

## 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, March 17, 2010 at 7:00pm there were:

PRESENT:	Paul T. Cooper	Councilman
	Francis J. Pordum	Supervisor
EXCUSED:	Keith E. Dash	Councilman
ALSO PRESENT:	Jonica B. DiMartino	Town Clerk
	Jeanne Ebersole	Assessor
	J. Grant Zajas	Town Attorney
	Charles LaBarbera	Building Dept. Head
	Lori Szewczyk	Dir. of Community Development
	Edward Michalski	Highway Superintendent
	Charles Katra	Dir. of Finance/Town Comptroller
	Sandra Brant	Dir. of Planning
	Ernie Masullo	Police Chief
	Julie Roach	Seniors Dept. Head
	Patrick Conrad	St. Pt. Marina Dept. Head & Parks
	James Guarino	Water Dept.
	Rob Klavoon	Wendel Duchscherer

**RESOLUTION 2010-83 Approve Minutes**

Supervisor Pordum moved that the reading of the minutes of the meeting of February 17, 2010 be dispensed with and approved as submitted by the Town Clerk. Motion failed due to lack of a second.

VOTE RESULT: None

**RESOLUTION 2010-84 Approve Committee and Department Head Reports**

Supervisor Pordum moved and Councilman Cooper seconded to approve the Committee and Department Head Reports as follows:

Councilman Cooper:	1. Environmental Fair- Evans Center Fire Hall at 9:00am on April 17, 2010
	2. Earth Week kicks off on April 18, 2010
	3. Code Enforcement Office Meeting
Supervisor Pordum:	1. Lake Erie Beach Revitalization Project March 10 <sup>th</sup> Meeting
	2. Interactive Public Meeting for LEB Project scheduled for Thursday, April 8, 2010 from 6:30pm - 8:30pm at the AJ Schmidt Elementary School

3. Schedule of 2010 Summer Season Outdoor Movie Events at the Evans Town Park
4. Announced free Agri-Tourism Web Seminar Series hosted at the Eden Town Hall
5. Commended Evans Police Dept. for their outstanding work

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

**RESOLUTION 2010-85 Approve Town Clerk Reports**

Councilman Cooper moved and Supervisor Pordum seconded to approve the Town Clerk Financial Reports as follows:

February 2010

Petty Cash	\$0.00
NYS Racing & Wagering	\$0.00
Town Clerk Monthly	\$7,600.31
Interest earned checking	\$3.37
Water District Receipts	\$92,768.21
Duplicate Bills & Receipts	\$232.00
Interest earned checking	\$29.62

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

**RESOLUTION 2010-86 Authorize Town Clerk to attend NYSTCA conference**

Councilman Cooper moved and Supervisor Pordum seconded,  
 Resolved: that Jonica B. DiMartino, Town Clerk is authorized to attend the 2010 NYS Town Clerks Association Conference to be held on April 25, 2010 - April 28, 2010 in Saratoga Springs, NY and be it further,  
 Resolved: that the Town Clerk has made shared transportation arrangements with 11 other Town Clerks and has made shared accommodation arrangements with the Amherst Town Clerk to keep the cost of attending this conference to a minimum 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 Cooper aye  
 Supervisor Pordum aye

**RESOLUTION 2010-87 Appointment of Laborer**

Councilman Cooper moved and Supervisor Pordum seconded,  
RESOLVED: that William Ericson of 587 Seneca Road, Angola, be appointed to the position of laborer; to be paid \$10.00 per hour; effective 3-8-2010.

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

**RESOLUTION 2010-88 Authorization of Change Order No. 4 for Water Meter Replacement & Tileset Installation Project**

Supervisor Pordum moved and Councilman Cooper seconded,

**. AUTHORIZATION OF CHANGE ORDER NO. 4  
 WATER METER REPLACEMENT  
 CONTRACT 07-1**

**WHEREAS**, H&K Construction was retained by the Town of Evans to complete Contract No. 07-1, Water Meter Replacement and Tileset Installation, and

**WHEREAS**, Wendel Duchscherer, the Town Engineer, has determined that H&K Construction has completed the project in general conformance with the Contract Plans and Specifications,

**NOW THEREFORE BE IT RESOLVED**, that the Evans Town Board authorizes deduct Change Order No. 4 to revise the total original contract amount for project close-out.

