Evans Town Board

At an Agenda 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

RESOLUTION 2017 # 326 Enter Executive Session

Supervisor Hosler moved and Councilman Feldmann seconded,

WHEREAS: the Evans Town Board wishes to enter Executive Session, and;

BE IT RESOLVED: that the public shall be excluded from discussion of and action upon hereinafter specified subject matter.

The general nature of the subject matter to be discussed as follows: Litigation

NOW THEREFORE BE IT RESOLVED: Jennifer Farrell, Town Attorney, Lynn Krajacic, Town Clerk and Sean Beiter, Esq are invited to attend the Evans Town Board Executive Session.

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

RESOLUTION 2017 #327 Close Executive Session

Councilman Feldmann moved and Councilman Macko seconded to close Executive Session.

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 M. Krajacic
Town Clerk

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
	Brittany Gloss	Director of Finance
	Douglas Czora	Police Chief
	Mary Holl	Supervisors Department

RESOLUTION 2017 #328 Approve Minutes

Supervisor Hosler moved and Councilman Macko seconded that the reading of the minutes of the Town Board Meeting of June 21, 2017, Work Session of June 28, 2017 and the Special Meeting of July 15, 2017 be dispensed with and accepted as submitted by the Town Clerk.

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

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 July 19, 2017 at 7:10 P.M. at the Evans Town Hall, 8787 Erie Road, Angola, New York 14006 for the consideration of the adoption of Proposed Local Law #8 of the year 2017, as amended, which will amend Local Law #8 of the year 1987 commonly known as the Zoning Law and any amendments thereto for proposed revisions to the Town Code Chapter 200: Zoning. A draft copy of the proposed local law 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

RESOLUTION 2017 #329 Open Public Hearing

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

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

The following spoke is opposition to Proposed Local Law #8 of the year 2017:

Michael Spence	Ed Schneider	Richard Ziolo	David Sippel	John McEvoy
Joseph Pinter	Karen Erickson	Jonica DiMartino		

RESOLUTION 2017 #330 Close the Public Hearing

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

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

Communications

A communication from Mr. & Mrs. Kirk J. Crawford was received and filed regarding the request for a hidden driveway sign on Dunfee Road.

Privilege of the Floor

Patricia Joseph requested sidewalks from Lake Street to Rite Aid, a speed limit sign in the St Paul apartment complex and complained about neighbors feeding the deer.

Stan Radwan spoke about Resolution #6 and requested the cost so far of the Police negotiations.

Ed Schneider spoke about the information that was provided to the Board members, the .08 acre parcel at Lake Erie Beach Park, the equalization rate and how its calculated and requested a resolution be passed to request the calculation of the equalization rate be changed.

Richard Ziolo representing the Grandview Beach Association spoke about Town Park issues, questioned why the fence was removed between Turtle Joes and the park spoke about the noise pollution from the bars on the lake.

Pam Jaroszewski requested an update on the pool and the grants that were awarded for the pool and tax increases. She also requested signs be put on the changing rooms at the South Creek Pool.

Chris Tucker spoke about height of the buildings in Proposed Local Law #8 with the Mickey Rats site, spoke about a drainage issue on the end of Hickory Road and the Police 12 hour shifts.

Committee & Department Head Reports

Councilman Macko announced the Movie Night in the Park will be held on July 17th at the Town Park and that the next one will be showing Rogue 1 on August 24, 2017.

Supervisor Hosler announced the Recreation Advisory Board has joined forces with the Police Department for National Night Out which will be held on August 1, 2017 at 6pm at the Town Park. Announced the Town has purchased a movie screen and projector due to the success of Summerfest proceeds to save money on the rental fees. She reported on the New York State Shared Service Plan and gave an update on the School Resource Officer. Spoke about Economic Development and a size comparison on the size of our Town with others in our area.

RESOLUTION 2017 #331 Town Clerk's Reports

Supervisor Hosler moved and Councilman Macko seconded to accept the reports of the Town Clerk as presented for the month of February 2017:

Town Clerk Report for June	$51,531.83
Interest for June	$3.92
Greenspace Fees transferred to Trust & Agency Account	$1400.00

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Macko	Aye
Supervisor Hosler	Aye

Old Business

Solar Opt Out
Tower Permit - Dennis Road
Tower Permit - Eden Evans Center Road
Proposed Local Law #8

RESOLUTION 2017 #332 Authorize Supervisor to Sign Contract with Town of Brant for Dispatching Services

Councilman Macko moved and Councilman Feldmann 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 for a period of three (3) years (January 1, 2017 through December 19, 2019), with the Town of Brant to pay to the Town of Evans the sum of $5,000 for 2017, $6,000 for 2018 and $6,000 for 2019 for said services; and

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

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

RESOLUTION 2017 #333 Appointment of Part Time Life Guard

Supervisor Hosler moved and Councilman Feldmann seconded,

BE IT RESOLVED, that the following part time personnel, clerks, seasonal laborers, maintenance/custodial workers and/or lifeguards (lifeguard testing and certifications that were determined on Monday, June 26, 2017) are hereby appointed, effective immediately, in accordance with provisions of Civil Service rules, for the year 2017, with their respective rates as amended:

Chris Pauley $10.00/hr

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

RESOLUTION 2017 #334 Authorize Town Clerk to Advertise for Public Hearing for Energy Benchmarking

Councilman Feldmann moved and Councilman Macko seconded,

WHEREAS, in a letter dated June 5, 2017, the Evans Planning Board has requested that the Town Board set a public hearing regarding the establishment of energy benchmarking requirements for all municipal buildings to allow municipal officials and the public to understand the energy performance of municipal buildings relative to similar buildings region-wide.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorize the Town Clerk to advertise for a public hearing to be held on August 2, 2017 at 7:10pm_ for the consideration of said energy benchmarking.

