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, January 20, 2016 immediately following the January Organizational Meeting there were:

PRESENT:	Dennis Feldmann	Councilman
	Jeanne M. Macko	Councilman
	Mary K. Hosler	Supervisor
ALSO PRESENT:	Lynn Krajacic	Town Clerk
	Charles LaBarbera	Building Dept. Head
	Lori Szewczyk	Dir. of Community Development
	Ernie Masullo	Police Chief
	Mary Holl	Supervisor's Department

RESOLUTION 2016- 067 Approve Minutes

Councilman Macko moved and Councilman Feldmann seconded to Table the approval of the Organizational Meeting to clarify committee appointments.

VOTE RESULT: ADOPTED
AYES – Feldmann, Macko, Hosler
NAYS – none

RESOLUTION 2016- 068 Approve Minutes

Councilman Macko moved and Councilman Feldmann approve the January 6, 2016 regular town board minutes.

VOTE RESULT: ADOPTED
AYES – Feldmann, Macko, Hosler
NAYS – none

Communications

Supervisor Hosler reported on a letter received Erie County that a Grant for Rural Transit Services was approved in the amount of $270,000.00.

Supervisor Hosler reported on the 2015 Police Department Year End Report submitted by the Chief of Police.

Supervisor Hosler announced the Boys and Girls Club of Lake Shore will be holding Quizapalooza at the Highland Fire Hall on February 5, 2016.

RESOLUTION 2016-069 Appointment of Town Attorney

Councilman Feldmann moved and Councilman Macko seconded to Table the resolution for the Appointment of Town Attorney

VOTE RESULT: ADOPTED
AYES – Feldmann, Macko, Hosler
NAYS – none

RESOLUTION 2016-070 Declare Surplus Equipment in the Police Department

Supervisor Hosler moved and Councilman Feldmann seconded,

RESOLVED: that the following equipment is hereby declared surplus and will be sold at auction:

Coats Direct Drive 700 Solid State Tire Machine – Town of Evans property tag 2744

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	AYE
Councilman Macko	AYE
Supervisor Hosler	AYE

RESOLUTION 2016-071 Appointment of Part-Time Dispatcher

Councilman Macko moved and Councilman Feldmann seconded,

RESOLVED: that Samantha Kayler is hereby appointed as part-time dispatcher 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 Macko	AYE
Supervisor Hosler	AYE

RESOLUTION 2016-072 Enter in Agreements with Angola Parks & Gazebo, Boys and Girls Club of Lake Shore, B.R.I.D.G.E.S., Christmas in the Village, Evans Art Guild and Lions Club of the Town of Evans

Councilman Feldmann moved and Supervisor Hosler seconded,

NOW THEREFORE BE IT RESOLVED, that conditioned as further set forth herein, the Supervisor is authorized to enter into and execute any contract or agreement appropriate, subject to the approval of the Town Attorney , to monument such arrangements and that the TOWN make the specified payments to such organizations in accord with such agreement or contact as follows:

1) ANGOLA PARKS AND GAZEBO COMMITTEE, to render service in providing, organizing and sponsoring the various concerts and cultural events held generally, at the William J. Houston Gazebo and surrounding park for the year 2016, a sum not to exceed $395.00;

2) BOYS AND GIRLS CLUB OF LAKE SHORE, to render service in providing, organizing and sponsoring services to the youth of Evans for the year 2016, a sum not to exceed $1,500.00;

3) BUILDING RELATIONSHIPS IN DEVELOPMENT GOVERNMENT EDUCATION SERVICES (B.R.I.D.G.E.S.) to render service providing, organizing and sponsoring post senior prom activities relative to the 2016 Lake Shore Central Senior Prom a sum not to exceed $210.00;

4) CHRISTMAS IN THE VILLAGE, to render a service in providing, organizing and sponsoring various activities and cultural events generally and commonly referred to as "CHRISTMAS IN THE VILLAGE" for the year 2016, a sum not to exceed $170.00;

5) EVANS ART GUILD to render a service l providing, organizing and sponsoring various activities and cultural events, including but not limited to an art show or shows for the year 2016, a sum not to exceed $260.00;

6) LIONS CLUB OF THE TOWN OF EVANS to render a service in providing, organizing and sponsoring a Halloween Parade for the year 2016, a sum not to exceed $395.00.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Feldmann	AYE
	Councilman Macko	AYE
	Supervisor Hosler	AYE

