

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 Wednesday, October 3, 2012 at 7:00pm there were:

PRESENT:	Dennis M. Feldmann	Councilman
	Paul T. Cooper	Councilman
	Keith E. Dash	Supervisor
ALSO PRESENT:	Jonica B. DiMartino	Town Clerk
	Jeanne C. Ebersole	Assessor
	Charles LaBarbera	Building Dept. Head
	Lori Szewczyk	Dir. of Community Development
	Scott Dill	Finance Dept.
	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
	Diana Cafferty	Supervisor's Dept.
	James Guarino	Water Dept.
	Rick Hanavan	Wendel Duchscherer
	Rob Klavoon	Wendel Duchscherer
EXCUSED:	J. Grant Zajas	Town Attorney

RESOLUTION 2012- 318 Approve Minutes

Councilman Feldmann moved and Councilman Cooper seconded that the reading of the minutes of the meeting of the regular meeting of September 19, 2012 be dispensed with and approved as submitted by the Town Clerk.

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

Communications

Supervisor Dash read the communication from Crisis Services recognizing the Evans Police Dept. and specifically recognizing Tracey O'Donnell's commitment to the Police Mental Health Coordination Project. Supervisor Dash congratulated Chief Masullo, the Evans Police Dept., and Officer O'Donnell. The Supervisor and the Town Board presented the award plaque to Chief Masullo and all extended their congratulations to Officer Tracey O'Donnell.

Privilege of the Floor on Meeting Agenda Items and Other Issues

1. Bill Henry, 1456 Pontiac Rd., spoke and asked questions/concerns regarding the Town's Solar Leasing and commended specifically the Town Supervisor and the Board's efforts towards becoming 'green'. He commented on the purchasing of green power and congratulated the Town on its 'green' initiatives.
2. Dick Hammer, Backus Rd, Derby, NY 14047, asked questions and commented on the Town's financial situation and made some suggestions to the Town Board regarding investigating the use of money not accounted for in the audit and discussed overall percentage decreases in the budget.

RESOLUTION 2012-319 Open 7:10 pm Public Hearing for Proposed Local Law #4 of the year 2012 (amend Chapter 200 Zoning)

Councilman Cooper moved and Councilman Feldmann seconded to open the 7:10pm Public Hearing.

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

Supervisor Dash asked the Town Clerk read the legal notice as follows:

**Notice of Public Hearing
 Town of Evans**

Please take notice that the Town Board of the Town of Evans, Erie County, New York will hold a public hearing on October 3, 2012 at 7:10 pm at the Evans Town Hall, 8787 Erie Road, Angola, New York 14006, for the consideration of Proposed Local Law # 4 of the year 2012 which would amend and/or add to the Town Code, Chapter 200 Zoning, 200-7 Definitions and 200-29 Sign Regulations. A draft copy of the proposed amendments will be available, at the Town Clerk's Office, to review or pick up during normal business hours, Monday thru Friday from 8 am - 4 pm and Wednesday 10am - 6pm or it can be viewed or printed out at www.townofevans.org.

All parties in interest and citizens shall have an opportunity to be heard at the public hearing to be held aforesaid.

By Order of the Town Board
 of the Town of Evans
 Jonica B. DiMartino
 Town Clerk

1. Bill Henry spoke against the proposed local law.

2. Penny Chapman spoke against the proposed local law.

RESOLUTION 2012-320 Close 7:10pm Public Hearing

Councilman Feldmann moved and Councilman Cooper seconded to close the Public Hearing due to no further input from the public.

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

RESOLUTION 2012-321 Place Proposed Local Law #4 (amend Chapter 200 Zoning) on Old Business

Supervisor Dash moved and Councilman Feldmann seconded to place Proposed Local Law #4 on Old Business for further review based on comments made by the public.

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

RESOLUTION 2012-322 Open 7:20pm Public Hearing for CBDG

Councilman Cooper moved and Councilman Feldmann seconded to open the Public Hearing.

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

Supervisor Dash asked the Town Clerk to read the legal notice as follows:

**Legal Notice
Town of Evans**

Please take notice that the Town Board of the Town of Evans, Erie County, New York will hold a public hearing on October 3, 2012 at 7:20 pm at the Evans Town Hall, 8787 Erie Road, Angola, New York regarding the use of Federal Community Block Development Funds in the Town of Evans.