AND BE IT FURTHER RESOLVED, that a copy of this resolution be given to the Planning Office and Building Department.

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

RESOLUTION 2017 #335 Declare Surplus Vehicles in the Police Department

Councilman Macko moved and Councilman Feldmann seconded,

NOW, BE IT RESOLVED, that the following police vehicles are hereby declared surplus equipment and will be sold at auction with proceeds to be deposited into the Town of Evans Savings Account;

2011 Ford Crown Victoria Police Int	2FABP7BV0BX137763
2011 Ford Crown Victoria Police Int	2FABP7BV5BX109229
2011 Ford Crown Victoria Police Int	2FABP7BV1BX109227; and

FURTHER, BE IT RESOLVED, that the revenues associated with the sale of the above referenced equipment shall be recognized into the appropriate general ledger account.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Macko	Aye
Supervisor Hosler	Aye

RESOLUTION 2017 #336 Declare Surplus Vehicle Equipment in the Police Department

Councilman Feldmann moved and Councilman Macko seconded,

NOW, BE IT RESOLVED, that the following police vehicle equipment is hereby declared surplus equipment and will be sold at auction or scrap with proceeds to be deposited into the Town of Evans Savings Account;

(3) Code 3 Excalibur 47" light bars

(1) Code 3 Excalibur 52" light bar

(1) Code 3 MX7000 light bar

(1) Star Sabre light bar (No Arrow Stick) (Sold to ECC College Safety)

(2) Code 3 Light Control Boxes

(2) Whelan Model WS-295 Siren Control Boxes

(2) Code 3 Arrow Stick Control Boxes

(4) Universal Wire Mesh style cages

(3) Partition Cages for Crown Victoria

(8) Pair Rear Window Bars for Crown Victoria

(1) 15" Steel Rim from '98-'02 Ford Crown Victoria (no tire); and

FURTHER, BE IT RESOLVED, that the revenues associated with the sale or scrap of the above referenced equipment shall be recognized into the appropriate general ledger account.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Macko	Aye
Supervisor Hosler	Aye

RESOLUTION 2017 #337 Supreme Court Order

Councilman Feldmann moved and Councilman Macko seconded,

WHEREAS, that Mary K. Hosler at Town of Evans supervisor was issued an order by a Supreme Court Justice to return the Town of Evans Police Department Officers to 12 hour shifts. The Order and Judgement Pursuant to Article 78 of the Civil Practice Law and Rules Order No. :2017-000059 Granted 07/12/2017 by the Honorable E. Jeanette Ogden, J.S. C.

NOW THERFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby orders the Town of Evans Chief of Police Douglas Czora to adjust the Police Department schedule to reflect 12 hour shifts in accordance with the New York State Supreme Court Order effective July 31, 2017.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Macko	Aye
Supervisor Hosler	Nay

RESOLUTION 2017 #338 Approve Town Licenses

Supervisor Hosler moved and Councilman Feldmann seconded,

Licenses:

Gina Ann Smith D/B/A Tropical Taste - Refreshment

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 BY ROLL CALL

Councilman Feldmann	Aye
Councilman Macko	Aye
Supervisor Hosler	Aye

RESOLUTION 2017 #339 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	7/20/2017
ABSTRACT NO.	13
VOUCHER NO.	812-853, 862-955, 964-984
CHECK NUMBERS	76501-76603
APPROVED AT	Board Meeting
DATE	7/19/2017
GENERAL	$108,644.65
PART TOWN	$5,861.81
HIGHWAY DB	$24,343.37
WATER	$226.00
CAPITAL PROJECTS	$17,250.00
SPECIAL DISTRICTS	$6,331.94
DEBT SERVICE	
TA FUND	
TOTAL	**$162,657.77**

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Macko	Aye
Supervisor Hosler	Aye

RESOLUTION 2017 #340 Adjournment

Supervisor Hosler moved and Councilman Macko seconded to adjourn to Wednesday, June 26, 2017 at 6 pm for a Work Session and then to Wednesday, August 2, 2017 at 6pm for an Agenda Meeting, and then 7pm for the Town Board Meeting to follow.

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

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.

Respectfully Submitted

Lynn M. Krajacic
Town Clerk

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-162359 July 8, 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

July 8, 2017

Signed Sheila McWillson
Sheila McWillson

Signed before me this 10th day of July 2017

Barbara J Musso
Notary Public

BARBARA J. MUSSO
Notary Public, State of New York
Qualified in Chautauqua County
My Commission Expires 5/4/19