RESOLUTION 2016-073 Enter into Agreement with Community Concern

Supervisor Hosler moved and Councilman Feldmann seconded,

WHEREAS, Community Concern provides a valuable service to the residents of the Town of Evans; and

WHEREAS, the Town Board of Evans wishes to continue the services provided by Community Concern to the residents,

NOW THEREFORE BE IT RESOLVED, that the supervisor is hereby authorized to sign the contract with Community Concern of WNY, Inc. for the period of January 1, 2016 to December 31, 2016 at a cost not to exceed $38,000.00.

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman Feldmann AYE
Councilman Macko AYE
Supervisor Hosler AYE

RESOLUTION 2016-074 Enter into Agreement with Angola Public Library

Councilman Macko moved and Councilman Feldmann seconded,

WHEREAS, the contract with the Angola Public Library expires on December 31, 2015, and

WHEREAS, the Angola Public Library provides a valuable service to the residents of the Town of Evans,

NOW THEREFORE BE IT RESOLVED, that the Supervisor of the Town of Evans is authorized to sign an agreement with the Angola Public Library from January 1, 2016 to December 31, 2016 at a cost of $2,250.00, upon the approval of the Town Attorney and the Director of Finance.

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman Feldmann AYE
Councilman Macko AYE
Supervisor Hosler AYE

RESOLUTION 2016-075 Enter into Agreement with Town of Brant for Dispatching Services

Councilman Feldmann moved and Councilman Macko seconded,

WHEREAS, the Town of Brant wishes to continue the dispatching contract with the Town of Evans Police Department;

NOW THEREFORE BE IT RESOLVED, that the Town of Evans enter into an agreement with the Town of Brant for dispatching services from January 1, 2016 to December 31, 2016 at a cost of $2,750.00 upon the approval of the Town Attorney and the Director of Finance, and

BE IT FURTHER RESOLVED, that the Supervisor is authorized to sign the contract on behalf of the Town of Evans.

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman Feldmann AYE
Councilman Macko AYE
Supervisor Hosler AYE

RESOLUTION 2016-076 Authorize Change Order No.1 for Contract No. 15-4 Historical Roof Repair

Supervisor Hosler moved and Councilman Feldmann seconded,

WHEREAS, Highland Masonry & Restoration Inc. was retained by the Town of Evans to complete Contract No. 15-4, Town of Evans Historical Roof Repair, and

WHEREAS, additional materials and labor are needed for structural support for the upper roof area,

NOW THEREFORE BE IT RESOLVED, that the Evans Town Board authorizes Change Order No. 1 in the amount of $10,400.00.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Feldmann	AYE
	Councilman Macko	AYE
	Supervisor Hosler	AYE

RESOLUTION 2016-077 Advertise for RFP for General Engineering Services for 2016

Councilman Macko moved and Supervisor Hosler seconded,

WHEREAS, according to the State Municipal Law (104-b) and Town of Evans procurement policy any services provided to the town in excess of $20,000 require such services to be put out for bid.

NOW THEREFORE BE IT SOLVED, the Town Clerk is hereby authorized to advertise a request for proposal for General Engineering Services to be opened February 24, 2016 at 10:00 am.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Feldmann	AYE
	Councilman Macko	AYE
	Supervisor Hosler	AYE

RESOLUTION 2016-078 Budget Amendment with Transfer

Councilman Feldmann moved and Councilman Macko seconded,

WHEREAS, the Town is obligated by general municipal law to maintain a balanced budget in the Governmental Funds and the Proprietary Funds; and

WHEREAS, the Town Board of the Town of Evans adopted the 2016 Budget on November 18, 2015; and

WHEREAS, subsequent to the adoption of the General Fund Budget for 2016, it was ascertained that the actual amount required for the PT Police Dispatcher is $181,458,

which is $72,500 greater than the amount the 2016 General Fund Adopted Budget included for these services;

WHEREAS, subsequent to the adoption of the General Fund Budget for 2016, it was ascertained that the actual amount required for the Police Gasoline is $57,500, which is $72,500 less than the amount the 2016 General Fund Adopted Budget included for this commodity;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans hereby authorizes the Finance Department to modify the 2016 General Fund budget as follows:

