Evans Town Board

At a meeting of the Town Board of the Town of Evans, held at the Evans Town Hall, 8787 Erie Road, Angola, New York on Wednesday, May 20, 2015 there were:

PRESENT:	Dennis M. Feldmann	Councilman
	Paul T. Cooper	Councilman
	Keith E. Dash	Supervisor
ALSO PRESENT:	Lynn Stoessel	Deputy Town Clerk
	J. Grant Zajas	Town Attorney
	Charles LaBarbera	Building Department Head
	Lori Szewczyk	Director of Community Development
	Sandra Brant	Director of Planning
	Ernie Masullo	Chief of Police
	Diana Cafferty	Supervisor Department

RESOLUTION 2015 #182 Approve Minutes

Supervisor Dash moved and Councilman Cooper seconded that the reading of the minutes of the meeting of May 6, 2015 and the Work Session of May 13, 2015 be dispensed with and approved as submitted by the Town Clerk.

Carried.

Privilege of the Floor on Agenda Items and Other Issues

Tom Marks, 7004 Waring Circle, Derby thanked the employees who worked on clearing out the ice and getting the Sturgeon Point Marina open.

Committee and Department Head Reports

Councilman Cooper reported that there will be a Free Household Hazardous Waste Drop-Off at ECC South Campus on June 13, 2015 from 9am – 2pm and if you have any questions you can call 858-6800 or go to County's website at www.erie.gov/environment.

Supervisor Dash read the April monthly report for the Building Department. Reminded everyone that this weekend is Memorial Weekend and there will be services to recognize and honor our veterans on Saturday in Derby at noon at Highland Hose Fire Hall, Town Hall on Sunday at 2pm and there will be a parade in the Village starting at 10am on North Main Street. The Town has received the first FEMA payment for the $21,084.00 which is for 75% of the cost for damages to the fire hydrants from the "Snowvember" Storm. On June 17th there will be a dedication of the Dog Park here at Town Hall at 5:30pm.

7:10pm Public Hearing for Consideration of Proposed Local Law #3 of 2015 Appointment of Zoning Board Alternates

Supervisor Dash asked the Deputy Town Clerk to read the legal notices 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 May 20, 2015 at 7:10 P.M. at the Evans Town Hall, 8787 Erie Road, Angola, New York 14006 to consider the adoption of Proposed Local Law #3 of the year 2015 which will amend Chapter 200 Zoning, Article IX Administration and Enforcement, Section 200-44 Board of Appeals, A Appointment and Organization to add Chapter 200, Article IX Section 200-44 A.(3) Alternate Zoning Board Members.

Copies of the Proposed Local will be available for inspection by any interested person in the Office of the Town Clerk during normal business hours Monday, Tuesday, Thursday, Friday from 8am – 4pm, Wednesday from 9am – 5pm and the Town's website www.townofevans.org on and after May 7, 2015.

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 2015 #183 Open the Public Hearing

Councilman Cooper moved and Councilman Feldmann seconded to open the public hearing for Proposed Local Law #3 of the year 2015 regarding the Appointment of Zoning Board Alternates.

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

Joe Gajdosz questioned what the proposed local law was about.

RESOLUTION 2015 #184 Close the Public Hearing

Councilman Cooper moved and Councilman Feldmann seconded to close and the public hearing for Proposed Local Law #3 of the year 2015 regarding the Appointment of Zoning Board Alternates.

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

Town Attorney Zajas recommended that Article 4 be included in the Proposed Local Law regarding a State statute.

(4)The foregoing amends, expands and/or supersedes the provisions of subdivision 11 of Section 267 of the New York State Town Law to the extent that any provision thereof conflicts with the foregoing, pursuant to the authority granted to the Town under the terms and provisions of New York State Municipal Home Rule Law section 22.

RESOLUTION 2015 #185 Adopt Proposed Local Law #3 of the year 2015 as Local Law #2 of the year 2015

Supervisor Dash moved and Councilman Feldmann seconded to approve the proposed amendment and adopt Proposed Local Law #3 of the year 2015 as amended to include the proposed amendment as Local Law #2 of the year 2015.

