

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, August 16, 2006 at 7:30pm there were:

PRESENT:	Karen. C. Erickson	Councilman
	Kathleen A. Bartus	Councilman
	Michael M. Spence	Councilman
	Gifford M. Swyers	Councilman
	Robert R. Catalino, II	Supervisor
ALSO PRESENT:	Carol A. Meissner	Town Clerk
	J. Grant Zajas	Town Attorney
ALSO PRESENT:	Mary Ann Conrad	Senior Clerk - Assessment
	Ronald Milks	Asst. Code Enforcement Officer - B
	Lori Szewczyk	Dir. of Community Development
	Charles Katra	Director of Finance
	Edward Michalski	Highway Superintendent
	Charles Danzi	Police Lieutenant
	Patrick Conrad	St Pt Marina
	Diana Cafferty	Rec. of Taxes & Assessments
	Tom Kait	Water Crew Chief
	Rob Klavoon	Wendel Duscherer
EXCUSED:	Sandra Brant	Planning Division Chairman
ABSENT:	Julie Roach	Recreation Specialist - Seniors

RESOLUTION 276 Approve minutes

Supervisor Catalino moved and Councilman Bartus seconded that the reading of the minutes of the meeting of July 12, 2006 and the Work Sessions of June 28, 2006, July 19, 2006 and July 26, 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.

Meeting #16
August 16, 2006
page 167

Barbara Schmitt, 9181 Lakeside, Angola, New York addressed a Fireworks License issued to a resident on Lakeside Avenue for August 5, 2006. It was disturbing and the residents were unaware. Residents need notification and would like to know the law so this does not occur again. She thanked the Town Board for the informational meeting regarding Wendt Beach and Sturgeon Point.

Barb Markiewicz had a complaint regarding an article in the Sun with a quote from Mrs. Erickson that was improper.

Charles Militello, 6840 Prescott Drive thanked Mr. Swyers for having the informational meeting regarding Wendt Beach.

-questioned if the Bluffs area at the marina was zoned parkland

-Lions Club having a golf tournament on August 27, 2006 at Rosebrook Golf Course

-At the last Town Board meeting the street lighting at the Lake Street bridge detour was discussed. He would still like a street light at Veteran's Park in Derby and offered a check in the amount of \$24.00.

Bob Beck, 12 Washington, thanked the Parks Department for the great job at the Taste of Evans.

Tom Gorney, 524 Sycamore Street thanked the Town Attorney for working diligently on the Summer Street project.

-DEC Permit is required by the Town to clean Muddy Creek.

Patty Hageman, 207 Dawn Avenue is having difficulty getting access across the bridge on the boat lane side at Lake Erie Beach Park because of high weeds.

RESOLUTION 277 Wellington Reiche RE: burning ordinance

Supervisor Catalino moved and Councilman Erickson seconded to refer the communication from Wellington Reiche regarding the burning ordinance to the Chief of Police and Building Department for a response back to the Town Board.

Carried.

Councilman Spence thanked the public for their attendance at the informational meeting regarding Wendt Beach. The Town Board is an open government and keep the public informed.

Councilman Bartus presented the following reports:

-petitions to save the Grandview Drive-In are available for signatures

-Plumbing Exams to be held in the near future

-Letter of thank you from a Dennis Road resident for exacting a 40m.p.h. speed limit in Dennis Road

-Commendation to officers Feldman, Eppolito, Czora and Dispatcher Powell for their actions on July 18, 2006

-Letter of commendation to Wayne Conrad from the BOCES occupational skills program regarding their end of year picnic at the Evans Town Park

Meeting #15
August 16, 2006
page 168

Councilman Swyers received a letter from Erie County Clerk Swarts regarding promotion of the Auto Bureau Office and statistics regarding the local office.

Councilman Erickson reported that Erie County gets 12% of the revenues at the Auto Bureau instead of the fees going to Chautauqua County.

-attended an open house today at the Economic Development Office and the Brant Chamber of Commerce and Community Development Office regarding development in our area.

