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
	Edward Michalski	Highway Superintendent
	Roberta Rappoccio	Community Dev. & Planning
	Doug Czora	Police Chief

RESOLUTION 2017 #065 Approve Minutes

Supervisor Hosler moved and Councilman Macko seconded that the reading of the minutes of the Organizational meeting and the Town Board Meeting of January 11, 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 - requested meetings be videotaped and uploaded to YouTube and wants improved communication

Carolanne Constantino - requested more space for open communication at Board meetings

Peter Mann - expressed concerns that more tax exemptions will be taken away

Harry Watkins - expressed concerns with the contracts for ambulance service and fire protection

Ed Schneider - spoke about the cleanup of solar panels

Mike Rosen - spoke about the need for funding for gear for the fire departments

Barb McGowan - spoke about the increase in Town taxes

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 January 11, 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 #1 of the year 2017 which will exercise the opt-out provision afforded local municipalities by Section 487 of the Real Property Tax Law of the State of New York so that the exemption from real property taxation for solar, wind or farm waste energy systems shall not apply, nor be available, for properties within the Town of Evans, Erie County, New York.

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 December 31, 2016.

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

Supervisor Hosler opened the public hearing for any person present wishing to speak.

The following people spoke in ***opposition*** of the Proposed Local Law:

Michael Dolinar	Marianne Zolonowski	Barb McGowan
Cheryl St. George	Ed Schneider	Tom Merk
William Henry	Chris Tucker	Carolanne Constantino
Paul Ladoie - Solar Liberty		

The following people spoke in ***favor*** of the Proposed Local Law:

Joel Raisor	David Woodworth Sr.	Sean Murphy
John Good		

The following people ***neither in favor or opposed***

David Woodworth	Stacey Vogel	Sabina Beckman
Jackie Newman		

RESOLUTION 2017 #066 Close the Public Hearing

Supervisor Hosler moved and Councilman Macko seconded to close the Public Hearing.

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

Old Business

Request BENLIC to Acquire Properties

RESOLUTION 2017 #067 Sturgeon Point Marina Boat Slip Rates

Councilman Macko moved and Councilman Feldmann seconded,

RESOLVED, that the following rates be approved for the Town of Evans Marina boat slips for the calendar year of 2017:

Slip Size	2017 Season Price
18 ft slip	$ 675.00
20 ft slip	$ 730.00
22 ft slip	$ 870.00
24 ft slip	$ 945.00
28 ft slip (w/electric)	$1,200.00
30 ft slip (w/electric)	$1,355.00
40 ft slip (w/electric)	$1,865.00
Jetski dock (*new)	$ 525.00
Extra Jet in slip	$ 100.00
Daily Launch	$ 8.00
Seasonal Launch	$ 150.00
Senior Pass	$ 100.00
Slip Rentals	$ 25.00
Dry Dock (per foot)	$ 20.00/ft

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Macko	Aye
Supervisor Hosler	Aye

RESOLUTION 2017 #068 Authorize Supervisor to Pay Public Utilities, Postage, Freight and Express Charges

Councilman Feldmann moved and Councilman Macko seconded,

BE IT RESOLVED, that the Evans Town Board hereby authorizes the Evans Town Supervisor to pay claims for public utilities, postage, freight and express charges prior to their audit by the Town Board.

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

RESOLUTION 2017 #069 Grant Permission to Town Board to Attend Association of Towns Training

Supervisor Hosler moved and Councilman Feldmann seconded,

WHEREAS, the Town Supervisor, Councilmen, and Town Attorney requests permission to attend the annual Association of Towns training; and

WHEREAS, said training will be held in New York City on February 19-22, 2017;

BE IT RESOLVED, that the Board of the Town of Evans shall grant permission to Town Supervisor Mary K. Hosler, Councilman Dennis Feldmann, Councilwoman Jeanne Macko and Town Attorney Jennifer S. Farrell, Esq., to attend said training and all appropriate and reasonable expenses shall be paid by the Town, per Town policy.

