

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, November 9, 2005 at 7:30pm there were:

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

RESOLUTION 344 Approve Minutes

Supervisor Catalino moved and Councilman Csati seconded that the reading of the minutes of the meeting of October 19, 2005 be dispensed with and approved as submitted by the Town Clerk.

Carried.

Supervisor Catalino congratulated Michael Spence and Karen Erickson on their victory and thanked Tom Csati for all his years on the Town Board and Chuck and Frank for the vigorous campaigns they conducted. He will be filling out his term which is another two years.

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

Ted Andrews, 9343 Lake Shore Road congratulated Karen Erickson for conducting a very dignified campaign. He questioned if the Town Board could do anything about campaign signs such as Gowanda does. The campaign signs are allowed on public property in certain areas and everyone is entitled to place signs in these designated areas.

Robert L. Palmer, 1780 Eden Evans Center Road congratulated Councilman Erickson and Michael Spence on their elections and also Councilman Csati on his campaign effort. The Supreme Court library has codes from various municipalities so that may be an avenue to check into campaign sign laws.

Charles Militello, 6840 Prescott Drive, Derby congratulated Karen and Mike Spence on their election.

RESOLUTION 345 Edward J. Michalski, Secretary of the North Evans Fire District
RE: requesting use of one voting machine for the district's annual election to be held
on December 13, 2005

Supervisor Catalino moved and Councilman Bartus seconded to approve
the request of Edward J. Michalski, Secretary of the North Evans Fire District for use of
one voting machine for the district's annual election to be held on December 13, 2005.

Carried.

RESOLUTION 346 Edward G. Schneider, III regarding Community Development
Block Grant funds

Supervisor Catalino moved and Councilman Erickson seconded to receive
and file the communication from Edward G. Schneider, III regarding Community
Development Block Grant funds.

Carried.

RESOLUTION 347 Schedule PH for M & D special use permit renewal

Councilman Erickson moved and Councilman Csati seconded,

WHEREAS: in a letter dated October 28, 2005, the Planning Division Office has
requested that the Town Board set a public hearing regarding the petition
of M & D Auto, for a special use permit renewal, located at 7312 Erie
Road, Derby, SBL#206.00-5-14

NOW THEREFORE BE IT

RESOLVED: that the Town Board authorize the Town Clerk to
advertise for a public hearing to be held on December
7, 2005 at 7:50pm for the consideration of said special
use permit renewal, and

BE IT FURTHER

RESOLVED: that this matter be referred to the Planning Office to
determine the need for Planning Board review and
recommendation prior to the public hearing, and

BE IT FURTHER

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

Carried.

Town Attorney Zajas congratulated all the candidates on a hard fought campaign.

Councilman Csati congratulated Mike Spence and Karen Erickson on their victory. He also thanked Chuck Militello and Frank Maiorana on their campaigns. Karen Erickson is very hard working and the back bone of this Board. Mike Spence will find out when he takes office the need to work together.

Councilman Bartus congratulated the winners and losers who fought a hard campaign. The Town will be losing a really good person in Tom. She looks forward to working with Rob, Joe, Karen and Mike.

-The Conservation Commission has given her some information on Recycling Day. Last year Lake Shore took some of the top prizes in the state and hopefully will be able to accomplish that again.

Councilman Govenettio congratulated Mike Spence and Karen Erickson on their victory. Karen is the hardest working person on this Board. She deserves to be on the Board and he is glad she was victorious. He hopes to see sometime a positive campaign on the issues and not attacking people personally.

Councilman Erickson congratulated Mike Spence on this election. It has been great working with Tom Csati these past eight years.

-presented a building department report for October 2005

Supervisor Catalino was elected as Town Supervisor in 1995. He is very proud that he has taken Democrat/Republican politics out of the Town. We try to do the best we can for the Town of Evans and will continue to do so.

RESOLUTION 348 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	\$ -0-
Games of Chance	\$25.00
Oct monthly	\$10,803.30

Diana Cafferty, Receiver of Taxes & Assessments:

Oct Water	\$95,074.88
Oct Duplicate Bills & Receipts	\$232.00
Oct interest	\$23.40

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

At this time 7:50pm a public hearing is scheduled as duly advertised in the Town Crier, official newspaper of the Town of Evans to consider the adoption of Proposed Local Law #7 of the year 2005 which will amend Local Law #1 of the year 1993 commonly known as the Vehicle and Traffic Law and any amendments thereto, STOP intersections to add a stop sign on Seneca Street with the entrance from the southwest at the intersection of Mohawk Road.

There being no one wishing to speak, the public hearing was closed at 7:50pm.

RESOLUTION 349 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); 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 350 Appt of Court Clerk RPT

Supervisor Catalino moved and Councilman Bartus seconded,

WHEREAS: Rachel Kijek has served as Provisional Court Clerk RPT (Regular Part Time) in the Town Court pending the results of a Civil Service Examination,

WHEREAS: exam results have been received and Ms. Kijek is eligible for appointment from the list certified by Erie County Civil Service,

NOW THEREFORE BE IT

Meeting #20
November 9, 2005
page 200

RESOLVED: that Rachel Kijek is hereby appointed as Court Clerk RPT at a rate of pay of \$9.25 per hour, effective September 22, 2005.

This resolution shall take effect immediately.

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

RESOLUTION 351 Appt of Records Clerk

Councilman Erickson moved and Councilman Csati seconded,

WHEREAS: the Town Board will be hiring a person that is familiar with the court system to dispose of court records

THEREFORE BE IT

RESOLVED: that the Town Board appoints Marcia Kozlowski of Angola, NY as Records Clerk to perform these duties at an hourly rate of \$8.00 per hour.