The Town of Evans is eligible for a Federal Community Block Development Grant under Title 1 of the Housing and Community Act, of 1974, as amended.

The purpose of the hearing is to provide an opportunity for citizens to express community development needs and to discuss possible projects which would benefit low and moderate income persons in the Town of Evans.

Citizens are urged to attend this meeting to make known their views and/or written proposals on the Town of Evans selection of potential projects to be submitted for possible funding under the Federal Community Block Development Grant Program.

The hearing will also present a review of prior Community Block Development projects and expenditures and discussion of eligible activities. The meeting room is wheelchair accessible.

By Order of the Town Board
of the Town of Evans
Jonica B. DiMartino, RMC
Town Clerk

1. Edward Schneider, 9575 Redwing St., Angola, spoke on his annual request for a basketball court for Lake Erie Beach Park. He submitted a proposal to the Town Clerk, who will make copies for the Supervisor, Town Board, and Director of Community Development for their consideration.

2. Bill Henry, 1456 Pontiac Rd., respectfully submitted verbally to the Town Board two suggestions for consideration. One suggestion was looking into solar hot water heating for the Town Pool on South Creek Rd. The other suggestion was looking into geothermal heating/cooling of the Town Hall.

RESOLUTION 2012-323 Close the Public Hearing for CBDG

Councilman Feldmann moved and Councilman Cooper seconded to close the Public Hearing due to no further input from the public.

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

Committee and Department Head reports

Councilman Feldmann had no report.

Councilman Cooper reported that the Fire Fighter Recruitment Campaign had 26 new applicants. He also attended the EMS Advisory Commission that discussed their concerns with hospital time issues and abuse of services. He read the Rural Metro report and also discussed the Town wide leaf pick up that will be starting soon.

Supervisor Dash reported that the Town Attorney is home from the hospital and is recuperating well. Jim Guarino from the water dept. also stated that Garry Noel is back at home recuperating as well.

RESOLUTION 2012-324 Town Clerk Monthly Reports

Councilman Cooper moved and Councilman Feldmann seconded to approve the Town Clerk monthly reports as follows:

September 2012 Monthly	\$16,393.83
September 2012 Interest	\$5.15
September 2012 Water Receipts	\$113,393.78
September 2012 Interest	\$18.22

VOTE RESULT: ADOPTED BY ROLL CALL
 Councilman Feldmann Aye
 Councilman Cooper Aye
 Supervisor Dash Aye

RESOLUTION 2012-325 Authorization of Change Order #1, #2, #3 for the Kennedy Ave Greenway Path Project

Councilman Feldmann moved and Councilman Cooper seconded,

WHEREAS, CVF, Inc. was retained by the Town of Evans to complete Contract No. 12-01, Kennedy Avenue Greenway Path, and

WHEREAS, Wendel Companies, the Town Engineer, has determined that CVF, Inc. has completed the project in general conformance with the Contract Plans and Specifications,

NOW, THEREFORE BE IT RESOLVED, that the Evans Town Board authorizes Change Order No.1, No.2, & No.3 to revise the total original contract amount for project close-out as outlined in Attachment A, B, & C.

VOTE RESULT: ADOPTED BY ROLL CALL
 Councilman Feldmann Aye
 Councilman Cooper Aye
 Supervisor Dash Aye

RESOLUTION 2012-326 Authorize Full Contract Payment and Release All Retained Monies and that Maintenance Bond will be in effect for Two (2) Years for the Kennedy Ave Greenway Path Project

Councilman Cooper moved and Councilman Feldmann seconded,

WHEREAS, CVF, Inc. was retained by the Town of Evans to complete Contract No. 12-01, Kennedy Avenue Greenway Path, and

WHEREAS, Wendel Companies, the Town Engineer, has determined that CVF, Inc. 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 CVF, Inc.

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 Maintenance Bond will remain in effect for a two (2) year period from October 3, 2012.

