

## 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, January 6, 2010 at 7:00pm there were:

PRESENT:	Keith E. Dash	Councilman
	Paul T. Cooper	Councilman
	Francis J. Pordum	Supervisor
ALSO PRESENT:	Jonica B. DiMartino	Town Clerk
	J. Grant Zajas	Town Attorney
	Jeanne C. Ebersole	Assessor
	Charles LaBarbera	Building Dept. Head
	Lori Szewczyk	Dir. of Community Development
	Charles Katra	Dir. of Finance/Town Comptroller
	Edward Michalski	Highway Superintendent
	Russ Manguso	Parks Commissioner
	Sandra Brant	Dir. of Planning
	Ernie Masullo	Police Chief
	Julie Roach	Seniors Dept. Head
	Patrick Conrad	St. Pt. Marina Dept. Head
	Peggy Manning	Supervisor's Dept.
EXCUSED:	Gary Noel	Water Dept. (called out for Water Leak)
ABSENT:	Rick Hanavan	Wendel Duchscherer
	Rob Klavoon	Wendel Duchscherer

**RESOLUTION 2010-49 Approve Minutes**

Supervisor Pordum moved and Councilman Cooper seconded that the reading of the minutes of the meeting of December 16, 2009 be dispensed with and approved as submitted by the Town Clerk.

VOTE RESULT: ADOPTED  
 AYES- Dash, Cooper, Pordum  
 NAYS- none

**RESOLUTION 2010-50 Approve Town Clerk Financial Reports**

Supervisor Pordum moved and Councilman Cooper seconded that the Town Clerk Financial Reports be approved as follows:

Petty Cash December	\$-0-
Games of Chance- Dec.	\$75.00
December Monthly Report	\$9,110.09

2009 Town Clerk Year End Report Filed  
 Water Receipts- December \$154,041.23  
 Duplicate Bills- December \$32.00  
 Interest- December \$51.08  
 2009 Tax Year End Report Filed  
 2009 Water Year End Report Filed

**RESOLUTION 2010-51 Advertise PH for Special Use Permit Renewal- 8563 Erie Rd.**

Councilman Dash moved and Supervisor Pordum seconded,

WHEREAS, in a letter dated December 29, 2009, the Planning Office has requested that the Town Board set a public hearing regarding the petition of David Laskowski, dba D&L Trucking and Excavating, for a special use permit renewal for the purpose of storing and dispatching trucks located at 8563 Erie Rd. (a.k.a. NYS Route 5), Angola, NY 14006, part of SBL# 235.06-1-13.

NOW THEREFORE BE IT

RESOLVED, that the Town Board authorize the Town Clerk to advertise for a public hearing to be held on January 27, 2010 at 7:20pm 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 Code Enforcement Office.

VOTE RESULT: ADOPTED BY ROLL CALL  
 Councilman Dash aye  
 Councilman Cooper aye  
 Supervisor Pordum aye

**RESOLUTION 2010-52 Authorize Code Enforcement Officers to Attend Training**

Councilman Cooper moved and Councilman Dash seconded,

WHEREAS, New York State requires all certified Code Enforcement Officers to maintain 24 hours of classroom training per year,

WHEREAS, The Niagara Frontier Building Officials Conference will be held in Buffalo on January 25, 26, and 27, 2010

NOW THEREFORE BE IT

RESOLVED, that Chuck LaBarbera, Paul Ryerse, and Ronald Milks be authorized to attend the above stated training seminar at the Millennium Airport Hotel in Buffalo, New York with all reasonable expenses incurred being a town charge in accordance with the rules and regulations governing travel and education.

