

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, October 19, 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 327 Approve minutes

Supervisor Catalino moved and Councilman Erickson seconded that the reading of the minutes of the meeting of October 5, 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.

Tom Gorney, 524 Sycamore Street, Angola, New York submitted letters from residents of Summer Street regarding the condition of the road. The residents are seeking relief before spring to have the road graded.

RESOLUTION 328 Gert Tshampel RE: request assistance with Scott Street

Supervisor Catalino moved and Councilman Bartus seconded to receive and file the communication from Gert Tshampel requesting the town to scrape and level Scott Road.

Carried.

Councilman Csati presented the following reports:

-Fall Fest 2005 will be held on October 22, 2005 at the Town Park from noon - 4:00pm. A donation of canned foods is requested for entry. The canned foods will be donated to the VFW for their holiday food baskets.

-Stroh's Athletic Club will be conducting their annual senior clean-up on October 29, 2005. Please contact Julie Roach for your name to be added to the list.

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Councilman Bartus presented the following reports:

-Refrigerators need to be tagged noting the freon has been removed or it will not be picked

up.

-Working with Congressman Higgins with the Niagara Power Authority issue.

Councilman Erickson presented the following reports:

-Fundraiser will be held on October 25, 2005 at the Angola Theater. A movie entitled Into the Blue will be shown with the proceeds to benefit Mercy Flight and Claddagh.

-Assemblyman Quinn will be conducting a free heating cost reduction seminar on November 1, 2005 at the Hamburg Town Hall.

-VFW is seeking contributions for their annual Christmas baskets for the needy.

-Flu shots will be given at the Senior Center on October 20, 2005 from 12:30pm-3:30pm.

-Evans National Bank will be conducting informational seminars during November and December for seniors receiving medicaid.

Supervisor Catalino presented and read the General Fund 400 accounts "Other Expenses" of \$850,000.00 in the 2006 Tentative Budget. Supervisor Catalino suspended his report due to a scheduled public hearing.

At this time 7:50pm a public hearing is duly scheduled as advertised in the Town Crier, official newspaper of the Town of Evans regarding the use of Federal Community Development Funds in the Town of Evans.

Robert L. Palmer, 1780 Eden Evans Center Road requested the Community Development Block Grant Funds be used to repurchase the east side of Lake Erie Beach Park. This is a valuable asset to our community. We would like to see our hike/bike path go through that area. All the reports he has read for a Class I hike/bike path would tie into Mrs. Erickson's plan for tourism. They call for scenic vistas and waterfront views as opposed to running along a highway. Those are called Class III hike/bike paths. In order for us to be in compliance with the United State Department of Commerce, National Oceanographic and the Atmospheric Administration, I believe this would tie in with their plans. The Lakefront Revitalization Plan etc. He thinks this would be a valuable asset to our community especially with the demographics in the Lake Erie Beach area. I believe this would be a good part of that plan and a good step in the direction.

There being no one else wishing to speak the public hearing was closed a 7:53pm.

RESOLUTION 329 Community Development Block Grant applications

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Councilman Erickson moved and Councilman Bartus seconded,

WHEREAS: the Town of Evans is or may be eligible for Community Development Grants, and

WHEREAS: the Town had advertised for a public hearing to receive input regarding application to be made by the Town for such Community Development Block Grants for the upcoming year as to community development needs and as to projects which would benefit the residents of the Town generally, and the low and moderate income residents of the Town; and

WHEREAS: said public hearing was conducted; and

WHEREAS: the Town Board has considered and reviewed the information received at such public hearing as well as suggestions otherwise received for projects for which such grant or grants may be sought;

THEREFORE BE IT

RESOLVED: that the Town Board authorizes Supervisor Catalino and/or appropriate Town Officials to make for Community Development Block Grants for the upcoming year, for the following projects:

1. Improvements to the Senior Center
2. Improvement of Summer Ave.
3. Rural Transit Van Service, Inc.
4. Repurchase of park in Lake Erie Beach Park

AND BE IT FURTHER

RESOLVED: that the Town Supervisor and/or appropriate Town Officials are authorized to take such steps as may be necessary or reasonable to complete and file such application.
Carried.

Supervisor Catalino continued to present and read the General Fund 400 accounts "Other Expenses" of \$850,000.00 in the 2006 Tentative Budget.

