

## Evans Town Board

At the regular meeting of the Town Board of the Town of Evans, held at the Evans Town Hall, 8787 Erie Road, Angola, New York on Thursday, May 26, 2011 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
	Charles LaBarbera	Building Dept. Head
	Drew Eszak	Dir. of Finance
	Russ Manguso	Parks Commissioner
	Ernie Masullo	Police Chief
	Julie Roach	Seniors Dept. Head
	Patrick Conrad	St Pt Marina Dept Head
	Peggy Manning	Supervisor's Dept
	Gary Noel	Water Dept.
	Rob Klavoon	Wendel Duchscherer
EXCUSED:	Lori Szewczyk	Dir. of Community Development
	Sandra Brant	Dir. of Planning
ABSENT:	Jeanne C. Ebersole	Assessor
	Edward Michalski	Highway Superintendent

**RESOLUTION 2011-164 Approve Minutes**

Supervisor Pordum moved and Councilman Dash seconded that the reading of the minutes of the meeting of May 4, 2011 and special meeting of May 18, 2011 be dispensed with and approved as submitted by the Town Clerk.

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

**Public Comment on Meeting Agenda Items**

1. Robert L. Palmer- 1780 Eden-Evans Center Rd., commented on the resolution regarding term limits.
2. Stanley Radwan- 8816 Lake Shore Rd., commented on the resolution regarding term limits.

**Proclamations:**

The Town Board and the Evans Police Chief recognized and presented proclamation plaques to Scott Dingledey, Codie Taylor, and Phoenix Johnson for their roles in the assistance of life saving efforts that prevented the potential drowning of two young girls at Big Sister Creek.

**RESOLUTION 2011-165 Committee and Department Head Reports**

Supervisor Pordum moved and Councilman Cooper seconded to approve the Committee and Department Head Reports as reported.

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

**RESOLUTION 2011-166 Approve Town Clerk Reports**

Supervisor Pordum moved and Councilman Dash seconded,

**Town Clerk Monthly Reports**

April 2011	
Monthly	\$10,717.21
Interest Earned	\$5.61
Adjustment	\$9.45
Petty Cash	\$-0-

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

**Old Business**

Supervisor Pordum stated that the PLL#1 of 2011- LWRP Consistency Review Law will remain on old business at this time.

**RESOLUTION 2011-167 Set Public Hearing for Special Use Permit Renewal- 8418 Southwestern Blvd, Angola, NY, part of SBL#221.00-3-22.1 Petitioner: Roy Emerling (Southtowns Auto Auction, Inc.)**

Councilman Dash moved and Councilman Cooper seconded,

WHEREAS, in a letter dated May 20, 2011, the Planning Division Office has requested that the Town Board set a public hearing regarding the petition of Southtowns Auto Auction, for an auto vehicle auction facility, to be located at 8418 Southwestern Blvd.

(a.k.a. US Route 20), Angola, NY, part of SBL# 221.00-3-22.1 Petitioner: Roy Emerling (Southtowns Auto Auction, Inc.), PO Box 204, Boston, NY 14025.

NOW THEREFORE BE IT

RESOLVED, that the Town Board authorize the Town Clerk to advertise for a public hearing to be held on June 15, 2011 at 7:10pm 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.

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

**RESOLUTION 2011-168 Grant Permission for Forget-Me-Not Drive**

Supervisor Pordum moved and Councilman Dash seconded,

To grant permission to the Southtowns Chapter #177 of the Disabled American Veterans to conduct their annual Forget-Me-Not Drive in the Town of Evans on Friday, July 1, 2011 and Saturday, July 2, 2011.

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

**RESOLUTION 2011-169 Water Bill Adjustment**

Councilman Dash moved and Councilman Cooper seconded,

RESOLVED: That an adjustment be made to the following water accounts because of leaks.

- |                    |                                |
|--------------------|--------------------------------|
| 1) Snyder, Russell | Account# 01021640              |
| 6522 Schuyler Dr   | Adjustment- \$495.68 + penalty |

2) Murray, Patrick Account# 01030900  
 6562 Wellington Dr Adjustment- \$452.31 + penalty

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

**RESOLUTION 2011-170 Declare Surplus/Transfer of Portable Radios**

Supervisor Pordum moved and Councilman Cooper seconded,

RESOLVED, that three (3) Kenwood Portable Radios with chargers, model TK-240, serial numbers 51100430, 51100427, and 51100426 are hereby declared surplus; and further be it,

RESOLVED, that the aforementioned radios be removed from the Town of Evans Police Dept. inventory and transferred to the Parks Department inventory.

