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, June 4, 2014 there were:

PRESENT:	Dennis M. Feldmann	Councilman
	Paul T. Cooper	Councilman
	Keith E. Dash	Supervisor
ALSO PRESENT:	Lynn Krajacic	Town Clerk
	J. Grant Zajas	Town Attorney
	Charles LaBarbera	Building Dept. Head
	Lori Szewczyk	Director of Community Development
	Sandra Brant	Director of Planning
	Julie Roach	Senior's Department
	Diana Cafferty	Supervisor's Department

RESOLUTION 2014-199 Approve Minutes

Councilman Cooper moved and Councilman Feldmann seconded that the reading of the minutes of the Town Board Meeting of June 4, 2014 and the Work Session of June 11, 2014 be dispensed with and approved as submitted by the Town Clerk.

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

Communications

Supervisor Dash read a communication from Michael J. Metzger of Metzger Civil Engineering, PLLC regarding the rezoning of lands at the northwest corner of Southwestern Blvd and Versailles Plank Road.

RESOLUTION 2014-200 Refer Zoning Request Communication on Behalf of the Buffalo Auto Auction to the Planning Board

Supervisor Dash moved and Councilman Feldmann seconded, to refer the communication from Michael J. Metzger of Metzger Civil Engineering, PLLC regarding the rezoning of lands at the northwest corner of Southwestern Blvd and Versailles Plank Road to the Planning Board for review and recommendation.

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

Committee and Department Head Reports

Supervisor Dash announced that the first Movie in the Park will be held on July 17, 2014 and the Evans Art Guild will be holding its Art Show on July 6, 2014. He wished all residents a Happy, Healthy and Safe Independence Day.

RESOLUTION 2014-201 Authorize the Closing of Kennedy Avenue and Eisenhower Road for July 4th Celebration

Councilman Feldmann moved and Supervisor Dash seconded,

WHEREAS, the July 4th celebration in the Lake Erie Beach/Point Breeze area brings several thousand plus people to this community to honor our nation's birth; and

WHEREAS, the public safety responsibility for those people enjoying the celebration, those people residing in this celebration area, and the people who will transverse this area, are a responsibility that is best served through the following road closures; therefore be it

RESOLVED, that the Town Board of the Town of Evans hereby authorizes the closing of Kennedy Avenue and Eisenhower Road from Lake Shore Road to Quebec Street for the purpose of providing public safety to all participants, residents, and traffic during the 3rd of July (rain date 4th of July), in addition to all other public safety measures as set forth under the Code of the Town of Evans; and be it further

RESOLVED, that there will be no vehicles allowed in Lake Erie Beach Park beginning at 4 a.m. July 3rd through 4 a.m. July 5th; and be it further

RESOLVED, that the Town Clerk is hereby authorized and directed to publish this resolution in the June 29, 2014 edition of the Angola Pennysaver and the June 26, 2014 edition of the The Sun, the official paper of the Town of Evans.

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

RESOLUTION 2014-202 Authorize the Supervisor to Enter into Contract with Jamco

Councilman Cooper moved and Councilman Feldmann seconded,

RESOLVED, that the Supervisor is authorized to enter into a contract with Jamco Dog Boarding and Training Center, Inc. for the sheltering and care of dogs seized by the Town of Evans for the period commencing July 1, 2014 and running through June 30, 2016, subject to the approval of the Town Attorney and the Director of Finance.

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

RESOLUTION 2014-203 Appointment of Records Access Officer for Police Department

Supervisor Dash moved and Councilman Cooper seconded,

WHEREAS, it has always been the responsibility of the Chief of Police to release information/records created and maintained in the Evans Police Department; and

WHEREAS, as New York State allows a municipality to appoint more than one Records Access Officer for freedom of information requests; therefore be it

RESOLVED, that the Chief of Police is hereby appointed as the Records Access Officer for the Evans Police Department

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

RESOLUTION 2014-204 Appointment of Part-time Laborer/Gateguard and Lifeguar/Captain/Assistant Captain

Councilman Feldmann moved and Councilman Cooper seconded,

RESOLVED: that the following be appointed as part-time laborer/gateguard at the following rate effective immediately

Shaun Conrad	$ 9.00
Shelby Gray	7.50

FURTHER BE IT RESOLVED that the following be appointed as lifeguard/captain/assistant captain effective June 28, 2014 at the following rate

Ian Widmer-Wick	Supervisor	$12.00
Joe Violanti	Asst Supervisor	10.50
Marguerite O'Connor	Captain	10.50
James Murphy	Captain	10.00
Travis Wright	Captain	10.00
Lauren Jakiel	Asst Captain	9.00
Austin Smith	Asst Captain	8.50
Dylan Leverenz	Asst Captain	8.50

Madison Frew	Guard	8.10
Kelly Gramp	"	8.10
Sarah Jakiel	"	8.10
Marielle Zanolli	"	8.10
Emily Ignaczak	"	8.10
Alex Headley	"	8.00
Jenna Mackey	"	8.00
Kadie McGough	"	8.00
Mitchell Considine	"	8.00
Jenell Gerow	"	8.00
Evan Kifner	"	8.00
Alexis Addison	"	8.00
Tess Conley	"	8.00
Tim Jakiel	"	8.00
Chris Jakiel	"	8.00
Noah Michalec	"	8.00
Marissa Kordal	"	8.00
Olivia Bruce	"	8.00