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

RESOLUTION 2017 #070 Enter into Contracts with Fire Companies

Councilman Feldmann moved and Supervisor Hosler seconded,

WHEREAS, there has been established in the Town of Evans a fire protective District known as the Evans Fire Protective District; and

WHEREAS, pursuant to notice duly published according to law, the Town Board of the Town of Evans did conduct a public hearing on November 2, 2016, at 7:10pm at the Evans Town Hall to consider proposed contracts for the fiscal year 2017 for the furnishing of fire protection and/or emergency ambulance service and heard all persons interested in the same.

NOW THEREFORE BE IT RESVOLED, that the Town Board of the Town of Evans enter into a contract for fire protection and/or emergency ambulance service with the Angola Fire Company, Evans Center Fire Company, Highland Hose Fire Company and the Lake Erie Beach Fire Company and said fire companies shall receive the following amounts:

Angola Fire Company	
Emergency Ambulance Service	$ 12,000
Fire Protection	$ 35,000
Evans Center Fire Company	
Emergency Ambulance Service	$ 15,000
Fire Protection	$232,570
Turnout Gear	$ 10,000
(Note: 2017 one time amount for equipment upgrade due to regulatory statutes)	
Highland Hose Fire Company	
Emergency Ambulance Service	$ 15,000
Lake Erie Beach Fire Company	
Emergency Ambulance Service	$ 15,000
Fire Protection	$232,570
Turnout Gear	$ 10,000
(Note: 2017 one time amount for equipment upgrade due to regulatory statutes)	

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

RESOLUTION 2017 #071 Enter into Agreements with Various Organizations

Councilman Macko moved and Councilman Feldmann seconded,

WHEREAS, in the past the Town of Evans has entered into contracts and/or agreements with various organizations willing to organize and sponsor various events, programs and/or activities in the Town of Evans or available to residents of the Town of Evans which provide a benefit and enjoyment to residents of the Town; and

WHEREAS, various organizations have indicated a willingness to organize and sponsor certain such events, programs and/or activities; and

WHEREAS, to defray the cost of the same the certain such organizations seek funds from the Town; and

WHEREAS, the Town is willing, in consideration of the efforts of such organizations, to make payment of sums to be herein specified to help defray the actual costs and expense of such program and activities, or a portion thereof;

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 contract in the 2017 year as follows:

Program/Organization/Event	Amount
Angola Parks & Gazebo	$ 395.00
Boys and Girls Club of Lake Shore	$ 1,500.00
Christmas in the Village	$ 170.00
Evans Art Guild	$ 500.00
Lions Club of the Town of Evans	$ 400.00
Community Concern	$10,000.00

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Macko	Aye
Supervisor Hosler	Aye

RESOLUTION 2017 #072 Appointment of Director of Finance

Supervisor Hosler moved and Councilman Macko seconded,

BE IT RESOLVED, that Brittany Gloss shall be appointed Director of Finance, effective January 23, 2017; and

BE IT, FURTHER, RESOLVED, all relative issues, rules and regulations will be understood to all parties subject to the employment agreement between the Town and employee as executed.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Macko	Aye
Supervisor Hosler	Aye

RESOLUTION 2017 #073 Appointment of Recreation Director for Senior and Youth Programs

Councilman Feldmann moved and Councilman Macko seconded,

BE IT RESOLVED, that Veronica Sullivan shall be appointed Recreational Director for Senior and Youth Programs, effective February 6, 2017; and

BE IT, FURTHER, RESOLVED, all relative issues, rules and regulations will be understood to all parties subject to the IBEW Local #41 collective bargaining agreement.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Macko	Aye
Supervisor Hosler	Aye

RESOLUTION 2017 #074 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 #075 Sign Waiver

Councilman Macko moved and Councilman Feldmann seconded,

BE IT 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 Boys & Girls Club of Lake Shore to have a double-sided interchangeable letter message board sign (4ft L x 2ft W x 3.5ft H) in front of TOPS Friendly Markets (6914 Erie Road, Derby, New York) for the Club's Spaghetti Dinner and Dodgeball Tournament fundraiser. The sign will be displayed Friday, January 20, 2017 through Friday, February 3, 2017.