VOTE RESULT:      ADOPTED BY ROLL CALL  
                         Councilman Dash              aye  
                         Councilman Cooper             aye  
                         Supervisor Pordum             aye

**RESOLUTION 2010-53 Authorize Contractual Agreements with Local Youth Sports Programs**

Supervisor Pordum moved and Councilman Cooper seconded,

WHEREAS, in the past, the Town of Evans has entered into contracts and/or agreements with various organizations willing to organize and sponsor various events, programs, and/or activities in the Town of Evans or available to residents of the Town of Evans which provide a benefit and enjoyment to residents of the TOWN; and

WHEREAS, various organizations have indicated a willingness to organize and sponsor certain such events, programs, and/or activities; and

WHEREAS, to defray the cost of the same, these certain such organizations seek funds from the TOWN; and

WHEREAS, the TOWN is willing, in consideration of the efforts of such organizations, to make payment of sums to be herein specified to help defray the actual costs and expenses of such programs and activities, or a portion thereof;

NOW THEREFORE BE IT

RESOLVED, that conditioned as further set forth herein, the Supervisor is authorized to enter into and execute any contract or agreement appropriate, subject to the approval of the Town Attorney, to monument such arrangements and that the Town make the specified payments to such organizations in accord with such agreement or contract as follows:

- 1) **EVANS LITTLE CAGERS** to render a service in providing a youth basketball program for the year 2009-2010, a sum not to exceed \$1000.00;
- 2) **EVANS JUNIOR ARCHERY PROGRAM** to render a service in providing an archery program for the year 2010, a sum not to exceed \$400;
- 3) **EVANS YOUTH BASEBALL, Inc.** to render a service in providing a youth baseball program for the year 2010, a sum not to exceed \$6,300.00;

- 4) **EVANS YOUTH BASEBALL, Inc.** to render a service in providing a girls' softball program for the year 2010, a sum not to exceed \$1,440.00;
- 5) **LAKESHORE YOUTH FOOTBALL, Inc.** to render a service in providing a youth football program for the year 2010, a sum not to exceed \$6,300.00;  
And
- 6) **LAKESHORE YOUTH SOCCER ASSOCIATION** to render a service providing a soccer program for the year 2010, a sum not to exceed \$6,300.00.

BE IT FURTHER

RESOLVED, that, in the sole discretion of the Supervisor, the Supervisor may take a condition of such contract and the payment of such funds to any such organization as the Supervisor may elect a satisfactory review of said Organization's operating budget and presentment to the Town of vouchers regarding expenditures made by said Organization, and the filing with the Town of an inventory satisfactory to the Supervisor, of assets, equipment and supplies employed in, on or in connection with, said program, as well as a summary of disposition of such assets, equipment and supplies disposed of since the last payment made by the Town, detailing to whom such assets, equipment and supplies were transferred, the consideration of such transfer and the date or dates of the same, or manner in which such assets, equipment and supplies were otherwise consumed.

VOTE RESULT:      ADOPTED BY ROLL CALL  
                          Councilman Dash              aye  
                          Councilman Cooper             aye  
                          Supervisor Pordum            aye

**RESOLUTION 2010-54 Authorize Contractual Agreements with Local Community Service Based Organizations**

Councilman Dash moved and Councilman Cooper seconded,

NOW THEREFORE BE IT

RESOLVED, that conditioned as further set forth herein, the Supervisor is authorized to enter into and execute any contract or agreement appropriate, subject to the approval of the Town Attorney, to monument such arrangements and that the Town make the specified payments to such organizations in accord with such agreement or contract as follows:

- 1) **BUILDING RELATIONSHIPS IN DEVELOPMENT GOVERNMENT EDUCATION SERVICES (B.R.I.D.G.E.S.)** to render a service in providing, organizing and sponsoring post senior prom activities relative to the 2010 Lake Shore Central High School Senior Prom a sum not to exceed \$225.00
- 2) **ANGOLA PARK AND GAZEBO COMMITTEE** to render a service in providing, organizing and sponsoring various concerts and cultural events held, generally, at the William G. Houston Gazebo and surrounding park for the year 2010, a sum not to exceed \$405.00;