GENERAL FUND:
Transfer from:
A3120.431 Gasoline $72,500

Transfer to:
A3120.116 Pt Police Dispatchers $72,500

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman Feldmann AYE
Councilman Macko AYE
Supervisor Hosler AYE

RESOLUTION 2016-079 Adopt New Procurement Policy

Councilman Macko moved and Councilman Feldmann seconded to Table the resolution for to Adopt Procurement Policy

VOTE RESULT: ADOPTED
AYES – Feldmann, Macko, Hosler
NAYS – none

RESOLUTION 2016-080 New York State Standard Work Days for Employees

Councilman Macko moved and Councilman Feldmann seconded,

BE IT RESOLVED, that the Town Board of the Town of Evans establishes the following as standard work days for its employees and will report days worked to the New York State and Local Employees' Retirement System:

a. Full Time Union and Non Union Employees - 8 hours
b. Regular Part Time (RPT) Employees - 8 hours
c. Part Time Employees - 8 hours
d. Seasonal Employees - 8 hours

V OTE RESULT: ADOPTED BY ROLL CALL
Councilman Feldmann AYE
Councilman Macko AYE
Supervisor Hosler AYE

RESOLUTION 2016-081 New York State Standard Work Days for Elected and Appointed Officials

Councilman Feldmann moved and Supervisor Hosler seconded,

BE IT RESOLVED, that the Town Board of the Town of Evans establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body:

TITLE	NAME	SS#	REGISTRATION #	STANDAD Work Day	TERM Begins/ Ends	PARTICIPATES in time Keeping System	Days/ Months
ELECTED OFFICIALS - None							
APPOINTED OFFICIALS							
Town Prosecutor	**Michele Parker**			**8**	**1/1/16-12/31/16**	**N**	**1.23**
Direct of Comm. Development	**Lori Szewczyk**			**8**	**1/1/16-12/31/16**	**N**	**18.77**

V OTE RESULT: ADOPTED BY ROLL CALL
Councilman Feldmann AYE
Councilman Macko AYE
Supervisor Hosler AYE

RESOLUTION 2016-082 Advertise for Public Hearing for Proposed Local Law #1 of the year 2016 (tax exemption 485b)

Supervisor Hosler moved and Councilman Feldmann seconded,

BE IT RESOLVED, that the Town Clerk of the Town of Evans by and is hereby authorized and directed to advertise a notice for a public hearing to be held on February 17, 2016 at 7:10p.m., at the Town Hall at 8787 Erie Road in the Town of Evans, Angola, New York, 14006 for the consideration of the adoption of Proposed Local Law # 1 of the year 2016 which would amend the Code of the Town of Evans, Chapter 182, Taxation, to allow, pursuant to Section 485-b of the Real Property Tax Law of the State of New York an exemption from taxation, or assessment, for a period, an amount or portion, and in a manner set forth in said Proposed Local Law, of real property construction,

alteration of installation or improvement for commercial, business or industrial real property as set forth in said proposed Local Law, a copy of which will be on file and available for inspection in the Office of the Clerk of the Town of Evans

VOTE RESULT: ADOPTED
AYES – Feldmann, Macko, Hosler
NAYS – none

RESOLUTION 2016-083 Budget Amendment

Councilman Macko moved and Councilman Feldmann seconded,

BE IT RESOLVED, that the Town Board does hereby amend the 2015 General Fund to provide the estimated revenue and budgetary appropriations for Miscellaneous Donations to be used for the Dog Park as follows:

Increasing Estimated Revenues
AA.02770.0000.00 – Miscellaneous Revenue $ 270.00

Increasing Appropriations
AA.01620.0425.00 – Dog Park $270.00

V OTE RESULT: ADOPTED BY ROLL CALL
Councilman Feldmann AYE
Councilman Macko AYE
Supervisor Hosler AYE

RESOLUTION 2016-084 Revolving Petty Cash Fund & Naming of Custodian

Councilman Feldmann moved and Supervisor Hosler seconded,

WHEREAS, The Water Department operations require several small purchases to be made within the local area; and;

WHEREAS, paying small bill through the regular voucher system is time consuming and costly;

THEREFOR BE IT RESOLVED, that a revolving petty cash in the amount of one hundred dollars ($100) is established and that James Guarino, Water Department, be designated and so named the custodian of that account.

