Evans Town Board

At the work session of the Town Board of the Town of Evans, held at the Evans Town Hall, 8787 Erie Road, Angola, New York on Wednesday, April 9, 2014 there were:

PRESENT:	Dennis M. Feldmann	Councilman
	Keith E. Dash	Supervisor
ALSO PRESENT:	Grant J. Zajas	Town Attorney
	Diana A. Cafferty	Supervisor's Office
	Scott Dill	Director of Finance
	Mike Barrett	Wendell Engineers
ABSENT:	Paul T. Cooper	Councilman

RESOLUTION 2014-166 Award of Contracting/Repair Services for Evans Tennis Courts, Basketball Courts & Hockey Rink

Supervisor Dash moved and Councilman Feldmann seconded,

WHEREAS, due to the extreme weather conditions this past winter, and

WHEREAS, the Tennis Courts, Basketball Court and Hockey Rink at the Evans Town Park sustained significant damage due to these conditions, and

WHEREAS, the Town of Evans solicited proposals from qualified contractors to provide contracting services to repair and resurface the Tennis Courts, Basketball Court and the Hockey Rink at the Evans Town Park,

NOW THEREFORE BE IT RESOLVED, that the Evans Town Board authorizes the award of the repairs to the Town Tennis Courts, Basketball Court and Hockey Rink to Louis Del Prince & Sons, Inc., 580 Cayuga Road, Cheektowaga, NY 14225 with the work to be completed as outlined in their proposal, with a maximum cost not to exceed $22,983, subject to the approval of the Town Attorney and the Director of Finance.

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

RESOLUTION 2014-167 Lift Moratorium on Paper Roads

Supervisor Dash moved and Councilman Feldmann seconded,

WHEREAS, the Town Board placed a moratorium on the sale of paper roads to protect property owners and the integrity of Town development, and

WHEREAS, a well-defined policy of sale of paper roads has been established and its enforcement developed,

NOW THEREFORE BE IT RESOLVED that the Town of Evans hereby lifts the previous established moratorium.

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

RESOLUTION 2014-167 Approve Sale of a Portion of Richmond Street to Florence Piechowiak

Supervisor Dash moved and Councilman Feldmann seconded,

Whereas by prior resolution of the Town Board on October 21, 1998 it was resolved to sell to Florence Piechowiak a portion of a proposed roadway known as Richmond Street said parcel being 20 feet in depth and 200 feet in length and adjoining SBL #251.13-4-3 and/or SBL# #251.13-4-4; and

Whereas the aforesaid intended purchaser paid, or caused to be paid, to the Town the agreed upon sum of $500.00 for the purchase of such parcel, ad set forth in the aforesaid resolution; and

Whereas in furtherance of such resolution and intended sale and purchase a deed was prepared and delivered to said purchaser wherein the grantees were specified, as purchaser requested, as Clara Piechowiak, Florence Piechowiak and Caroline Piechowiak; and

Whereas due to a clerical error the property described in said deed referenced the parcel to be conveyed as adjoining sublots 5629 5630, 5631, 5632 and 5633 as the same adjoined SBL# 251-4-3 which would and did convey a parcel 20 in width but only 100 feet in length, and failed to mention that the intended conveyance should also have included so much of Richmond Street as abuts sublots 5634, 5635, 5636, 5637 and 5638, which sublots comprised SBL# 251-3-4, and being an intended additional parcel of 20 feet in with and 100 feet in length; and

Whereas the aforesaid deed to the aforesaid Clara Piechowiak, Florence Piechowiak and Caroline Piechowiak was delivered to said purchasers and recorded in the Erie County Clerk's office in Liber 10963 of Deeds at page 4807; and

Whereas thereafter the aforesaid error was discovered; and

Whereas the intended parcel was conveyed by Caroline Piechowiak, individually and as Executor of the Last Will and testament of Clara E. Piechowiak, since deceased and as Executor of the Last Will and Testament of Florence Piechowiak, also since deceased; and

Whereas it has been requested that a correcting deed be executed by and delivered by the Town of Evans, correcting such omission; and

Whereas such correcting deed is appropriate, just and fair under the circumstances to correct the clerical error in the original deed;

Now therefore Be It Resolved that the Supervisor or his designee is authorized and directed to execute and deliver a correcting deed to the aforesaid Caroline Piechowiak individually and/or in such representative capacities, or to the buyer acquiring the same upon such sale as aforesaid; and

Be It Further Resolved that the Supervisor is hereby authorized and directed to execute any and all such additional documents as may be reasonably required to give affect to the aforesaid original resolution and this resolution and the intention thereof.

VOTE RESULT: ADOPTED
AYES - Feldmann, 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 M. Krajacic
Town Clerk