

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 Wednesday, August 17, 2011 at 7:00pm there were:

PRESENT: Keith E. Dash Councilman
Paul T. Cooper Councilman

~~ABSENT:~~ **AMENDED PER TOWN BOARD RESOLUTION ON 9-7-2011**

EXCUSED: Francis J. Pordum Supervisor

ALSO PRESENT: Lynn R. Stoessel Deputy Town Clerk
J. Grant Zajas Town Attorney
Charles LaBarbera Building Dept. Head
Ernie Masullo Police Chief
Patrick Conrad St Pt Marina Dept Head
Peggy Manning Supervisor's Dept
Drew Eszak Dir. of Finance

EXCUSED: Jeanne C. Ebersole Assessor
Russ Manguso Parks Commissioner
Sandra Brant Dir. of Planning
Gary Noel Water Dept.
Lori Szewczyk Dir. of Community Development

ABSENT: Edward Michalski Highway Superintendent
Julie Roach Seniors Dept. Head
Rob Klavoon Wendel Duchscherer
Rick Hanavan Wendel Duchscherer

RESOLUTION 2011-224 Approve Minutes

Councilman Dash moved and Councilman Cooper seconded that the reading of the minutes of the meeting of July 20, 2011 and the Work Session of August 10, 2011 be dispensed with and approved as submitted by the Town Clerk.

VOTE RESULT: ADOPTED
AYES - Dash & Cooper
NAYS - none

Public Comment on Meeting Agenda Items

1. Stan Radwan, 8816 Lake Shore Road, asked questions about resolution #4 on tonight's agenda.
2. Robert Palmer, 1780 Eden Evans Center, inquired about the LWRP under OB #1 on tonight's agenda.
3. Ed Conboy, 8168 Hillside, inquired about procedure for public hearing notifications and process.

RESOLUTION 2011-225 Committee & Department Head REPORTS

Councilman Cooper moved and Councilman Dash seconded to approve as presented the committee and department head reports.

VOTE RESULT: ADOPTED
 AYES - Cooper, Dash
 NAYS - None

RESOLUTION 2011-226 Town Clerk's reports

Councilman Dash moved and Councilman Cooper seconded,

Town Clerk Monthly Reports July 2011

Monthly	\$31,214.49
Interest	\$5.24
Petty Cash	\$-0-
Water Receipts	\$75,222.82
Interest	\$17.22

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

RESOLUTION 2011-227 Old Business Agenda Items

Councilman Cooper moved and Councilman seconded, that the items below remain on Old Business:

1. PLL#1 of 2011- LWRP Consistency Review Law
2. Approve & Execute "Approval to Purchase" (Evans Center Vol Fire Co. Financing Agreement)
3. PLL#3 of 2011- RE: Live Band/Special Event Licenses

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

RESOLUTION 2011-228 Authorize Town Clerk to advertise for a Public Hearing RE: PLL#6 of 2011- Speed Limit on Lake Shore Road between Dennis Road & Sturgeon Point Road

Councilman Dash moved and Councilman Cooper seconded,

RESOLVED: that a public hearing be scheduled on September 7, 2011, at 7:10pm to consider Proposed Local Law #6 of the year 2011, which would amend the Code of the Town of Evans, Chapter 193, Article II, Section 193-5 and Chapter 193, Article VIII, Section 193-35, Schedule II: Speed Limits to amend the current speed limit from 50 to 40 as follows:

<u>Name of Street</u>	<u>Speed (MPH)</u>	<u>Location</u>
Lake Shore Road	40	Between Dennis Road and Sturgeon Point Rd.

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

RESOLUTION 2011- 229 Authorize Town Clerk to advertise for a Public Hearing RE: PLL#7 of 2011- Speed Limit on Lake Shore Road from Sturgeon Point Road to a point 2,640 feet northeast on Lake Shore Road

Councilman Cooper moved and Councilman Dash seconded,

RESOLVED: that a public hearing be scheduled on September 7, 2011, at 7:15pm to consider Proposed Local Law #7 of the year 2011, which would amend the Code of the Town of Evans, Chapter 193, Article II, Section 193-5 and Chapter 193, Article VIII, Section 193-35, Schedule II: Speed Limits to amend the current speed limit from 50 to 40 as follows:

<u>Name of Street</u>	<u>Speed (MPH)</u>	<u>Location</u>
Lake Shore Road	40	from Sturgeon Point Rd. to a point 2,640 feet northeast on Lake Shore Road

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

RESOLUTION 2011-230 Authorize Town Clerk to advertise for a Public Hearing RE: Renewal of Special Use Permit - Petitioner: Matthew J. Leverenz, Tick-Tock Towing/Recovery located at 1526 Eden Evans Center Road, Angola, NY 14006, SBL#221.00-4-29.1

Councilman Dash moved and Councilman Cooper seconded,

WHEREAS: in a letter dated August 8, 2011, the Planning Office has requested that the Town Board set a public hearing regarding the petition of Matthew J. Leverenz, Tick-Tock Towing/Recovery, for a special use permit renewal for the operation of a towing/recovery business located at 1526 Eden Evans Center Road, Angola, NY 14006, SBL#221.00-4-29.1

NOW THEREFORE BE IT

RESOLVED: that the Town Board authorize the Town Clerk to advertise for a public hearing to be held on September 7, 2011 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

RESOLUTION 2011-231 Appt of laborers

Councilman Cooper moved and Councilman Dash seconded,

RESOLVED: that the following individuals be appointed to the position of laborer; to be called as needed; to be paid \$7.50 per hour:

Robert Barlett, 61 Lake St., Angola
Austin Smardz, 263 N. Main St., Angola

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

RESOLUTION 2011-232 Audit of Bills

Councilman Cooper moved and Councilman Dash seconded,

RESOLVED: that all properly audited bills be paid forth out of their respective accounts as set forth in the abstract brought forth on August 17, 2011

Date: 7-20-2011
 Abstract No. 14
 Voucher No. 1340-1459
 Prepaid: 29

General	246,198.83
Part Town	23,007.20
Highway DA	0
Highway	266,881.88
Water	15,713.11
Capital Projects	330,993.19
Special Districts	264,448.89
Debt Service	0
Community Development	<u>0</u>
Total	1,147,243.10

Date: 8-10-2011
 Abstract: 15
 Voucher No.: 1460-1541
 Prepaid: 30, 31

General	63,261.92
Part Town	23,457.29
Highway DA	0
Highway	435.69
Water	118,452.09
Capital Projects	11,815.97
Special Districts	18,983.57
Debt Service	0
Community Development	<u>0</u>
Total	236,406.53

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

RESOLUTION 2011-233 Adjournment

Councilman Cooper moved and Councilman Dash seconded to adjourn to a Work Session on Wednesday, August 31, 2011, then to an Agenda Meeting on Wednesday, September 7, 2011 at 6:30pm with the regular Town Board meeting immediately following at 7:00pm.

VOTE RESULT: ADOPTED
 AYES - Cooper, Dash

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,

Lynn R. Stoessel
Deputy Town Clerk

Jonica B. DiMartino
Town Clerk
Town of Evans