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

RESOLUTION 2015 #186 Remove Proposed Local Law #2 from Old Business on the agenda

Supervisor Dash moved and Councilman Cooper seconded to remove Proposed Local Law #2 of the year 2015 from Old Business on the agenda for Evans Town Board meetings.

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

RESOLUTION 2015 #187 Act on Proposed Local Law #2 of the year 2015

Supervisor moved and Councilman Cooper seconded to act on Proposed Local Law #2 as Local Law #3 of the year 2015

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

RESOLUTION 2015 #188 Adopt Proposed Local Law #2 of the year 2015

Supervisor Dash moved and Councilman Cooper seconded to adopt Proposed Local Law #2 of the year 2015 as Local Law #3 of the year 2015.

VOTE RESULT: FAILED BY ROLL CALL
Councilman Feldmann – NAY
Councilman Cooper - NAY
Supervisor Dash - NAY

RESOLUTION 189 Formally request funding from the Dept of Environment & Planning

Supervisor Dash moved and Councilman Cooper seconded,

WHEREAS: The Town of Evans is desirous of obtaining funds from the Department of Environment and Planning in the amount of $325,000.00 under the Federal Housing and Community Development Act as amended.

NOW THEREFORE BE IT RESOLVED, that the Town of Evans does hereby formally request funding from the Department of Environment and Planning; and

BE IT FURTHER RESOLVED, that the Evans Town Board does hereby authorize Keith E. Dash as the official to sign, submit and execute all applications, forms and contracts between the Town of Evans and Erie County.

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

RESOLUTION 190 Waive signage fee to the Parks Depatment for a portable sign to be placed at the Town Park

Councilman Cooper moved and Supervisor Dash seconded,

RESOLVED: that per Town of Evans Code 200.29 Sign Regulations, Fee Schedule, that the Town Board does hereby grant a waiver of the signage fee to the Evans Parks Department to have the portable sign at the Evans Town Park to advertise:

1. The Party For The Playground, May 14th thru May 21st.
2. The month of July for Experience Evans, Rockin Reunion, Movie Nite
3. Movie Nite August 5th thru August 14th

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

RESOLUTION 191 Appointment of Laborer/Gateguards

Councilman Feldmann moved and Councilman Cooper seconded,

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

Kenneth Schiedel	$9.00
Zachary Byrne	8.75
Robert Ricotta	8.75
Janice Struebel	9.00

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

RESOLUTION 192 Appointment of part-time Dispatchers

Supervisor Dash moved and Councilman Feldmann seconded,

Resoved, that Robert Trask and Michael Gian are hereby appointed as part-time dispatchers at a rate of $10/hour while in training and $13.55/hour upon completion of training and contingent upon results of background investigation.

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

RESOLUTION 2015-193 Town Licenses

Supervisor Dash moved and Councilman Cooper seconded,
License

Hospitality West, LLC D/B/A Pizza Hut #29956 – Refreshment

RESOLVED, that the aforesaid license be granted pending the report of the Chief of Police and the Department of Health where appropriate.

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

RESOLUTION 2015-194 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: 5/14/2015
ABSTRACT NO. 10
VOUCHER NO. 816-916

GENERAL	38,720.65
PART TOWN	8,943.49
HIGHWAY DA	
HIGHWAY	48,559.07
WATER	2,068.51
CAPITAL PROJECTS	
SPECIAL DISTRICTS	93,845.18
DEBT SERVICE	
COMM DEVELOPMENT	
TOTAL	**$ 192,136.90**

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

RESOLUTION 2015-195 Adjournment

Supervisor Dash moved and Councilman Cooper seconded to adjourn Wednesday, May 27, 2015 @ 6:15pm for a Work Session and then to June 3, 2015 at 6:30pm for an Agenda Meeting and 7:00pm for the Town Board Meeting.

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

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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

Lynn M. Krajacic
Town Clerk