RESOLUTION 330 Committee & Department Head reports

Supervisor Catalino moved and Councilman Erickson seconded to accept the report from Diana A. Cafferty, Receiver of Taxes and Assessments as follows:

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Water Receipts - September 2005 \$117,464.84
Duplicate Bills - September 2005 89.00
Interest on Savings Account - Sept 2005 23.78

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

RESOLUTION 331 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); 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 332 Tentative Budget to become Preliminary Budget

Councilman Erickson moved and Councilman Bartus seconded,

WHEREAS: on September 30, 2005 the Supervisor of the Town of Evans duly filed the tentative budget for the fiscal year beginning January 1, 2006 with the Town Clerk, and

WHEREAS: the Town Clerk of the Town of Evans duly presented said tentative budget to the Town Board on October 5, 2005

THEREFORE BE IT

RESOLVED: that in accordance with Town Law §106 the Tentative Budget as revised, amended or modified by the Town Board shall constitute the Preliminary Budget of the Town of Evans for the fiscal year beginning January 1, 2006, and

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BE IT FURTHER

RESOLVED: that the Preliminary Budget shall be filed in the Office of the Town Clerk of the Town of Evans and said Town Clerk is hereby authorized and directed, on or after October 31, 2005, to reproduce copies for public distribution at a cost of \$3.00 per copy.

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

RESOLUTION 333 Advertise for PH for Angola Protective Fire District budget

Councilman Govenettio moved and Councilman Bartus seconded,

WHEREAS: the Angola Protective Fire District has been duly established as a fire protection district within the Town of Evans, and

WHEREAS: Town Law requires the Town of Evans to provide fire protection within said district,

THEREFORE BE IT

RESOLVED: that pursuant to Section 184 of Town Law that a public hearing be held with reference to the furnishing of such fire protection for the Angola Protective Fire District on the 9th day of November, 2005 at 8:00pm and that notice of such hearing shall be published in the official newspaper.
Carried.

RESOLUTION 334 Advertise for PH for 2006 Preliminary Budget

Councilman Csati moved and Councilman Erickson seconded,

RESOLVED: that in accordance with Article 8, Section 108 of Town Law that a public hearing be held to hear those people wanting to discuss the Preliminary Budget on November 9, 2005 at 8:10pm at the Evans Town Hall, and

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BE IT FURTHER

RESOLVED: that the Town Clerk advertise said public hearing in accordance with Town Law.
Carried.

RESOLUTION 335 Approve creation of Special Water District (Water District #5 - McKinley-Woodcliff)

Councilman Govenettio moved and Councilman Bartus seconded,

WHEREAS: the waterline capital project for McKinley-Woodcliff has been completed and all costs have been fully bonded, and

WHEREAS: the first annual principal and interest payment shall be made in the year 2006.

THEREFORE BE IT

RESOLVED: that the Evans Town Board hereby approves the creation of the Special Water District to allow for charges to be levied and said district shall be named Water District #5 - McKinley- Woodcliff.
Carried.

RESOLUTION 336 Appt of Court Clerk RPT

Supervisor Catalino moved and Councilman Erickson seconded that resolution number five appointing a court clerk RPT be placed under old business on the agenda.
Carried.

RESOLUTION 337 Declare surplus vehicle

Councilman Govenettio moved and Councilman Erickson seconded,

WHEREAS: the Water Department is no longer in need of the following vehicle and is requesting to declare equipment surplus

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RESOLVED: the Evans Town Board declares the following surplus a
1992 Chevy pickup VIN#1GCGC24K2NE190522
Carried.

RESOLUTION 338 Authorize Supervisor to sign snow removal contract with Erie County

Councilman Erickson moved and Councilman Csati seconded,

RESOLVED: that the Supervisor be authorized to sign the Snow Removal Contract with Erie County contingent upon review of the Town Attorney.
Carried.

RESOLUTION 339 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:

Kathleen Zagustin, 9636 Court Street
Account #03101320
Adjustment: \$41.51

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

RESOLUTION 340 Suspend the rules of order

Supervisor Catalino moved and Councilman Bartus seconded that the rules of order for the conduct of meeting of the Evans Town Board be suspended for the purpose of taking action on a resolution appointing a member to the Town of Evans Conservation Commission.

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

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Councilman Erickson aye

RESOLUTION 341 Appt of Conservation Commission member

Councilman Bartus moved and Councilman Csati seconded,

WHEREAS: the Town of Evans is conscious of the importance of Citizen participation in the consideration of conservation issues for the Town of Evans

THEREFORE BE IT

RESOLVED: that this Board hereby appoints Thomas Marks of Derby, New York to the Town of Evans Conservation Commission with a term to expire December 31, 2005.

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

RESOLUTION 342 Audit of Bills

Councilman Csati 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:

GENERAL	2094-2186	55,377.54	
PART TOWN		2094-2186	69,066.32
HIGHWAY	2094-2186	98,321.56	
WATER	2094-2186	14,349.72	
SPECIAL DISTRICTS	2094-2186	78,334.79	
COMMUNITY DEVELOPMENT	2094-2186	34,050.12	

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

RESOLUTION 343 Adjournment

Supervisor Catalino moved and Councilman Csati seconded to adjourn to Wednesday, November 9, 2005 at 7:30pm.

Carried.

Respectfully submitted,

Carol A. Meissner
Town Clerk