VOTE RESULT ADOPTED BY ROLL CALL
 Councilman Feldmann Aye
 Councilman Cooper Aye
 Supervisor Dash Aye

RESOLUTION 2012-327 Schedule Public Hearing for Proposed Local Law #5 (speed limit on Lake Shore Rd)

Supervisor Dash moved and Councilman Cooper seconded,

RESOLVED, that a public hearing be scheduled on October 17,2012 at 7:10pm to consider Proposed Local Law #5 of the year 2012, which would amend the Code of the Town of Evans, Chapter 193 Vehicles and Traffic, Article VII Section 193-35 Schedule II: Speed Limits to add:

<u>Name of Street</u>	<u>Speed (MPH)</u>	<u>Location</u>
Lake Shore Road	15	Between a point 100 +/- feet east of the east entrance to the AJ Schmidt school to a point 1320 feet west on Lake Shore Road.

And further amend the Code of the Town of Evans, Chapter 193 Vehicles and Traffic, Article VII Section 193-6 School Speed Limits, 193-36 Schedule II Speed Limits and 193-37 Schedule III School Speed Limits, per the MUTCD Manual of Uniform Traffic Control Devices for establishing school speed limits Section NYCRR 17B. Fixed message school speed limit signs - Traditional 7AM to 6 PM hours on school days.

VOTE RESULT: ADOPTED BY ROLL CALL
 Councilman Feldmann Aye
 Councilman Cooper Aye
 Supervisor Dash Aye

RESOLUTION 2012-328 Appt of Consultant for the Police Dept.

Councilman Feldmann moved and Supervisor Dash seconded,

WHEREAS, Thomas George, Jr. has worked as Range Officer for the Town of Evans Police Department in the past, and

WHEREAS, his expertise is needed to assist in the completion of Range Training in October 2012, now therefore it

RESOLVED, that Thomas George Jr., 1118 Backus Road, Angola, NY 14006 be appointed as a consultant to the Town of Evans Police Department effective immediately at the hourly rate of \$40.00.

VOTE RESULT:	ADOPTED BY ROLL CALL
	Councilman Feldmann Aye
	Councilman Cooper Aye
	Supervisor Dash Aye

RESOLUTION 2012-329 Establish Department of Public Works & dissolve Evans Water Dept & Parks Dept

Councilman Cooper moved and Supervisor Dash seconded,

RESOLVED that pursuant to Section 64 of the Town Law of the State of New York the Town Board of the Town of Evans does hereby establish a Department of Public Works and that the Water Department and the Parks Department, including the Marina, are hereby dissolved, the duties and functions of the same now to be undertaken by said Department of Public Works; and be it further

RESOLVED that pursuant to Section 32 of the Town Law of the State of New York, said Department of Public Works be under the direction of the Superintendent of Highways of the Town of Evans

VOTE RESULT:	ADOPTED BY ROLL CALL
	Councilman Feldmann Aye
	Councilman Cooper Aye
	Supervisor Dash Aye

RESOLUTION 2012-330 Authorize Supervisor to sign Letter Proposal Agreement for Design Services for the Sturgeon Point Bluffs-phase 1 SEQR & Joint Application Permit

Councilman Feldmann moved and Supervisor Dash seconded,

Resolved, the Supervisor of the Town of Evans is hereby authorized to sign the Letter Proposal Agreement with Audubon Architecture, Engineering, Land Surveying & Landscape Architecture, P.C. dated September 26, 2012 for design services related to the completion of a full long form EAF, finalization of concept design and completion of a Joint Application permit with NYSDEC and USACOE, subject to the approval of the Town Attorney.

VOTE RESULT: ADOPTED BY ROLL CALL
 Councilman Feldmann Aye
 Councilman Cooper Aye
 Supervisor Dash Aye

RESOLUTION 2012-331 Water Bill Adjustment

Councilman Cooper moved and Councilman Feldmann seconded,

Whereas, on April 4, 2012 Wendel Duchscherer notified the Contractor for Contract 09-2, JD Northrup that they had caused a water service break at 9736 Texas Street and,

Whereas, JD Northrup has agreed to reimburse the Town of Evans for the cost of the water lost due to the water service break,

Whereas, the homeowners of 9736 Texas Street did not cause the water service break through any fault of their own,