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

**RESOLUTION 2011-171 Appt. to the Sturgeon Point Advisory Board**

Supervisor Pordum moved and Councilman Dash seconded,

WHEREAS; a vacancy has been created on the Sturgeon Point Advisory Board due to the death of a valued member;

BE IT RESOLVED; that Jeffrey Jarzynski of 886 Bennett Rd, Angola be appointed to fill that vacancy; term to expire 12-31-2011.

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

**RESOLUTION 2011-172 Appt. of Laborers**

Supervisor Pordum moved and Councilman Cooper seconded,

RESOLVED; the following be appointed to the position of laborer; to be called as needed; to be paid the designated hourly rate of pay:

Louis LoBello	9875 Hardpan, Angola	\$8.00
Andrew Jasinski	84 Terrylynn, Angola	\$7.50

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

**RESOLUTION 2011-173 Set Town Board Term Limits (pulled)**

Councilman Dash moved and Supervisor Pordum seconded,

To pull this resolution for further legal review and the setting of a formal public hearing to take place in consideration of a proposed local law to be adopted with details to be addressed in this procedure.

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

**RESOLUTION 2011-174 Acknowledgement of the Cheryl Steinbach Memorial Scholarship Award to the Town Clerk**

Councilman Cooper moved and Supervisor Pordum seconded,

WHEREAS, the Cheryl Steinbach Memorial Scholarship was established in honor of Cheryl Steinbach, a past Town Clerk and RMO for the Town of Chautauqua, and a past Treasurer and NY Association of Local Government Records Officers (NYALGRO) Board Member, and

WHEREAS, Ms. Steinbach's commitment and dedication to records management issues provided a leadership example for all public servants, not just those involved in records management, and

WHEREAS, Jonica B. DiMartino, Town Clerk and Records Management Officer for the Town of Evans, has been chosen by her peers to be one of three recipients to receive this scholarship, which will enable her to attend 2011 NYALGRO School to be held in Verona, NY on June 5, 2011 - June 7, 2011 with all incurring expenses to be paid in full by this award with no additional cost to the Town of Evans,

NOW THEREFORE BE IT RESOLVED, that the Town Board of The Town of Evans acknowledges and recognizes Ms. DiMartino for her achievement and commitment to records management for the Town of Evans.

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

**RESOLUTION 2011-175 Town Licenses**

Supervisor Pordum moved and Councilman Cooper seconded,

**Licenses**

Fireworks- (Sun, July 3, 2011 w/rain date of Mon, July 4, 2011)- Michael A. Slawinski/Deborah A. Slawinski  
 Refreshment- K-May Corp. D/B/A Grandview Super Freez

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  
                          Councilman Dash              aye  
                          Councilman Cooper             aye  
                          Supervisor Pordum             aye

**RESOLUTION 2011-176 Audit of Bills**

Councilman Dash moved and Councilman Cooper seconded,

BE IT RESOLVED, that all properly audited bills be paid forth out of their respective accounts as set forth in the abstract brought forth on May 26, 2011

Date: 05/18/2011  
 Abstract No. 10  
 Voucher No. 838-929  
 Prepaid: 24, 25

GENERAL	132,521.03
PART TOWN	19,305.62
HIGHWAY DA	0.00
HIGHWAY	32,044.04
WATER	97,992.74
CAPITAL PROJECTS	9,522.00
SPECIAL DISTRICTS	76,057.98
DEBT SERVICE	0.00
COMMUNITY DEVELOPMENT	<u>0.00</u>
TOTAL	367,443.41

VOTE RESULT:      ADOPTED BY ROLL CALL  
                          Councilman Dash              aye

Councilman Cooper	aye
Supervisor Pordum	aye

**RESOLUTION 2011-177 Adjournment**

Supervisor Pordum moved and Councilman Dash seconded to adjourn to a Work Session at 6:30 pm on Wednesday, June 8, 2011 then to an Agenda Meeting on Wednesday, June 15, 2011 at 6:30pm with the regular Town Board meeting immediately following at 7:00pm

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**