

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, September 7, 2005 at 7:30pm there were:

PRESENT:	Karen E. Erickson	Councilman
	Thomas A. Csati	Councilman
	Joseph F. Govenettio	Councilman
	Kathleen A. Bartus	Councilman
	Robert R. Catalino, II	Supervisor
ALSO PRESENT:	Carol A. Meissner	Town Clerk
	J. Grant Zajas	Town Attorney

RESOLUTION 287 Approve minutes

Supervisor Catalino moved and Councilman Bartus seconded that the reading of the minutes of the meeting of August 17, 2005 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.

Phyllis Wyman, 8756 Lake Shore Road, commended the Police Department for keeping motorized vehicles off of the beach this summer season.

Charles Militello, 6840 Prescott Drive, questioned if the Supervisor has been in contact with New Era Cap Company as stated at the August Town Board meeting.

RESOLUTION 288 Thomas Gorney RE: request to purchase Gray Street a paper street near 515 Sycamore

Supervisor Catalino moved and Councilman Bartus seconded to refer the communication from Thomas Gorney requested to purchase a section of Gray Street near 515 Sycamore to the proper department heads as per town policy.

Carried.

RESOLUTION 289 Diana A. Cafferty, Rec. of Taxes & Assessments RE: request for additional hours for school tax collection and the services of a police officer

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Supervisor Catalino moved and Councilman Csati seconded to grant the request of Diana A. Cafferty, Rec. of Taxes & Assessments for additional hours for school tax collection and the services of a police officer for security purposes on October 14 & 17, 2005 till 7:30pm.

Carried.

RESOLUTION 290 Timothy Cooper, Town Justice RE: request that he and his clerk attend the Magistrates & Court Clerks annual conference from Sept. 26-28, 2005

Supervisor Catalino moved and Councilman Bartus seconded to grant the request of Timothy J. Cooper, Town Justice for he and his clerk, Mrs. Baake to attend the Magistrates and Court Clerks annual conference in Niagara Falls, New York from September 26-28, 2005 as per town policy.

Carried.

RESOLUTION 291 Sandra Brant, Minor Subdivision Review Committee RE: Roberts minor subdivision located at 7966 Dennis Road

Councilman Erickson moved and Councilman Csati seconded,

WHEREAS: in a letter dated August 26, 2005, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the David F. Roberts minor subdivision, and

WHEREAS: it has been determined that there will be no significant effect on the environment,

NOW THEREFORE BE IT

RESOLVED: that the Town Board of the Town of Evans adopts the findings of the Town of Evans Minor Subdivision Review Committee and issues a SEQR negative declaration for the David F. Roberts minor subdivision (Addendum A SEQR short environmental assessment form),

a division of SBL#220.00-2-38, dividing a 29.66+/- acre parcel to create:

1. A 5.10+/- acre parcel with 306.94+/- feet of frontage on Dennis Road
2. A 5.56+/- acre parcel with 306.94+/- feet of frontage on Dennis Road
3. A 19.00+/- acre parcel with 1254.54+/- feet of frontage on Dennis Road

Petitioner: David F. Roberts - Revocable Trust, 7966 Dennis Road, Angola, NY

AND BE IT FURTHER

RESOLVED: that a copy of this resolution be given to the Planning Office.

Carried.

RESOLUTION 292 Approve Roberts minor subdivision

Councilman Erickson moved and Councilman Bartus seconded,

WHEREAS: the Town of Evans Minor Subdivision Review Committee has completed a review and recommended approval,

WHEREAS: the Evans Town Board, as Lead Agent, issued a negative declaration regarding the SEQR process.

NOW THEREFORE BE IT

RESOLVED: that the Town Board of the Town of Evans hereby adopts the findings of the Town of Evans Minor Subdivision Review Committee and approves the David F. Roberts minor subdivision, a division of SBL#220.00-2-38, dividing a 29.66+/- acre parcel to create:

1. A 5.10+/- acre parcel with 306.94+/- feet of frontage on Dennis Road
2. A 5.56+/- acre parcel with 306.94+/- feet of frontage on Dennis Road
3. A 19.00+/- acre parcel with 1254.54+/- feet of frontage on Dennis Road

with the following conditions:

*receipt by the Town Planning Office of 4 copies of the proposed minor subdivision map with a note stating: A rear portion of the three parcels may be affected by NYS Freshwater Wetland AN-1 and a Federal Wetland.