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

7:10pm Public Hearing for the purpose of considering Proposed Local Law #3 of the year 2014 Correct Mapping Error SBL#250.10-1-19

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

LEGAL NOTICE
TOWN OF EVANS

Please take notice that a public hearing will be held by the Town Board of the Town of Evans, Erie County, New York on June 18, 2014 at 7:10 P.M. at the Evans Town Hall, 8787 Erie Road, Angola, New York 14006 for the purpose of considering the correction of a mapping error to zone a 2.5± acre portion of property owned by Wayne and Cheryl Kerling, located on the lake side of 9438 Lake Shore Road, Angola, NY 14006, SBL# 250.10-1-19 from Residential District Two (R-2) to Multifamily Residential District 3 (MFR-3) said portion being described as: All That Tract or parcel of Land situate in the Town of Evans, County of Erie and State of New York, being part of Lot 85, township 8, range 9 of the Holland Land Companies Survey and further described as follows:

Beginning on the south line of Wayne M. & Cheryl Kerling under liber 10970 of deeds at page 9803 at the intersection of the center line of the Lake Shore Road; thence northerly along the center line of Lake Shore Road a distance of 179.25' (one hundred seventy-nine and 25/100 feet) more of less to the north line of Kerling by aforesaid; thence westerly along a bearing of north 43° 31' west and along the north line of Kerling by aforesaid deed a distance of the 583' (five hundred eighty three feet) more of less to the shores of Lake Erie; thence southwesterly along the shores of Lake Erie a distance of 206.66 feet (two hundred six and 66/100 feet) more of less to the south line of Kerling by aforesaid deed; thence easterly along the south line of Kerling by aforesaid deed along a bearing of south 43° 31' east, a distance of 653 feet (six hundred fifty three feet) more or less to the point of beginning

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

By Order of the Town Board
of the Town of Evans
Lynn M. Krajacic
Town Clerk

RESOLUTION 2014-205 Open the Public Hearing

Councilman Cooper moved and Councilman Feldmann seconded to open the public hearing for the consideration of the adoption of Proposed Local Law #3 of the year 2014.

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

There being nobody present wishing to speak, the Public Hearing was closed.

RESOLUTION 2014-206 Close the Public Hearing

Supervisor Dash moved and Councilman Cooper seconded to close the public hearing.

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

RESOLUTION 2014-207 Adopt Proposed Local Law #2 of the year 2014

Supervisor Dash moved and Councilman Cooper seconded,
WHEREAS, the Planning Director has determined there is sufficient evidence of a mapping error for a 2.5± acre portion of property owned by Wayne and Cheryl Kerling located on the lake side of 9438 Lake Shore Road, Angola, NY, SBL# 250.10-1-19, and

WHEREAS, a public hearing was held and the reason for the mapping error was no fault of the property owners, and

WHEREAS, the Town Board of the Town of Evans agrees that the zoning of Residential District Two (R-2) was misapplied to the 2.5± acre portion of the parcel.

NOW THEREFORE BE IT

RESOLVED, that the 2.5± acre lake side portion of the property be zoned to Multifamily Residential District Three (MFR-3) to better conform to its intended use and no expense should be borne by the property owners, Wayne and Cheryl Kerling, in respect to the mapping error, and

BE IT FURTHER

RESOLVED, the proposed Local Law #3 of the year 2014 regarding the above said rezoning be adopted as Local Law #2 of the year 2014,

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
AYES: Feldmann, Cooper, Dash
NAYS: None

RESOLUTION 2014-208 Approve Town Licenses

Supervisor Dash moved and Councilman Feldmann seconded,

Licenses:

Michael A. & Deborah A. Slawinski D/B/A Stroh's Tavern - Fireworks

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
AYES: Feldmann, Cooper, Dash
NAYS: None

RESOLUTION 2014-209 Audit of Bills

Councilman Cooper moved and Supervisor Dash seconded,
BE IT RESOLVED, that all properly audited bills be paid out of their respective accounts per abstract brought forth:

DATE: 06/11/2014
ABSTRACT NO. 11
VOUCHER NO. 938-1065
PREPAID:

GENERAL	156,486.70
PART TOWN	26609.79
HIGHWAY DA	
HIGHWAY	54,397.96
WATER	9,188.95
CAPITAL PROJECTS	62,883.96
SPECIAL DISTRICTS	113,117.56
DEBT SERVICE	
COMM DEVELOPMENT	
TOTAL	**$422,684.92**

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

RESOLUTION 2014-210 Adjournment

Supervisor Dash moved and Councilman Feldmann seconded, to adjourn this meeting to Tuesday, July 8, 2014 at 6:15pm for a Work Session and then to Wednesday June 16, 2014 at 6:30pm for an Agenda meeting and 7:00pm for the regular 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,

Lynn M. Krajacic
Town Clerk