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

**RESOLUTION 2010-89 Final Close-Out for Water Meter Replacement Contract, Release of Liens & Release of all Retained Monies; Performance Bond & Payment Bond to remain in effect for 2 years**

Supervisor Pordum moved and Councilman Cooper seconded,

**FINAL CLOSE-OUT  
 WATER METER REPLACEMENT  
 CONTRACT 07-1**

**WHEREAS**, the Town of Evans entered into a contract with H&K Construction for the replacement of water meters in the Town,

WHEREAS, Wendel Duchscherer, the Town Engineer, has determined that H&K Construction has completed the project in general conformance with the Contract Plans and Specifications,

NOW THEREFORE BE IT RESOLVED, that the Town of Evans accepts the final pay request and Release of Liens provided by H&K Construction.

BE IT FURTHER RESOLVED, that the Town of Evans authorizes full contract payment and release of all retained monies.

BE IT FINALLY RESOLVED, that the Performance Bond and Payment Bond will remain in effect for a two (2) year period from March 17, 2010.

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

**RESOLUTION 2010-90 Accept Bid for Sturgeon Point Concession Stand**

Councilman Cooper moved and Supervisor Pordum seconded,

WHEREAS: that the Town Board hereby authorized the Town Clerk to advertise for proposals for restaurant concession at Sturgeon Point Marina, and

WHEREAS: said proposals were opened February 19, 2010 in the office of the Town Clerk; and

WHEREAS: T.E. Connors Inc., 8901 Lake Shore Road, Angola, NY 14006 submitted the lone responsible bid satisfactorily meeting the specifications as advertised,

NOW THEREFORE BE IT RESOLVED: that the sole responsible bid be and hereby is accepted by the Town Board of the Town of Evans in the following amounts:

2010 \$3,275  
2011 \$3,375  
2012 \$3,475

AND BE IT FURTHER RESOLVED: that the Town Supervisor is hereby authorized to execute any agreements necessary subject to the approval of the Town Attorney.

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

**RESOLUTION 2010-91 Appointment of Assessment Clerk**

Supervisor Pordum moved and Councilman Cooper seconded,

RESOLVED: that Kathleen Karyczak is hereby appointed as Assessment Clerk at a rate of pay pursuant to the IBEW contract.

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

(It was noted that Councilman Dash, as liaison to the Assessor, had submitted the resolution, however, he was excused from the meeting due to medical reasons.)

**RESOLUTION 2010-92 Authorize 2010 Summer Outdoor Movie Season**

Supervisor Pordum moved and Councilman Cooper seconded,

**Whereas**, The Town Board of the Town of Evans fully supports family friendly activities for residents and visitors; and

**Whereas**, in 2009 the Town contracted with ZupperBounce, LLC for three outdoor movie events in Town; and

**Whereas**, the two movie events that were not cancelled due to inclement weather were very well received by the public and the Town was pleased with the quality and professionalism of ZupperBounce; and

**Whereas**, the Town will contract with ZupperBounce for the 2010 summer season for three (3) outdoor movie events to be held July 29, August 5, and August 19 (weather permitting) at a cost of \$3,000 plus licensing fee,

**NOW, BE IT RESOLVED:** that Francis J. Pordum, Supervisor of the Town of Evans is hereby authorized and directed to contract with ZupperBounce, LLC for three (3) outdoor movie events for the 2010 summer season at a cost not to exceed \$3,800 pursuant to the approval of the Town Attorney and Director of Finance.

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

**RESOLUTION 2010-93 Audit of Bills**

Councilman Cooper moved and Supervisor Pordum seconded,

BE IT RESOLVED, that all properly audited bills be paid forth out of their respective accounts as set forth in the abstracts brought forth on March 17, 2010

	Date	3/3/2010
	Abstract No.	4
	Voucher No.	325-404
	Prepaid:	
GENERAL		126,285.59
PART TOWN		20,271.75
HIGHWAY DA		0.00
HIGHWAY		33,051.51
WATER		12,996.80
CAPITAL PROJECTS		28,138.38
SPECIAL DISTRICTS		317,018.65
DEBT SERVICE		
COMMUNITY DEVELOPMENT		4,010.00
TOTAL		541,772.68

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

**RESOLUTION 2010-94 Adjournment**

Supervisor Pordum moved and Councilman Cooper seconded to adjourn to a Work Session on Wednesday, March 24, 2010 @ 6:15pm and an Agenda Meeting on Wednesday, March 31, 2010 @ 6:30pm then to Wednesday, March 31, 2010 @ 7:00pm for the regular Town Board meeting.

VOTE RESULT: ADOPTED  
 AYES- 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

