Evans Town Board

At an Agenda Meeting of the Town Board of the Town of Evans, held on December 20, 2017 at 7pm at the Evans Town Hall, 8787 Erie Road, Angola New York there were:

PRESENT:	Dennis Feldmann	Councilman
	Jeanne Macko	Councilman
	Mary Hosler	Supervisor
ALSO PRESENT:	Lynn Krajacic	Town Clerk
	Jennifer Farrell	Town Attorney
	Jeneen Hill	Assessor/Building Dept.
	Douglas Czora	Police Chief
	Mary Holl	Supervisor's Secretary

RESOLUTION 2017 #543 Approve Minutes

Supervisor Hosler moved and Councilman Macko seconded that the reading of the minutes of the November 15, 2017 Agenda Meeting, the December 6, 2017 Town Board Meeting and the Work Session of December 13, 2017 be dispensed with and approved as submitted by the Town Clerk.

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

COMMUNICATIONS

Supervisor Hosler reported that the Supervisor's November 2017 Monthly Report has been made to the Town Board and a copy was filed with the Town Clerk's Office.

PRIVILEGE OF THE FLOOR

Bill Henry thanked Councilman Feldmann for his years of service and support for renewable energy and thanked the Evans Police Department for their quick response time.

PUBLIC HEARING

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 December 20, 2017 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 #14 of the year 2017 which will amend Local Law #2 of the year 2008, commonly known as the Cold War Veterans Tax Exemption, and any amendments thereto, specifically Town Code Section 182-22 - Exemption granted, for the purpose of removing the ten (10) year period term from the Cold War Veterans Exemption.

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.

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

RESOLTUION 2017 #544 Open the Public Hearing

Supervisor Hosler moved and Councilman Macko seconded to open the public hearing.

VOTE RESULT ADOPTED
Ayes: Feldmann, Macko, Hosler
Nays:

The following people spoke in favor of the Cold War Veteran Exemption extension:
Mike Franey

RESOLUTION 2017 #545 Close the Public Hearing

Supervisor Hosler moved and Councilman Feldmann seconded to close the public hearing.

VOTE RESULT ADOPTED
Ayes: Feldmann, Macko, Hosler
Nays

RESOLUTION 2017 #546 Extension of Cold War Veteran Exemption

Councilman Macko moved and Supervisor Hosler seconded,

WHEREAS, the Town Board of the Town of Evans finds that Proposed Local Law #14 of the year 2017 regarding code revisions to Section 182: Taxation will provide necessary revisions to the code to remove the ten (10) year period term from the Cold War Veterans Tax Exemption thereby extending the said exemption; and

WHEREAS, the Evans Town Board held a public hearing on the proposed code revisions on December 20, 2017 at 7:10 p.m. at Evans Town Hall, 8787 Erie Road, Angola, New York, which was properly advertised by the Town Clerk;

NOW, THEREFORE, BE IT RESOLVED, that Proposed Local Law #14 of the calendar year 2017, be and hereby is adopted as Local Law # 11 of the calendar year 2017; and

BE IT FURTHER RESOLVED, that a copy of this resolution be given to the Town Assessor and Town Clerk; and

BE IT FURTHER RESOLVED, that the Town Clerk shall file a copy with the New York State Secretary of State.

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

Committee & Department Head Reports

Councilman Feldmann thanked everyone for their support during his terms as Councilman. Councilman Macko thanked Dennis for his years of service to the Town of Evans. Supervisor Hosler wished everyone a Merry Christmas.

RESOLUTION 2017 #547 Award Bid for Demolition of Various Properties

AMENDED
2018-09-05
#413
Pg 241

Councilman Feldmann moved and Councilman Macko seconded,

WHEREAS, the Town of Evans received a grant award through the Restore New York Communities Initiative Grant from Empire State Development for the demolition of unsafe and dangerous buildings in the Town of Evans; and

WHEREAS, twelve (12) properties in the Town of Evans which were deemed to be unsafe and an endangerment to the public at large, specifically:

1035 Eden-Evans Center Road	SBL #235.07-3-6.2
9112 Newcomb Road	SBL #236.00-4-5.12
540 Adams	SBL #250.12-1-36
532 Adams	SBL #250.12-1-38.1
139 Rosewood	SBL #250.17-7-3
511 Roanoke	SBL #250.11-4-6
9430 Peach Street	SBL #250.08-6-25
371 Pleasant	SBL #250.14-6-36
9396 Jamestown	SBL #250.07-4-21.1
9406 Jamestown	SBL #250.07-4-26.1
680 Beach Road	SBL #235.09-1-41; and
6794 Gates	SBL #192.20-9-28; and

WHEREAS, the Evans Town Board authorized the Town Clerk to advertise for bids for demolition of the aforementioned unsafe and dangerous properties in the Town of Evans, New York; and

WHEREAS, bids were received and opened on December 1, 2017 at 11:00 a.m., in accordance with the Notice to Bidders previously authorized; and

WHEREAS, the lowest responsible bid was submitted by Pierce Services, Inc., 4930 Webster Road, Fredonia, New York 14063; and

WHEREAS, the Town Attorney has reviewed the proposal from Pierce Services, Inc. and held a conference call with the Vice President, and confirmed his understanding of the requirements of this project; and

WHEREAS, the bid for the Base Bid submitted by Pierce Services, Inc. was $142, 837.00;

NOW, THEREFORE, BE IT RESOLVED, that that the aforementioned bid of Pierce Services, Inc., 4930 Webster Road, Fredonia, New York 14063, to demolish the twelve (12) above referenced properties in the Town of Evans, New York, be and hereby is accepted by the Town of Evans, with a cost not to exceed $142,837.00, contingent upon the Town Attorney's review of the Contractor's Bonds and Insurances; and
AND BE IT FURTHER RESOLVED, that the Supervisor Mary K. Hosler is authorized to execute any bid award and/or contract documents for such bid award, upon the approval of the Town Attorney.

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

RESOLUTION 2017 #548 Suspend the Rules of Order

Supervisor Hosler moved and Councilman Feldmann seconded

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

RESOLUTION 2017 #549 Appointment of Part-time Police Dispatchers

Supervisor Hosler moved and Councilman Feldmann seconded,

Resolved, that James Haley and Kristopher Young are hereby appointed at part-time dispatchers at a rate of $10/hour while in training and $13.55/hour upon completion of training and pending results of background investigation.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Macko	Aye
Supervisor Hosler	Aye

RESOLUTION 2017 #550 Resignation of Judge Barone

Supervisor Hosler moved and Councilman Feldmann seconded

BE IT RESOLVED, that the Evans Town Board accepts the resignation of Judge Anthony Barone, effective December 20, 2017.

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

RESOLUTION 2017 #551Appointment of Judge to Fill Vacancy

Councilman Macko moved and Supervisor Hosler seconded,

WHEREAS, the Town accepted the resignation of Judge Anthony Barone effective December 20, 2017

NOW THEREFORE BE IT RESOLVED, that Judge Dennis Glascott, effective immediately, be appointed to assume Judge Barone's responsibilities of Town Justice in addition to his elected position as Town Justice.

BE IT FURTHER RESOLVED, that Judge shall be compensated at an additional rate of $22,819.00 per year, payable bi-weekly, effective immediately.

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

RESOLUTION 2017 #552 Board of Assessment Review Appointment

Councilman Feldmann moved and Supervisor Hosler seconded,

BE IT RESOLVED, the Town Board hereby appoints Kimberly Hulburd to the Town of Evans Board of Assessment Review, term to expire September 30, 2022.

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

RESOLUTION 2017 #553 Engagement Letter Neill & Strong, Pllc (Water Consolidation)

Councilman Macko moved and Councilman Feldmann seconded,

BE IT RESOLVED, that the Town of Evans enter into a retainer agreement with Neill & Strong, PLLC, located at 13166 Main Street, Alden, New York 14004 for Special Counsel with respect to consolidation of existing water districts.

BE IT FURTHER RESOLVED, that the Supervisor is hereby authorized to execute a retainer agreement, upon the approval of the Town Attorney, with Neill & Strong, PLLC.