*A permit must be obtained from the Town Code Enforcement Office for any work that may occur in the flood plain area located in a portion of Sublot 3.

Petitioner: David F. Roberts - Revocable Trust, 7966 Dennis Road, Angola, NY 14006

AND BE IT FURTHER

RESOLVED: that a copy of this resolution be given to the Planning Office, the Assessor's Office and the Code Enforcement Office.

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Councilman Bartus reported that Erie County will be hold a Hazardous Waste Drop-off on September 10, 2005 from 9am - 2pm
-Great Lake Beach Sweep will take place on September 17 2005 from 10am - noon at Wendt Beach

Councilman Govenettio commended the Chief of Police and Assistant Chief for a good job this past summer with scheduling.
-Highway Department report
-Water Department report

Councilman Erickson reported on the following:
-Veteran's Outreach will be held on September 15, 2005 at 7:00pm at the American Legion Newcomb Long Post #928
-Candlight Vigil Remembrance for 9-11-2001 on Sunday, September 11, 2005 at 7pm at Centennial Park Gazebo in the Village of Angola. Please bring your own candle.
-A retired police lieutenant from Buffalo is collecting filled suitcases with clothes for the victims of Hurricane Katrina. Please label the suitcase with the size and sex of the person who could use the items.
-Evans National Bank is accepting donations for the Hayden and Logan Fund. They are the children of Terry Dybdahl. Terry is a single parent in the US Air Force stationed in Biloxi, Mississippi and he had to evacuate his children and relocate them here in Angola, his hometown, because they lost everything.
-Quality Communities Grant will be awarded to Evans on Thursday, by the Lieutenant Governor.

RESOLUTION 293 Committee and Department Head reports

Supervisor Catalino moved and Councilman Erickson seconded to accept as presented the reports of the Town Officials as follows:

Carol A. Meissner, Town Clerk:	
Petty Cash	\$-0-
August monthly	\$24,238.00
Diana A. Cafferty, Rec. of Taxes & Assessments:	
August Water	\$119,981.32
August Duplicate Bills	\$73.00

August interest \$25.66

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

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Councilman Govenettio aye
Councilman Csati aye

RESOLUTION 294 Proposed Local Law #2 of the year 2005 (Zoning/Licensing); Proposed Local Law #3 of the year 2005 (Licensing of Animals); Proposed Local Law #4 of the year 2005 (Property Maintenance) and Proposed Local Law #5 of the year 2005 (Rezoning of vacant land on Erie Road near Delamater Rd from R-1 to GB)

Supervisor Catalino moved and Councilman Erickson seconded that Proposed Local Law #2 of the year 2005 (Zoning/Licensing); Proposed Local Law #3 of the year 2005 (Licensing of Animals); Proposed Local Law #4 of the year 2005 (Property Maintenance); and Proposed Local Law #5 of the year 2005 (Rezoning of vacant land on Erie Road near Delamater Rd from R-1 to GB) remain under old business on the agenda.

Carried.

RESOLUTION 295 Declare surplus vehicle

Councilman Govenettio moved and Councilman Bartus seconded,

RESOLVED: that a 2000 Ford Crown Victoria car VIN #2FAFP71W3YX106379 is no longer useable and therefore declared surplus.

Carried.

RESOLUTION 296 Accept Seneca Road between Mohawk Road and East Iroquois Road as a town road

Councilman Csati moved and Councilman Bartus seconded,

WHEREAS: a certain parcel of land being commonly known and locally known as Seneca Road and shown on the tax maps of the Town as such, and further being part of the premises described in a certain deed to the Town recorded in the Erie County Clerk's Office in Liber 11099 of Deeds at page 1033 has been conveyed to the Town of Evans; and

WHEREAS: the Highway Superintendent of the Town of Evans has recommended acceptance of said parcel for dedication for highway purposes, advising that said Seneca Road has been constructed and completed as per Town specifications;

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RESOLVED: by the Town of Evans accepts said Seneca Road between Mohawk Road and East Iroquois Road as a town road to be maintained as are other town roads currently within the jurisdiction of the Superintendent of Highways.