V OTE RESULT: ADOPTED BY ROLL CALL
Councilman Feldmann AYE
Councilman Macko AYE
Supervisor Hosler AYE

RESOLUTION 2016-085 DPW and Seniors Department Appointments and Rates

Supervisor Hosler moved and Councilman Feldmann seconded,

WHEREAS, the D.P.W. has been established that encompasses the Highway, Water, Park and Marina Departments

THEREFORE BE IT RESOLVED, the following appointments are hereby made and pay rates established for the D.P.W. and Seniors Department for the Year 2016 (exhibit A)

V OTE RESULT: ADOPTED BY ROLL CALL
Councilman Feldmann AYE
Councilman Macko AYE
Supervisor Hosler AYE

RESOLUTION 2016-086 Request for Land Bank of 1040 Backus Road, Derby

Councilman Macko moved and Councilman Feldmann seconded to Table the resolution of #18 for the Land Bank of 1040 Backus Road

VOTE RESULT: ADOPTED
AYES – Feldmann, Macko, Hosler
NAYS – none

RESOLUTION 2016-087 Adopt Budget Policy

Supervisor Hosler moved and Councilman Feldmann seconded to Table the resolution for the adoption of the Budget Policy

VOTE RESULT: ADOPTED
AYES – Feldmann, Macko, Hosler
NAYS – none

RESOLUTION 2016-088 Adopt Journal Entry Policy

Supervisor Hosler moved and Councilman Macko seconded to Table the resolution for the adoption of the Journal Entry Policy

VOTE RESULT: ADOPTED
AYES – Feldmann, Macko, Hosler
NAYS – none

RESOLUTION 2016-089 Adopt Capital Assets Policies and Procedures

Councilman Macko moved and Supervisor Hosler seconded to Table the resolution for the adoption of the Capital Assets Policies and Procedures

VOTE RESULT: ADOPTED
AYES – Feldmann, Macko, Hosler
NAYS – none

RESOLUTION 2016-090 Adopt Bank Reconciliation Policy

Councilman Macko moved and Supervisor Hosler seconded to Table the resolution for the adoption of the Bank Reconciliation Policy

VOTE RESULT: ADOPTED
AYES – Feldmann, Macko, Hosler
NAYS – none

RESOLUTION 2016-091 Appointment of Truck Driver

Supervisor Hosler moved and Councilman Feldmann seconded to Table the resolution for the appointment of a Truck Driver

VOTE RESULT: ADOPTED
AYES – Feldmann, Macko, Hosler
NAYS – none

RESOLUTION 2016-092 Appointment of Deputy Supervisor

Councilman Feldmann moved and Supervisor Hosler seconded,

BE IT RESOLVED, that the Town board does herby acknowledge the appointment of Lynn M. Krajacic as Deputy Supervisor of the year 2016

VOTE RESULT: ADOPTED
AYES – Feldmann, Macko, Hosler
NAYS – none

RESOLUTION 2016-093 Authorize Purchase of New Police Vehicle

Councilman Macko moved and Councilman Feldmann seconded to Table the resolution for the authorization to purchase a new police vehicle

VOTE RESULT: ADOPTED
AYES – Feldmann, Macko, Hosler
NAYS – none

RESOLUTION 2016-094 Enter into Agreement with NORCO

Councilman Macko moved and Councilman Feldmann seconded,

RESOLVED, that the Town of Evans enter into a lease agreement with Norco Propane Energy Services, PO Box 820 North Collins, NY 14111 effective January 1, 2016 to December 31, 2016 for gallon tank, propane regulators, transmitter, receiver and delivery of propane gas as needed.

V OTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Feldmann	AYE
	Councilman Macko	AYE
	Supervisor Hosler	AYE

RESOLUTION 2016-095 Authorize Supervisor to Attend Association of Towns Training

Councilman Feldmann moved and Supervisor Hosler seconded,

WHEREAS; the Town Supervisor request permission annual Association of Towns training; and

WHEREAS; said training will be held in New York City on February 14-17, 2016; and

WHEREAS; all appropriate and reasonable expenses shall be paid by the Town, per Town policy;

NOW THEREFORE BE IT RESOLVED, that the Board of the Town of Evans shall grant permission to Town Board members wishing to go to said training and reimburse for training and transportation for Mary K. Hosler, Supervisor, Jeanne Macko, Councilman and Dennis Feldmann, Councilman.

V OTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Feldmann	AYE
	Councilman Macko	AYE
	Supervisor Hosler	AYE

RESOLUTION 2016-096 Suspend the Rules

Supervisor Hosler moved and Councilman Macko seconded to suspend the rules for the consideration of additional resolutions.

VOTE RESULT:	ADOPTED
	AYES – Feldmann, Macko, Hosler
	NAYS – none

RESOLUTION 2016-097 Acknowledge Appointment of Drescher & Malecki LLP as Supervising Accountant

Supervisor Hosler moved and Supervisor Macko seconded,

WHEREAS, the Town is in need of oversight over its Finance Department, and

WHEREAS, Drescher & Malecki LLP is well versed in New York State and Federal accounting rules and regulations, and

WHEREAS, Drescher & Malecki LLP is familiar with the Town's accounting policies, chart of accounts, systems and personnel,

NOW THEREFORE, BE IT RESOLVED, the Town Board acknowledges Drescher & Malecki LLP as its supervising accountant to provide supervision and oversight to the Town's Finance Department consistent with the agreement signed between Drescher & Malecki LLP and the Town dated February 18, 2015.

V OTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Feldmann	AYE
	Councilman Macko	AYE
	Supervisor Hosler	AYE

RESOLUTION 2016-098 Approve Marina and Boat Slip Prices

Councilman Macko moved and Supervisor Hosler seconded,

RESOLVED, that the attached rates be approved for the Town of Evans Marina boat slips for the calendar year of 2016

Slip Size	Season Price
18ft	$ 660.00
20ft	$ 715.00
22ft	$ 850.00
24ft	$ 925.00
28ft (w/electric)	$1175.00
30ft (w/electric)	$1325.00
40ft (w/electric)	$1825.00
Daily Launch	$ 8.00
Season Pass	$ 150.00
Senior Pass	$ 100.00
Overnight	$ 25.00
Dry Dock	$ 19.00 per ft

V OTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Feldmann	AYE
	Councilman Macko	AYE
	Supervisor Hosler	AYE

RESOLUTION 2016-99 Amend Resolution to Correct Chief of Police Salary

Councilman Feldmann moved and Supervisor Hosler seconded,

RESOLVED, to amend Resolution #2016-021 to correct the Town of Evans Chief of Police yearly salary to $106,658.00

V OTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Feldmann	AYE
	Councilman Macko	AYE
	Supervisor Hosler	AYE

RESOLUTION 2016-100 Approve Town Licenses

Supervisor Hosler moved and Councilman Feldmann seconded,

Licenses:

Paulette Combs D/B/A Paulette's Blue Collar Inn – Refreshment & Amusement

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, Macko, Hosler
	NAYS – none

RESOLUTION 2016-101 Approve Town Licenses

Supervisor Hosler moved and Councilman Feldmann seconded,

Licenses:

Lake Erie Beach Vol Fire Co. – Refreshment, Amusement & Live Bank Commercial

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, Hosler
	ABSTAIN - Macko
	NAYS – none

RESOLUTION 2016-102 Adjournment

Supervisor Hosler moved and Councilman Feldmann seconded, to adjourn to Wednesday, January 27, 2016 at 6:00pm for a Work Session, Wednesday, February 3, 2016 at 6:00pm for an Agenda and 7:00pm for the regular Town Board Meeting.

VOTE RESULT: ADOPTED
AYES- Feldmann, Macko, Hosler
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 Krajacic,
Town Clerk

EXHIBIT A							
Seniors					2016 Rate		
	Part-time						
	John	Fowler			$ 9.00		
	John	Kurz			$ 9.00		
	Nicolas	Mathewson	RPT		$ 9.00		
	Rebecca	Roach	RPT		$ 9.25		
	Dylan	Wentland			$ 9.00		
DPW							
	Gerald	Beamish	RPT		$11.50		
	Peter	Del Prince	RPT		$11.00		
	Scott	Dillon	RPT		$11.00		
	Mark	Postle	RPT		$11.50		
	Daniel	Wright			$11.00		
	William	Erickson			$11.00		
	Troy	Richmond			$ 9.50		