Evans Town Board

At a Regular Meeting of the Town Board of the Town of Evans, held 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
	Mary Holl	Supervisor's Department
	Doug Czora	Police Chief

RESOLUTION 2017 #087 Approve Minutes

Supervisor Hosler moved and Councilman Macko seconded that the reading of the minutes of the Work Session and the Town Board Meeting of January 18, 2017 and the Work Session of January 25, 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

Privilege of the Floor

Cheryl St. George – asked if any Board member has met with the Erie County Sheriff's Department regarding the proposal submitted by the ETU and questioned the appointment of the Director of Finance, Deferred Comp Clerk and Grant Writer.

William Henry – expressed concerns with the appointment of a Grant Writer.

Ed Schneider – requested the Bid for the Sturgeon Point Concession Stand be opened at a Board Meeting.

Barb McGowan – questioned the charges on the Erie County Water bill.

Chris Tucker – questioned if the ETU is on a Town mailing list and spoke about a drainage issue on the North Side of Lake Street adjacent to Melody Meadows.

Old Business

RESOLUTION 2017 #088 Remove Item from Old Business

Supervisor Hosler moved and Councilman Feldmann seconded to remove the Request BENLIC to Acquire Properties from Old Business.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Macko	Aye
Supervisor Hosler	Aye

RESOLUTION 2017 #089 Request BENLIC to Acquire Properties

Councilman Feldmann moved and Councilman Macko seconded,

WHEREAS, in July 2011 in recognition of the growing problem of distressed, vacant, abandoned, and tax-delinquent properties, New York State passed the Land Bank Act, as Article 16 of the New York State Not-for-Profit Corporation Law, which authorizes any Foreclosing Governmental Unit (FGU) to create a land bank to strategically acquire, improve, assemble, and sell these properties; and

WHEREAS, under this law, the Buffalo Erie Niagara Land Improvement Corporation (BENLIC) was formed in May 2012 via an intermunicipal agreement among the county's four FGUs: Erie County and the Cities of Buffalo, Lackawanna, and Tonawanda; and

WHEREAS, county-wide land banks have proven highly successful in Michigan, Ohio, and other regions experiencing growing numbers of problem properties by supporting municipal and regional revitalization efforts by strategically acquiring, improving, assembling, and selling these properties; and

WHEREAS, BENLIC (the land bank) seeks to work collaboratively with the cities, towns, and villages within Erie County to address the growing problem of distressed, vacant, abandoned, and tax-delinquent properties; and

WHEREAS, the *TOWN OF EVANS*, Erie County, has recognized the need to address the growing issues of distressed, vacant, abandoned, and tax-delinquent properties and is desirous of partnering with BENLIC to address this problem.

NOW, THEREFORE, BE IT RESOLVED, that *TOWN OF EVANS* hereby officially requests that BENLIC acquire the following propert(y)ies:

; and be it further

RESOLVED, that the *TOWN OF EVANS* has completed the required Standardized Inspector's Reports and Maintenance, Disposition and Reuse Plans (SIR/MDR plans) each property listed above and has attached the SIR/MDR plans to this resolution; and be it further

RESOLVED, that the *TOWN OF EVANS* agrees to reimburse Erie County for the costs associated with foreclosure of this property; and be it further

RESOLVED, that the *TOWN OF EVANS* agrees to maintain each property selected by BENLIC during the time in which BENLIC holds title to the property; and be it further

RESOLVED, that the Town of Evans hereby agrees to the terms and conditions of the BENLIC Pay it Forward Policy, *to be adopted October 23, 2015** and that pursuant to section 1610 of the New York Not-for-Profit Corporation Law will remit to BENLIC 50% of the real property taxes collected for a period of five years on all of the parcels identified herein for which, upon disposition of the parcel, net proceeds are negative

; and be it further

RESOLVED, that certified copies of this resolution will be sent to the Executive Director of the Buffalo Erie Niagara Land Improvement Corporation; the Commissioner of the Erie County Department of Environment and Planning; the Director of the City of Buffalo's Office of Strategic Planning; and the Mayors of the cities of Lackawanna and Tonawanda.

ADDRESS	SBL#	STRUCTURE (SF)	LOT SIZE
0 Lakecrest Drive	205.03-1-9	0	50 x 170 = 8,500 sf 0.196 acres
717 Birch Street	235.13-2-19	1660	229.06 x 103 = 23,593.18 sf 0.541 acres
720 Birch Street	235.13-2-4	1404	55.98 x 170 = 9,516.6 sf 0.218 acres
359 Colgate Avenue	220.09-3-1	2800	40.83 x 193.85 = 7,915 sf 0.187 acres
9194 Lake Shore Drive	234.19-5-14.1	1400	125.5 x 155 = 19,452.5 sf 0.44 acres
39 Long Beach Lane	249.20-3-13	2364	100 x 150 = 15,000 sf 0.347 acres

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Macko	Aye
Supervisor Hosler	Aye

RESOLUTION 2017 #090 Correct Rate of Pay for Court Clerk

Councilman Feldmann moved and Supervisor Hosler seconded,

WHEREAS, Resolution 2017-019 appointed various part time police department personnel, clerks, seasonal laborers and maintenance/custodial workers with corresponding rates of compensation, and

WHEREAS, Exhibit A reflects the corresponding rate of compensation for Jeanette Rodriguez as $11.00, and

WEHERES, the correct rate of compensation for Jeanette Rodriguez is $12.00 per hour,

NOW, THEREFORE, BE IT RESOLVED, that Resolution 2017-019, Exhibit A is hereby amended to reflect the correct rate of compensation for Jeanette Rodriguez as $12.00 per hour.