Carried.

RESOLUTION 297 Town of Evans calls for the commencement of environmental reviews before the replacement of the Skyway & an analysis of the alternatives

Councilman Erickson moved and Councilman Bartus seconded,

WHEREAS: Buffalo's Outer Harbor Waterfront, which has been called the front yard of the entire Western New York community, for the most part presently appears old, declining and industrial, and it conveys to Western New Yorkers and to visitors alike the notion that we as a community are old, declining and industrial, and

WHEREAS: the redevelopment of the Lake Erie shoreline has become a pressing regional priority, and

WHEREAS: the Buffalo Skyway stands as a barrier to the full development of our waterfront, it is dangerous and frequently closed and the cost of its replacement is expected to be similar to the cost of its ongoing maintenance, and

WHEREAS: Congressman Brian Higgins has called on the state to commence a formal environmental review regarding the replacement of the Skyway, such review being required by State and Federal law before the Skyway can be replaced, and

WHEREAS: the Skyway has been a hindrance to development, keeping the excitement and vibrancy present at the Erie Basin Marina from spreading to the Outer Harbor, as it is less than one-tenth of one across the channel from the Erie

Basin to the Outer Harbor, while the quickest route by car is more than four miles long, and

WHEREAS: the Skyway takes up an enormous amount of real estate which should be some of the most prime land in the City of Buffalo - keeping it from being developed privately or effectively converted into public recreational uses, and

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WHEREAS: even without considering its roles as an impediment to waterfront development and its hazardousness, it appears that replacing the Skyway with more suitable infrastructure will make sense fiscally for Western New York in the long run, as the Skyway requires decennial painting which costs \$15 million, and it has been suggested that it will require major repairs which will require as much as \$100 million soon, and as these costs are similar to preliminary Skyway replacement cost estimates,

NOW THEREFORE BE IT

RESOLVED: that it is the opinion of the Town of Evans that an honest and forthright analysis of the alternatives to the Skyway bridge is long overdue, and be it further

RESOLVED: that the Town of Evans conveys to the New York State Department of Transportation its support for Congressman Higgins' call for the commencement of the environmental reviews necessary before the replacement of the Skyway can be undertaken, and be it further

RESOLVED: that certified copies of this resolution be transmitted to Mr. Thomas J. Madison, Jr., Acting Commissioner, New York State Department of Transportation (50 Wolf Road, Albany 12237), and Hon. Brian Higgins, Member of Congress (726 Exchange Street, Suite 601, Buffalo, NY 14210).

Carried.

RESOLUTION 298 Appt of part time clerks

Councilman Bartus moved and Councilman Csati seconded,

RESOLVED: that Beth Rammacher, 301 Dawn Avenue, Angola, NY is hereby appointed as part-time Clerk at a rate of pay of \$6.75 per hour;

AND BE IT FURTHER

RESOLVED: that Kristen Johnston, 222 Sterling Avenue, Angola, NY is hereby appointed part-time Clerk at a rate of pay of \$7.00 per hour;

AND BE IT FURTHER

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RESOLVED: that Deborah Birkemeier, 56 Lorain St., Angola, NY is hereby appointed part-time Clerk at a rate of pay of \$7.25 per hour

AND BE IT FURTHER

RESOLVED: that Jean Fitzpatrick, 340 Wilson, Angola, NY is hereby appointed part-time Clerk at a rate of pay of \$7.25 per hour.

This resolution shall take effect immediately.

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

RESOLUTION 299 Audit of Bills

Councilman Csati moved and Councilman Govenettio 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

GENERAL	1716-1845	112,356.80	
PART TOWN		1716-1845	12,88

6.15

HIGHWAY	1716-1845	55,810.59
WATER	1716-1845	89,439.73
SPECIAL DISTRICTS	1716-1845	316,500.49

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

RESOLUTION 301 Adjournment

Supervisor Catalino moved and Councilman Erickson seconded to adjourn tonights meeting to a work session to be held on Wednesday, September 14, 2005, time to be determined and then to the next regular scheduled meeting to be held on Wednesday, September 21, 2005 at 7:30pm.

Carried.

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Respectfully submitted

Carol A. Meissner
Town Clerk