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

RESOLUTION 352 Permissive Referendum for the sale of paper road rights of way

Councilman Erickson moved and Councilman Csati seconded,

WHEREAS: the Town of Evans has acquired, or may have acquired, title to certain parcels of land located in the Town of Evans; and

WHEREAS: the Town Board of the Town of Evans has from time to time resolved to sell certain parcels of land being paper road rights of way, to which the Town of Evans acquired, or may have acquired title; and

WHEREAS: it is no longer necessary for the Town of Evans to retain said properties;
and

Meeting #20
November 9, 2005
page 201

WHEREAS: certain persons or parties have offered to purchase such right title and interest the Town of Evans may have in such parcels of land; and

WHEREAS: the Town is willing to sell whatever interest it may have in such parcels of land, subject to a permissive referendum as permitted by law, by way of a quit claim deed conveying such right title and interest, if any, had by the Town of Evans in such parcels, subject to such easements and/or rights of way as may be necessary or prudent relative to such parcels, generally, and subject to the approval of the Town Attorney and the appropriate departments heads; and

NOW THEREFORE BE IT

RESOLVED: that, subject to a permissive referendum as permitted by law, the Town Board of the Town of Evans in regular session duly convened does hereby authorize and direct the Supervisor of said Town of Evans to execute and deliver to each of the purchasers set forth hereinafter a quit claim deed conveying any right title or interest the Town of Evans has, if any, in the parcels of real property hereinafter described, subject to such easements as may be necessary or prudent relative to such parcels and further subject to the approval of the Town Attorney and the appropriate heads, in exchange for the payment of the sums hereinafter set forth to be paid by such purchasers, that is:

1. Jefferson Road right of way between Ellicott Street and Delaware Street, to Richard R. Glaze of 98 Mohr Avenue, Buffalo, New York 14212-1712, a 25.00x100.00 feet right of way as the same adjoins SBL#250.12.3-19 for the sum of \$250.00; and

2. Jefferson Road right of way between Ellicott Street and Delaware Street, to Edward F. Jost of 9559 Ellicott Street, Angola, New York 14006, a 25.00x100.00 feet right of way as the same adjoins SBL#250.12-3-20 for the sum of \$250.00

AND FURTHER BE IT

RESOLVED: that any and all notices be posted and/or published as required by law.

VOTE RESULT: Councilman Erickson aye
Councilman Csati aye
Councilman Bartus aye

Meeting #20
November 9, 2005
page 202

Councilman Govenettio aye
Supervisor Catalino aye

RESOLUTION 353 Advertise to receive bids for the sale of a surplus snow blower

Councilman Csati moved and Councilman Bartus seconded,

WHEREAS: the Parks Department is requesting permission to declare a piece of their equipment a surplus item; and

WHEREAS: a Hansen snow blower, serial number 1193598, is no longer needed by the Parks Department;

NOW THEREFORE BE IT

RESOLVED: that the Town Board authorize the sale of the Hansen snow blower; and

FURTHER BE IT

RESOLVED: that the Town Board authorize the Town Clerk to advertise to receive sealed bids for the sale of the surplus Hansen snow blower, serial number 1193598. Said sealed bids to be opened November 21, 2005 at 10:00am.

Carried.

RESOLUTION 354 Appt of police matron

Councilman Govenettio moved and Councilman Csati seconded,

RESOLVED: Barbara Rankin, 1795 Pontiac Road, Angola, NY is hereby appointed as Police Matron, at the rate of \$9.20/hour, to be called as needed.

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

At this time 8:00pm a public hearing is scheduled as duly advertised in the Town Crier, official newspaper of the Town of Evans for the purpose of considering the proposed contracts with the Village of Angola and the Village of Angola Fire Company, Evans Center Fire Company, Lake Erie Beach Fire Company and Highland Hose Fire

Meeting #20
November 9, 2005
page 203

Company for fire protection and/or emergency ambulance service to be furnished by said fire departments to the Angola Fire Protection District for the year 2006.

There being no one wishing to speak the public hearing was closed at 8:02pm.

RESOLUTION 355 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	2187-2305	39,539.69	
PART TOWN		2187-2305	13,16
			4.41
HIGHWAY	2187-2305	141,561.59	
WATER	2187-2305	2,899.86	
SPECIAL DISTRICTS	2187-2305	90,304.93	
COMMUNITY DEVELOPMENT	2187-2305	4,281.98	

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

RESOLUTION 356 Adjournment

Supervisor Catalino moved and Councilman Csati seconded to adjourn for a four (4) minute break at which time the 8:10pm public hearing will be held.

Carried.

RESOLUTION 357 Reconvene

Supervisor Catalino moved and Councilman Bartus seconded to reconvene the Town Board meeting at 8:10pm.

Carried.

At this time 8:10pm a public hearing is duly scheduled as advertised in the Town Crier, official newspaper of the Town of Evans regarding the Preliminary Budget of the Town of Evans for the year 2006.

Meeting #20
November 9, 2005
page 204

There being no one wishing to speak, the public hearing was closed at 8:12pm.

RESOLUTION 358 Adjournment

Supervisor Catalino moved and Councilman Erickson seconded to adjourn to the next regular Town Board meeting to be held on Wednesday, November 16, 2005 at 7:30pm.

Carried.

Respectfully submitted,

Carol A. Meissner
Town Clerk