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

RESOLUTION 2017 #091 Authorize Supervisor to Enter into Contract for Grant Writing

Councilman Feldmann moved and Councilman Macko seconded,

WHEREAS, the Town of Evans applied for numerous grants in 2016, and

WHEREAS, successful grant application are beneficial to the Town of Evans, and

WHEREAS, the Town of Evans desires to increase grant applications in 2017,

NOW, THEREFORE BE IT RESOLVED, that the Supervisor is hereby authorized to execute a contract, upon the approval of the Town Attorney, with Rotella Grant Management Company, 3322 Upper Mountain Road, Sanborn, NY 14132, for grant writing and administration services for 2017, at a rate of $1,100.00 per month plus any actual postage costs.

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

RESOLUTION 2017 #092 Appointment of Record Keeper for Deferred Compensation

Councilman Feldmann moved and Councilman Macko seconded,

WHEREAS, the following actions are to be taken with respect to the Town of Evans Deferred Compensation Plan;

RESOLVED, that the Board appoint Reliance Trust Company, 1100 Abernathy Road, 500 Northpark, Suite 400, Atlanta, GA 30328 to act as Directed Trustee with respect to the Town of Evans Deferred Compensation Plan effective March 1, 2017.

RESOLVED, that the Board authorize the plans recordkeeper MassMutual Financial Group to act as an agent of the Trustee as indicated in the Trust Agreement.

FURTHER, BE IT RESOLVED, that Supervisor Mary K. Hosler is hereby authorized to execute any documents necessary to effectuate the transfer of the Town of Evans Deferred Compensation Plan with Mass Mutual.

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

RESOLUTION 2017 #093 Suspend the Rules

Supervisor Hosler moved and Councilman Feldmann seconded to suspend the rules of order for consideration of an additional resolution,

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

RESOLUTION 2017 #094 Request for Proposals for Sturgeon Point Concession Stand

Councilman Feldmann moved and Supervisor Hosler seconded,

WHEREAS, the agreement with the concessionaire to provide food and beverage concessions at Sturgeon Point Marina, Town of Evans, New York, has expired; and

WHEREAS, the Town of Evans desires to contract with a concessionaire to continue to provide food and beverage services at Sturgeon Point Marina, Town of Evans, New York; and

THEREFORE, BE IT RESOLVED that the Town of Evans is hereby authorized to prepare a Request for Proposals relating to furnishing food and beverage concessions at Sturgeon Point Marina in the Town of Evans for May 2017 through October 2021; and

BE IT FURTHER RESOLVED that a copy of the proposal questionnaire may be obtained from Evans Town Hall located at 8787 Erie Road, Angola, New York 14006; and

BE IT FURTHER RESOLVED that the Request for Proposals is due to the Town Clerk's office by 10:00 a.m. on March 1, 2017.

BE IT FURTHER RESOLVED that the Town Clerk is authorized to advertise said RFP in the Town's Legal Paper.
(as amended)

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Macko	Aye
Supervisor Hosler	Aye

RESOLUTION 2017 #095 Audit of Bills

Councilman Macko moved Councilman Feldmann seconded that all properly audited bills be paid out of the respective accounts per the following abstract:

AUDIT OF BILLS

DATE	2/2/2017
ABSTRACT NO.	27
VOUCHER NO.	2117-2175
CHECK NUMBERS	75816-75860
APPROVED AT	Board Meeting
DATE	2/1/2017
GENERAL	$35,775.17
PART TOWN	
HIGHWAY DA	$18,330.25
HIGHWAY DB	$21,774.90
WATER	$3,424.66
CAPITAL PROJECTS	
SPECIAL DISTRICTS	$9,544.69
DEBT SERVICE	
SUB TOTAL	**$88,849.67**
ACH PAYMENT	8,987.88
TOTAL	**$97,837.55**

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Macko	Aye
Supervisor Hosler	Aye

RESOLUTION 2017 #096 Audit of Bills

Councilman Macko moved Councilman Feldmann seconded that all properly audited bills be paid out of the respective accounts per the following abstract:

AUDIT OF BILLS

DATE	2/2/2017
ABSTRACT NO.	2
VOUCHER NO.	16-32
CHECK NUMBERS	75861-75872
APPROVED AT	Board Meeting
DATE	2/1/2017
GENERAL	$17,419.47
PART TOWN	$90.00
HIGHWAY DA	
HIGHWAY DB	$23,964.42
WATER	
CAPITAL PROJECTS	
SPECIAL DISTRICTS	
DEBT SERVICE	
TOTAL	**$41,473.89**

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Macko	Aye
Supervisor Hosler	Aye

RESOLUTION 2017 #097 Adjournment

Supervisor Hosler moved and Councilman Macko seconded to adjourn to Wednesday, February 7, 2017 at 6pm for a Work Session and then to February 15, 2017 at 6pm for an Agenda Meeting, and the 7pm for the Town Board Meeting to follow.

VOTE RESULT: ADOPTED

AYES:	Feldman, 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 M. Krajacic
Town Clerk