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
	Douglas Czora	Police Chief
	Mary Holl	Supervisors Department

RESOLUTION 2017 #303 Approve Minutes

Supervisor Hosler moved and Councilman Feldmann seconded that the reading of the minutes of the Town Board Meeting of June 7, 2017 and Work Session of June 14, 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

Communications

A communication from Dennis Kingan, Vice President of the Evans Historical Society regarding drainage issues at Pioneer Cemetery was received and filed

Privilege of the Floor

Geordie Sinclair apologized for his actions at June 7, 2017 Town Board meeting and clarified that what he said that night were his views and not the views of the Evans Center Volunteer Fire Department

Public Hearing

LEGAL NOTICE
TOWN OF EVANS

Please take notice that a public hearing will be held by the Town Board of the Town of Evans, Erie County, New York at 7:10 pm on June 21, 2017, at the Evans Town Hall, 8787 Erie Road, Angola, New York to consider a tower special use permit for the purpose of constructing two (2) 140'+/- feet lattice towers, plus a 14+/- foot wide wind turbine, for a total height of 154+/- feet each, at 1445 and 1447 Eden Evans Center Road, Angola, New York 14006 (SBL# 236.00-1-7.1 and 236.00-1-7.2) Petitioner: United Wind, Inc., 20 Jay Street, Suite 928, Brooklyn, New York 11201.

All parties in interest and citizens shall have an opportunity to be heard at the public hearing to be held aforesaid.

By order of the Town Board
of the Town of Evans
Lynn Krajacic
Town Clerk

The Public Hearing was cancelled due to a request from the applicant and will be rescheduled

Privilege of the Floor (con't)

Barb McGowan asked about a Sewer issue near Muddy Creek

Karen Erickson spoke about Proposed Local Law #8 and requested the issue people had be addressed and the project sent back to the Planning Board.

Bill Henry asked if grant money was applied for a Climate Smart Community, asked if the energy audit was done, if we will have to pay for it again and asked if the proposed windmills were on farmland

Ed Schneider spoke about the comparison between the Police Department and the Erie County Sheriffs salaries, spoke about the potential windmills, and asked about the fence at Lake Erie Beach Park and signage delineating the park land

Committee & Department Head Reports

Supervisor Hosler announced the issue of the siren at the Highland Fire Company being too loud has been addressed and it will be fixed. There will be a meeting with Senator Jacobs to discuss green and clean water iniatives, the town is looking into purchasing an inflatable screen instead of renting them. The cost will be offset by the proceeds of Summerfest.
The Recreation Advisory Board is going to join forces with the Police Department for National Night Out. Property maintenance on Zombie properties has begun.

Old Business
Solar Opt Out
Tower Permit
Proposed Local Law #8

RESOLUTION 2017 #304 Budget Transfer

Supervisor Hosler moved and Councilman Macko seconded,

WHEREAS, the Town is obligated by general municipal law to maintain a balanced budget;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby authorizes the Finance Department to make the following budget transfers to reclassify previously budgeted amounts:
Transfer From:

A1620.410.00	Maintenance – Equipment	$1,000

Transfer To:

A1620.411.00	Maintenance – Vehicle	$1,000

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Macko	Aye
Supervisor Hosler	Aye

RESOLUTION 2017 #305 Amend Resolution #2016-513 and 2017-055 Chief of Police Rate of Pay

Councilman Macko moved and Supervisor Hosler seconded,

NOW, THEREFORE, BE IT RESOLVED that Resolutions 2016-513 and 2017-055 shall be amended to reflect an annual salary of $99,230.58 for the Interim Chief of Police/Chief of Police.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Macko	Aye
Supervisor Hosler	Aye

RESOLUTION 2017 #306 Authorize Supervisor to enter into contract with Credit Card Provider for Town Clerks Office

Councilman Feldmann moved and Supervisor Hosler seconded,

WHEREAS, the Town of Evans has previously contracted with Business Automation Services, Inc. (BAS) for software services; and

WHEREAS, the Town Clerk's office processes credit card transactions,

NOW, THEREFORE, BE IT RESOLVED, that the Town of Evans hereby approves the use of Forte Payment Systems for the processing of credit card transactions and the Supervisor is hereby authorized to sign an agreement, upon the approval of the Town Attorney.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Macko	Aye
Supervisor Hosler	Aye

RESOLUTION 2017 #307 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 #308 Authorize Application for the EFC Water Tower Grant

Councilman Feldmann moved and Councilman Macko seconded,

WHEREAS, the Town of Evans, after thorough consideration of the various aspects of the problem and review of available data, has hereby determined that certain work, as described in its NYS Drinking Water Infrastructure Grant Program application and attachments, to address the repair and maintenance of the Town's Drinking Water Tower and Water Distribution Improvement Project, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project and address said compliance requirements; and

WHEREAS, the NYS Environmental Facilities Corporation (EFC) authorizes State assistance to municipalities for drinking water quality improvement projects by means of a contract, and the Town of Evans deems it to be in the public interest and benefit under this law to enter into a contract therewith.

NOW, THEREFORE, BE IT RESOLVED BY the Evans Town Board, that:

1. Supervisor Mary Hosler, or his representative or successor in office, is the representative authorized to act on behalf of the Evans Town Board in all matters related to State assistance under the New York State Environmental Facilities Corporation (EFC) and/or any applicable State grant provisions.

2. The Supervisor, or his representative, is also authorized to make application for funding in the amount of $5,130,000 or 60% of the total project cost, whichever is less, execute the State Assistance Contract, list the Project in the DWSRF Intended Use Plan (IUP), submit Project documentation, and otherwise act on behalf of the Evans Town Board in all matters related to the Project and to State assistance;

3. The Town of Evans Town Board agrees to fund its portion of the cost of the Project, not to exceed 40% or $3,000,000 of the total project cost by way of a General Obligation Bond or a series of Bond Anticipation Notes financed over a period of five or more years as well as a contribution from the Town's capital reserves account, and that funds will be made available to initiate the Project efforts within 12 months of written approval of its application by the NYS Department of Health and the New York State Environmental Facilities Corporation authority;

4. The one certified copy of this Resolution be prepared and sent to the Albany office of the NYS Environmental Facilities Corporation; and

5. This Resolution takes effect immediately.

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

RESOLUTION 2017 #309 Approve Town Licenses

Supervisor Hosler moved and Councilman Macko seconded,
Licenses:

Vince Gugliuzza – Live Band Special Event

John James Kenney – Live Band Special Event

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 #310 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	6/22/2017
ABSTRACT NO.	12
VOUCHER NO.	730 - 811
CHECK NUMBERS	76419 - 76484
APPROVED AT	Board Meeting
DATE	6/21/2017
GENERAL	$40,983.02
PART TOWN	$18,536.71
HIGHWAY DB	$25,424.32

WATER	$2,212.03
CAPITAL PROJECTS	
SPECIAL DISTRICTS	$6,321.94
DEBT SERVICE	
TA FUND	
TOTAL	**$93,478.02**

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

RESOLUTION 2017 #311 Enter Executive Session

Supervisor Hosler moved and Councilman Macko 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 hereinafter specified subject matter:

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

THEREFORE BE IT RESOLVED Jennifer Farrell, Town Attorney is invited to attend the Evans Town Board Executive Session. This resolution shall take effect immediately.

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

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