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

RESOLUTION 2017 #554 Hire Date for Police Dispatcher

AMENDED:
2019-04-03
#190
pg 97

Supervisor Hosler moved and Councilman Macko seconded,

BE IT RESOLVED, that the hire date for Thomas Lederhouse , for pay scale, retirement, and seniority for purposes of layoff, shall be his Civil Service hire date, and all other contractual issues shall be his date of hire with the Town of Evans.

BE IT FURTHER RESOLVED, that this shall be non-precedent setting.

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

RESOLUTION 2017 #555 Authorize Assessor to Attend Executive Board Sessions

Councilman Feldmann moved and Councilman Macko seconded,

WHEREAS, the Town of Evans Assessor Jeneen Hill requests permission to attend the New York State Assessor's Association of Towns Executive Board Session; and

WHEREAS, said 2018 sessions will be held as follows:

January 12-13, 2018, Syracuse, New York
April 5-6, 2018, location to be determined
and
July 14-15, 2018, Ithaca, New York

NOW, THEREFORE BE IT RESOLVED, that the Board of the Town of Evans shall grant permission to Town of Evans' Assessor Jeneen Hill, to attend the above referenced 2018 sessions with all expenses being paid for by the New York State Assessor's Association.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Macko	Aye
Supervisor Hosler	Aye

RESOLUTION 2017 #556 Licenses:

Supervisor Hosler moved and Councilman Macko seconded,

Mobil Home Development
Melody Meadows

Licenses:

Thomas J. Eoannou D/B/A Point Breeze RV Resort - Live Band Commercial

Russell Mogavero D/B/A Meadowbrook Restaurant & Bar - Refreshment, Amusement & Live Band

Vincent J. Cala, D/B/A Cala's Kitchen & Catering - Refreshment

JJ Parks In. D/B/A Castaways Bar & Grill - Refreshment& Amusement

Ya Xing Wang D/B/A China King - Refreshment

Michael & Deborah Slawinski - Refreshment & Amusement

Shannon Rogers D/B/A Pasquale's Italian Restaurant - Refreshment

Roberta J. Pasinski D/B/A Jovial Bar II Inc. - 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 2017 #557 Audit of Bills

Councilman Macko moved and Supervisor Hosler seconded that all property audited bills be paid out of their respective accounts as set forth:

AUDIT OF BILLS

12/21/2017

DATE	23
ABSTRACT NO.	1790-1820, 1852-1891

VOUCHER NO.	77247 - 77301
CHECK NUMBERS	Board Meeting
APPROVED AT	12/20/2017
DATE	
	$78,846.41
GENERAL	$279.18
PART TOWN	$14,692.18
HIGHWAY DB	$588.09
WATER	$53,815.36
CAPITAL PROJECTS	
SPECIAL DISTRICTS	
DEBT SERVICE	
TA FUND	**$148,221.22**
TOTAL	

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Macko	Aye
Supervisor Hosler	Aye

RESOLUTION 2017 #558 Adjournment

Supervisor Hosler moved and Councilman Macko seconded to adjourn to Wednesday, December 27, 2017 at 6 pm for a Work Session.

VOTE RESULT: ADOPTED
AYES: Feldmann, Macko, Hosler
NAYS: None

Respectfully Submitted,

Lynn M. Krajacic, RMC
Town Clerk

Open Meetings Law, Public Officers Law, Article 7, §106. Minutes.
Minutes shall be taken at all open meetings of a public body which shall consist of a record or summary of all motions, proposals, resolutions and any other matter formally voted upon and the vote thereon.

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.

AFFIDAVIT OF PUBLICATION

State of New York

County of Chautauqua

City of Dunkirk

LEGAL NOTICE
TOWN OF EVANS

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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

O-162992 December 9, 2017-adv

Sheila McWillson , being duly sworn, deposes and says that she is the Principal Clerk, for Ogden Newspapers of New York Inc. the publisher of The OBSERVER, a daily newspaper published in the City of Dunkirk, Chautauqua County, State of New York, and that a notice of which the annexed is a printed copy, was inserted and published in said newspaper on the following dates

December 9, 2017

Signed: Sheila McWillson
Sheila McWillson

Signed before me this 11th day of December 2017

Barbara J Musso
Notary Public

5/4/19