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

RESOLUTION 2017 #076 Set Public Hearing - Kurek Special Use Permit Renewal

Councilman Feldmann moved and Supervisor Hosler seconded,

WHEREAS, in a letter dated December 20, 2016 the Planning Office had requested that the Town Board set a public hearing regarding the petition of William & Victoria Kurek (Golden Paws Pet Care Services), for a renewal of the Special Use Permit, with amendment to remove the restriction limiting the facility to 5-dogs, which is a condition of their current Special Use Permit at 1759 Sturgeon Point Road, Derby, NY 14047, SBL# 207.00-4-66, and

WHEREAS, pursuant to General Municipal Law Section 239-m, certain proposed municipal actions must be submitted to the County planning agency for review and recommendation prior to the municipality making a final determination, and

WHEREAS, in accordance with the signed Agreement between the County of Erie and the Town of Evans dated July 29, 2010, Erie County shall have 30 days to conduct such review for a Special Use Permit, amendment and/or renewal, and

WHEREAS, the Town Board previously authorized a Public Hearing to be held at 7:10pm on February 1, 2017 which would not afford the County the 30 days for review as required by General Municipal Law and therefore must be postponed.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorize the Town Clerk to reschedule and advertise for a public hearing to be held on February 15, 2017 at 7:10pm for the consideration of said Special Use Permit renewal and amendment, 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 BY ROLL CALL

Councilman Feldmann	Aye
Councilman Macko	Aye
Supervisor Hosler	Aye

RESOLUTION 2017 #077 Set Public Hearing - Laskowski Special Use Permit Renewal

Councilman Feldmann moved and Councilman Macko seconded,

WHEREAS, in a letter dated January 6, 2017 the Planning Office had requested that the Town Board set a public hearing regarding the petition of David Laskowski, dba D&L Trucking and Excavating, for a special use permit renewal for the purpose of storing and dispatching trucks located at 8563 Erie Rd. (a.k.a. NYS Route 5), Angola, NY 14006, part of SBL# 235.06-1-13, and

WHEREAS, pursuant to General Municipal Law Section 239-m, certain proposed municipal actions must be submitted to the County planning agency for review and recommendation prior to the municipality making a final determination, and

WHEREAS, in accordance with the signed Agreement between the County of Erie and the Town of Evans dated July 29, 2010, Erie County shall have 30 days to conduct such review for a Special Use Permit, amendment and/or renewal, and

WHEREAS, the Town Board previously authorized a Public Hearing to be held at 7:10pm on February 1, 2017 which would not afford the County the 30 days for review as required by General Municipal Law and therefore must be postponed.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorize the Town Clerk to reschedule and advertise for a public hearing to be held on February 15, 2017 at 7:10pm for the consideration of said Special Use Permit renewal and amendment, 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 BY ROLL CALL

Councilman Feldmann	Aye
Councilman Macko	Aye
Supervisor Hosler	Aye

RESOLUTION 2017 #078 Audit of Bills

Councilman Macko moved Councilman Feldmann seconded that all properly audited bills be paid out of the respective accounts per abstract 26A dated January 18, 2017 in the amount of $98,959.86.

AUDIT OF BILLS

DATE	1/19/2017
ABSTRACT NO.	26A
VOUCHER NO.	2049 - 2116
CHECK NUMBERS	75750 - 75801
APPROVED AT	Work Session
DATE	1/18/2017
GENERAL	$94,953.08
PART TOWN	$2,128.66
HIGHWAY DA	
HIGHWAY DB	$421.14
WATER	$60.00
CAPITAL PROJECTS	
SPECIAL DISTRICTS	$1,396.98
DEBT SERVICE	
TOTAL	$98,959.86

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Macko	Aye
Supervisor Hosler	Aye

RESOLUTION 2017 #079 Adjournment

Supervisor Hosler moved and Councilman Macko seconded to adjourn to Wednesday, January 25, 2017 at 6pm for a Work Session and then to February 1, 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