Now, therefore be it resolved, that the Evans Town Board authorizes an adjustment be made to the following water account because of the water service break:

Joseph and Sandra Lisowski
 Account: 03100250
 \$3,041.36

And be it further resolved that JD Northrup shall reimburse the Town in the amount of \$1,984.40

VOTE RESULT: ADOPTED BY ROLL CALL
 Councilman Feldmann Aye
 Councilman Cooper Aye
 Supervisor Dash Aye

RESOLUTION 2012-332 Appt of RPT for maintenance dept and hourly wage

Supervisor Dash moved and Councilman Feldmann seconded,

RESOLVED, that Karen Dybowski be appointed to the position of RPT in lieu of PT in the maintenance department effective immediately.

BE IT FURTHER RESOLVED, that this position has a salary increase bringing hourly wage to \$8.50 an hour.

VOTE RESULT: ADOPTED BY ROLL CALL
 Councilman Feldmann Aye

Councilman Cooper	Aye
Supervisor Dash	Aye

RESOLUTION 2012-333 Suspend the Rules

Councilman Feldmann moved and Councilman Cooper seconded to suspend the rules in order to consider an additional resolution.

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

RESOLUTION 2012-334 Opposition to reconfiguration of Rt 5

Supervisor Dash moved and Councilman Cooper seconded,

WHEREAS, the New York State Department of Transportation announced plans to reconfigure the driving lanes on RT 5, also known as Erie Road, between Sturgeon Point Road and Bennett Road from a four lane to a three lane section, and

WHEREAS, this three lane road would include one travel lane in each direction, with a continuous, dedicated two-way center left turn lane, and

WHEREAS, the residents of the Town of Evans and the Town Board are opposed to such a change,

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans is opposed to the reconfiguration of RT 5 to a two lane highway with a center two way left turn lane.

VOTE RESULT: ADOPTED BY ROLL CALL
 Councilman Feldmann Aye
 Councilman Cooper Aye
 Supervisor Dash Aye

RESOLUTION 2012-335 Audit of Bills

Councilman Cooper moved and Councilman Feldmann seconded,

BE IT RESOLVED, that all properly audited bills be paid out of their respective accounts per abstract brought forth:

Date: September 19, 2012
 Abstract No. 17
 Voucher No. 1618-1743
 Prepaid: 47

GENERAL	\$126,839.82
PART TOWN	\$20,029.53
HIGHWAY DA	
HIGHWAY	\$51,565.76
WATER	\$9,334.43
CAPITAL PROJECTS	
SPECIAL DISTRICTS	\$78,218.79
DEBT SERVICE	0.00
COMMUNITY DEVELOPMENT	0.00
TOTAL	\$423,342.88

Date: October 3, 2012
 Abstract No. 18
 Voucher No. 1744-1833
 Prepaid: 50, 51

GENERAL	\$86,107.21
PART TOWN	\$18,551.58
HIGHWAY DA	0
HIGHWAY	\$47,107.16
WATER	\$12,888.54
CAPITAL PROJECTS	0.00
SPECIAL DISTRICTS	\$49,305.00
DEBT SERVICE	0.00
COMMUNITY DEVELOPMENT	0.00
TOTAL	\$213,959.49

VOTE RESULT: ADOPTED BY ROLL CALL
 Councilman Feldmann Aye
 Councilman Cooper Aye
 Supervisor Dash Aye

RESOLUTION 2012-336 Adjournment

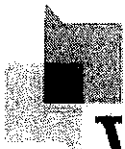
Supervisor Dash moved and Councilman Feldmann seconded, to adjourn to Wednesday, October 10, 2012 at 6:15pm for a Work Session then to Thursday, October 11, 2012 for a Budget Meeting to be held in the Conference Room, and then to Wednesday, October 17, 2012 at 6:30pm for an Agenda Meeting and 7pm for the Town Board meeting.

VOTE RESULT: ADOPTED
 AYES- Feldmann, 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,

**Jonica B. DiMartino, RMC
Town Clerk**



wendel

140 John James Audubon Parkway, Suite 201, Amherst, New York 14228
 P 716.688.0766 F 716.625.6825

Change Order

Change Order No.: 1
 Contract No.: 12-01
 Owner File No.: _____
 Wendel Duchscherer Project No.: 2589-39

Date: September 28, 2012
 Sheet 1 of 2

Project: Town of Evans Kennedy Avenue Greenway Path
 Owner's Name: Town of Evans
 Contractor's Name: CVF, Inc.