- 3) **EVANS ART GUILD** to render a service in providing, organizing and sponsoring various activities and cultural events, including, but not limited to an art show or shows for the year 2010, a sum not to exceed \$260.00;
- 4) **KIDS DAY IN THE PARK** to render a service in providing, organizing and sponsoring various activities and cultural events generally and commonly referred to as "Kids Day In The Park" for the year 2010, a sum not to exceed \$180.00; and
- 5) **LIONS CLUB OF THE TOWN OF EVANS** to render a service in providing, organizing and sponsoring a Halloween Parade for the year 2010, a sum not to exceed \$405.00

VOTE RESULT:      ADOPTED BY ROLL CALL  
                          Councilman Dash              aye  
                          Councilman Cooper             aye  
                          Supervisor Pordum             aye

**RESOLUTION 2010-55 Authorize Town Clerk to Attend Training Seminar**

Councilman Cooper moved and Supervisor Pordum seconded,

WHEREAS, the State of New York Comptroller in coordination with the Association of Towns of the State of New York is offering a 2010 Training School for Newly Elected Town Officials with a specific breakout agenda for Town Clerks, and

WHEREAS, the closest location offering this school is in Rochester, NY from January 13-15, 2010, and

WHEREAS, a new Town Clerk has been elected into the office for the first time in 30 years,

NOW THEREFORE BE IT

RESOLVED, that Jonica B. DiMartino, the newly elected Evans Town Clerk be authorized to attend the above-stated training seminar at the Doubletree Hotel in Rochester, New York with all reasonable expenses incurred being a town charge in accordance with the rules and regulations governing travel and education.

VOTE RESULT:      ADOPTED BY ROLL CALL  
                          Councilman Dash              aye  
                          Councilman Cooper             aye  
                          Supervisor Pordum             aye

**RESOLUTION 2010-56 Approve Town Licenses**

Supervisor Pordum moved and Councilman Cooper seconded,

- 1) Robert J. Pasinski D/B/A Jovial Bar II, Inc.- Refreshment & Live Band

- 2) William J. Connors D/B/A Connors Hot Dog Stand- Refreshment
- 3) Derrik W. Decker D/B/A Decker’s Corner, LLC- Refreshment

RESOLVED, that the aforesaid licenses be granted pertaining to the report of the Chief of Police and the Department of Health where appropriate.

VOTE RESULT:     ADOPTED BY ROLL CALL  
                           Councilman Dash             aye  
                           Councilman Cooper         aye  
                           Supervisor Pordum         aye

**RESOLUTION 2010-57 Audit of Bills**

Councilman Cooper moved and Councilman Dash seconded,

BE IT RESOLVED, that all properly audited bills be paid forth out of their respective accounts as set forth in the abstract dated January 6, 2010

Date 12/31/09 (year end for January 6, 2010 meeting)  
   Abstract No.24  
   Voucher No. 2592-2726  
   Prepaid: 61, 62, 63, 64, 65, 66

GENERAL	97,135.81
PART TOWN	12,751.93
HIGHWAY DA	
HIGHWAY	21,156.83
WATER	91,586.81
CAPITAL PROJECTS	3,372.50
SPECIAL DISTRICTS	104,363.58
DEBT SERVICE	
COMMUNITY DEVELOPMENT	
 TOTAL	 330,367.46

VOTE RESULT:     ADOPTED BY ROLL CALL  
                           Councilman Dash             aye  
                           Councilman Cooper         aye  
                           Supervisor Pordum         aye

**RESOLUTION 2010-58 Adjournment**

Supervisor Pordum moved and Councilman Dash seconded to adjourn the regular Town Board meeting to Wednesday, January 20, 2010 at 6:00pm for a Work Session then to Wednesday, January 27, 2010 at 6:30pm for an Agenda Meeting and at 7:00pm for the regular Town Board meeting.

VOTE RESULT:     ADOPTED

AYES- Dash, Cooper, Pordum  
NAYS- none

These minutes are an unofficial copy unless the original signature of the Town Clerk is affixed below. The original official paper minutes are stored in the Town's vault.

Respectfully Submitted,

Jonica B. DiMartino  
Town Clerk  
Town of Evans