Supervisor Catalino reported the meeting tonight would be adjourned in memory of Adphonse Ruggiero a longtime member of the Evans Planning Board who passed away on August 9, 2006.

-Resolution #1 on tonight's agenda will be withdrawn as the Code Enforcement Officers will be able to attend schooling in Rochester next spring and resolution #5 will be withdrawn until the new Sales Tax Revenue Distribution agreement is available to review for the town to determine if it is a fair and equitable distribution.

RESOLUTION 278 Committee & Department Head reports

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

Carol A. Meissner, Town Clerk:

Petty Cash, July	\$-0-
July monthly report	\$14,651.99

Diana A. Cafferty, Receiver of Taxes & Assessments:

Water receipts, July	\$83,202.63
Duplicate Bills, July	\$73.00
Interest, July	\$15.72

VOTE RESULT:

Supervisor Catalino	aye
Councilman Erickson	aye
Councilman Spence	aye
Councilman Bartus	aye
Councilman Swyers	aye

RESOLUTION 279 Proposed Local Law #2 of the year 2005 (Zoning/Licensing)

Supervisor Catalino moved and Councilman Bartus seconded that Proposed Local Law #2 of the year 2005 (Zoning/Licensing) remain under old business on the agenda.

Carried.

Meeting #15
August 16, 2006
page 169

RESOLUTION 280 Authorization for the Supervisor to sign agreements with U.S. Energy Partners and constellation Energy

Councilman Swyers moved and Councilman Bartus seconded,

WHEREAS: the Town of Evans has received proposals through Varo Technologies for procurement of Gas and Electric service, and

WHEREAS: Varo Technologies has recommended U.S. Energy Partners for electric service and Constellation New Energy as cost saving alternatives,

NOW THEREFORE BE IT

RESOLVED: the Supervisor is hereby authorized to sign agreement with Varo Technologies as authorized representative of the Town of Evans, and, be it further

RESOLVED: the Supervisor is hereby authorized to sign any necessary agreements with U.S. Energy partners and Constellation Energy, subject to the approval of the Director of Finance and the Town Attorney.

Carried.

RESOLUTION 281 Water bill adjustment

Councilman Swyers moved and Councilman Spence seconded,

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

Shawn Arcara, 448 Alfred
Account #02050060
Adjustment: \$342.9 + any penalties

VOTE RESULT:	Councilman Swyers	aye
	Councilman Spence	aye
	Councilman Bartus	aye
	Councilman Erickson	aye

Supervisor Catalino aye

Meeting #15
August 16, 2006
page 170

RESOLUTION 282 Appointment of a laborer/gateguard/nightwatchman

Councilman Spence moved and Councilman Erickson seconded,

RESOLVED: that Delorean Kirk of 7180 Lake Shore Road, Derby be appointed to the position of laborer/gateguard/nightwatchman; to be called as needed; to be paid \$6.75 per hour.

VOTE RESULT:

Councilman Spence	aye
Councilman Erickson	aye
Councilman Bartus	aye
Councilman Swyers	aye
Supervisor Catalino	aye

RESOLUTION 283 Audit of Bills

Councilman Spence moved and Councilman Swyers 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:

Abstract #14
Voucher #1483-1597
Prepaid Voucher #69 & 70

GENERAL	\$69,092.45
PART TOWN	\$19,339.29
HIGHWAY	\$179.62
WATER	\$84,254.30
SPECIAL DISTRICTS	\$69,905.99

VOTE RESULT:

Councilman Spence	aye
Councilman Swyers	aye
Councilman Bartus	aye
Councilman Erickson	aye
Supervisor Catalino	aye

RESOLUTION 284 Adjournment

Supervisor Catalino moved and Councilman Erickson seconded to adjourn to the next scheduled work session to be held on Wednesday, August 23, 2006 and August 30, 2006 at 4:00pm and the next regular Town Board meeting to be held on Wednesday, September 6, 2006 at 7:30pm.

Carried.

Meeting #15
August 16, 2006
page 171

Respectfully submitted,

Carol A. Meissner
Town Clerk