DESCRIPTION OF CHANGE TO CONTRACT OR EXTRA WORK:

1. Installation of curb, addition sidewalk, and detectable warning unit at southeast corner of Kennedy Avenue at Lake Shore Road.

REASON FOR MODIFICATION OR NEED FOR EXTRA WORK:

Due to safety conditions on this corner, additional work was needed to allow for safe pedestrian crossing.

CHANGE IN CONTRACT PRICE:

Original Contract Price
\$ 161,146.25

Net changes from previous Change Orders - -
\$ 0

Net Increase of this Change Order
\$ 7,500.00

Contract Price with all approved Change Orders
\$ 168,646.25

CHANGE IN CONTRACT SCHEDULE:

Original Contract Schedule

Substantial Completion: July 27, 2012
 Ready for final payment: August 10, 2012
days or dates

Net change from previous Change Orders - -
 0

Net Increase of this Change Order

Contract Schedule with all approved Change Orders

Substantial Completion: _____
 Ready for final payment: _____
days or dates

APPROVALS:

Contractor Name Rochelle Farruggia, Owner, CVF, Inc.
 Contractor Signature *Rochelle Farruggia* Date: 9/28/12

Engineer Name Robert D Klavoon, P.E., Wendel Duchscherer
 Engineer Signature *Robert D Klavoon* Date: 10/3/12

Owner Name Keith Dash, Town of Evans Supervisor
 Owner Signature _____ Date: _____



CONCRETE CONSTRUCTION

Certified DBE/WBE

July 23, 2012

Attn: Lauren Glose, PE
Wendel
140 John James Audubon Pkwy.
Amherst, NY 14228

RE: RFP for Kennedy Ave., Town of Evans Project:

Dear Ms. Glose:

Per your request below is a breakdown for the additional concrete work on the corner of Kennedy and Lakeshore Blvd., Town of Evans.

Saw cut	\$450.00	
Removal	\$1200.00	
Stone	\$100.00	
Set up curb	\$1200.00	
Pour curb & Additional walk	\$1200.00	
1 Detectable Warning units	\$400.00	
Concrete	\$600.00	
Asphalt	\$1000.00	
Trucks	\$100.00	
	<u>\$6250.00</u>	
O & P	<u>\$1250.00</u>	
Total.....		\$7500.00

If you have any questions please call my cell at 818-2105. Thank you.

Very truly yours,

CVF Inc.

Charles Farrugia
Project Manager

RFP Town of Evans



140 John James Audubon Parkway, Suite 201, Amherst, New York 14228
P 716.688.0766 F 716.625.6825

Change Order

Change Order No.: 2
Contract No.: 12-01
Owner File No.: _____
Wendel Duchscherer Project No.: 2589-39

Date: September 28, 2012
Sheet 1 of 82

Project: Town of Evans Kennedy Avenue Greenway Path
Owner's Name: Town of Evans
Contractor's Name: CVF, Inc.

DESCRIPTION OF CHANGE TO CONTRACT OR EXTRA WORK:

1. Credit for six (6) ADA units called out on plans but not installed - cost credit (\$2,400.00).
2. Additional pipe work including sump reconnection, abandoned storm pipe removal (5 LF), underdrain relocation (38 LF) – cost add \$2,400.00.

REASON FOR MODIFICATION OR NEED FOR EXTRA WORK:

- During construction, three (3) locations where ADAs were originally called for were determined to be unnecessary. Each location required two (2) ADAs.
- At one location, abandoned storm pipe was found to be abandoned in the line of the greenway path. A sump pump was found to be connected to the storm pipe. The sump was reconnected to the in service storm pipe and the abandoned pipe was removed. At one location, 38LF of storm pipe was relocated out of the path of the greenway path.

