall not, however, exclude operation of a Town vehicle by any person or party engaged in the delivery of the same to any destination authorized for service, to an authorized storage/parking area.
3. No person other than a town employee shall be a passenger in any Town vehicle except that:
 - a) any person who is not a Town employee may be a passenger in such vehicle only for such time as such person is involved in, or engaged in Town business.
4. No Town vehicle shall leave the confines of the Town except upon Town business.
5. Any Town vehicle, when not then employed in the conduct of Town Business, shall remain in any area assigned for its parking/storage.
6. Any vehicle not specifically assigned to any Town department shall be deemed a "pool vehicle".
 - a) all pool vehicles shall be parked/stored at the Town Hall parking lot when not in use

- b) any Town employee requesting or requiring the use a pool vehicle for a Town purpose shall, before operating such vehicle, complete a sign out sheet, maintained in the dispatch office of the Police Department, identifying the Town employee seeking the use of such vehicle, the date and time such vehicle is to be used, the odometer reading at the time the vehicle is to commence to be used, the purpose of such use, the destination, or destinations to which such vehicle is to be driven, and, upon the return of the vehicle to its parking/storage area, the date and time of such return and the odometer reading of the vehicle at the time of its return.
- 7.) All Town owned vehicles shall be clearly marked as being vehicles of the Town, and, except for pool vehicles, shall identify the department to which such vehicle is assigned.

Carried.

RESOLUTION 153 Audit of Bills

Councilman Spence moved and Councilman Erickson seconded that all properly audited bills be paid out of their respective funds as set forth under abstract of claims on this date as follows:

	Prepaid Voucher #7		
GENERAL	386-503	\$76,895.97	
PART TOWN			
	386-503		7,776.84
HIGHWAY	386-503	46,249.14	
WATER	386-503	84,998.14	
SPECIAL DISTRICTS	386-503	75,344.35	

VOTE RESULT:	Councilman Spence	aye	
	Councilman Erickson	aye	
	Councilman Bartus	aye	
	Councilman Govenettio		aye
	Supervisor Catalino	aye	

RESOLUTION 154 Adjournment

Supervisor Catalino moved and Councilman Erickson seconded to adjourn to Wednesday, March 22, 2006 at 5:00pm for a Work Session and then to Wednesday, April 5, 2006 at 7:30pm for a regular Town Board meeting.

Carried.

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Respectfully submitted,

Carol A. Meissner
Town Clerk