CHANGE IN CONTRACT PRICE:

Original Contract Price
\$ 161,146.25

Net changes from previous Change Orders -
\$ 7,500.00

Net Increase of this Change Order
\$ 0.00

Contract Price with all approved Change Orders
\$ 168,646.25

CHANGE IN CONTRACT SCHEDULE:

Original Contract Schedule
Substantial Completion: July 27, 2012
Ready for final payment: August 10, 2012
days or dates

Net change from previous Change Orders -

Net Increase of this Change Order
0

Contract Schedule with all approved Change Orders
Substantial Completion: _____
Ready for final payment: _____
days or dates

APPROVALS:

Contractor Name Rochelle Farruggia, Owner, CVF Inc.
 Contractor Signature *Rochelle Farruggia* Date: 9/28/12
 Engineer Name Robert D Klavoon, P.E., Wendel Duchscherer
 Engineer Signature *Robert D. Klavoon* Date: 10/3/12
 Owner Name Keith Dash, Town of Evans Supervisor
 Owner Signature _____ Date: _____

Sep. 13. 2012 11:40AM CVF INC.

No. 0422 P. 2



CONCRETE CONSTRUCTION
Certified DBE/WBE

September 13, 2012

Attn: Lauren Glose, PE
Wendel
140 John James Audubon Pkwy.
Amherst, NY 14228

RE: Kennedy Ave., Town of Evans Project-Change Order #2

Dear Ms. Glose:

- Reconnection of sump pump
- Removal of old storm pipe (5ft approx)
- Under drain relocation (approx 38')

Total \$2400.00

Thank you.

Very truly yours,

CVF Inc.

Rochelle Farruggia
President



140 John James Audubon Parkway, Suite 201, Amherst, New York 14228
 P 716.688.0766 F 716.625.6825

Change Order

Change Order No.: 3
 Contract No.: 12-01
 Owner File No.: _____
 Wendel Duchscherer Project No.: 2589-39

Date: September 28, 2012
 Sheet 1 of 2

Project: Town of Evans Kennedy Avenue Greenway Path
 Owner's Name: Town of Evans
 Contractor's Name: CVF, Inc.

DESCRIPTION OF CHANGE TO CONTRACT OR EXTRA WORK:

1. Credit for unused contract pay items - cost credit (\$15,650.00).
2. Additional 117 LF of concrete – cost add \$4,779.45.

REASON FOR MODIFICATION OR NEED FOR EXTRA WORK:

- During construction, several manholes did not require adjustment (\$3,000.00), the addition stone fill was not required (\$8,400.00), and the use of lawn drains (\$2,250.00) and underdrain pipe (\$2,000.00) were not required.
- Original contract for 3,525 LF of concrete. Actual linear feet of concrete installed was 3,642 LF.

CHANGE IN CONTRACT PRICE:

Original Contract Price
 \$ 161,146.25
 Net changes from previous Change Orders - -
 \$ 7,500.00
 Net Decrease of this Change Order
 \$ (10,870.55)
 Contract Price with all approved Change Orders
 \$ 157,775.70

CHANGE IN CONTRACT SCHEDULE:

Original Contract Schedule
 Substantial Completion: July 27, 2012
 Ready for final payment: August 10, 2012
days or dates
 Net change from previous Change Orders - -
 Net Increase of this Change Order
 0
 Contract Schedule with all approved Change Orders
 Substantial Completion: _____
 Ready for final payment: _____
days or dates

APPROVALS:

Contractor Name Rochelle Farruggia, Owner, CVF Inc.
 Contractor Signature *Rochelle Farruggia* Date: 9/28/12
 Engineer Name Robert D Klavoon, P.E., Wendel Duchscherer
 Engineer Signature *Robert D Klavoon* Date: 10/3/12
 Owner Name Keith Dash, Town of Evans Supervisor
 Owner Signature _____ Date: _____

Sep. 13. 2012 4:28PM CVF INC.

No. 0428 P. 2



September 13, 2012

Attn: Lauren Glose, PE
Wendel
140 John James Audubon Pkwy.
Amherst, NY 14228

RE: Kennedy Ave., Town of Evans Project-Change Order #3

Dear Ms. Glose:

- Credit for 6 ADA Units

Total (\$2400.00)

Thank you.

Very truly yours,

CVF Inc.

Rochelle Farrugia
President