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
	Doug Czora	Chief of Police
	Mary Holl	Supervisors Department
	Brittany Gloss	Director of Finance
	Edward Michalski	Highway Superintendent

RESOLUTION 2017 #416 Approve Minutes

Supervisor Hosler moved and Councilman Macko seconded that the reading of the minutes of the Work Session of September 13, 2017, Town Board Meeting of September 20, 2017 and Work Session of September 27, 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

Councilman Feldmann read a communication regarding Zoning Amendment Recommendation - Planning Board to recommend to the Town Board a zoning amendment for the purpose of eliminating the Motor Service zoning district, section §200-22 of the Town of Evans Zoning Code, and the associated Permitted Uses be absorbed into the General Business zoning district §200-21, with all the former Motor Service uses requiring a Special Use Permit, except 'Tire, battery and other automotive parts and accessories and sales.'

RESOLUTION 2017 #417 Advertise for Public Hearing for Proposed Local Law #9 of 2017 Zoning Amendments

AMENDED
10-11-18
#433
pg 264

Councilman Feldmann moved and Supervisor Hosler seconded,

WHEREAS, in a letter dated September 22, 2017 the Evans Planning Director has requested that the Town Board set a public hearing regarding the request of the Town of Evans Planning Board, to recommend a rezoning for the purpose of eliminating the Motor Service zoning district, section §200-22 of the Town of Evans Zoning Code, and the associated Permitted Uses be absorbed into the General Business zoning district §200-21, with all the former Motor Service uses requiring a Special Use Permit, except 'Tire, battery and other automotive parts and accessories and sales.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorize the Town Clerk to advertise for a public hearing to be held on November 1, 2017 at 7:10pm for the consideration of said special use permit renewal, and

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

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

Councilman Macko read a communication regarding the Rezoning of a 2.04± acre parcel from Neighborhood Business (NB) to General Business (GB) for the purpose of expanding their operation and adding a drive-thru facility at 8766 Erie Road (a.k.a. NYS Route 5), Angola, NY 14006. SBL# 235.00-2-3.21. Petitioner: Lake Shore Federal Credit Union, 8766 Erie Road, Angola, NY 14006

RESOLUTION 2017 #418 Advertise for Public Hearing for Proposed Local Law #10 of 2017 Zoning Amendments

IENDED
)18-10-
18
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269

Councilman Macko moved and Councilman Feldmann seconded,

WHEREAS, Lake Shore Federal Credit Union has requested that the Town Board of the Town of Evans rezone a 2.04± acre parcel located at 8766 Erie Road, Angola, NY, 14047, SBL #235.00-2-3.21, from Neighborhood Business (NB) to General Business (GB) for the purpose of expanding their operation and adding a drive-thru facility, and

WHEREAS, in a letter dated October 2, 2017, the Evans Planning Office has requested that the Town Board set a public hearing regarding the request of Lake Shore Federal Credit Union

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans authorize the Town Clerk to advertise for a public hearing to be held on November 1, 2017 at 7:10pm for the consideration of said Rezoning.

AND BE IT FURTHER RESOLVED, that this matter be referred to the Planning Board for review and recommendation.

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

Privilege of the Floor

Richard LaClair presented a petition regarding diversion of storm water.

Peter Bogulski spoke about marina and improvements he would like to see.

Curtiss Hussey agreed with Peter Bogulski.

Steve Wamback spoke about issues regarding Fernbrook Creek in the Town Park.

Cheryl St. George spoke about the Town Board Composition resolution.

Norma Bogulski spoke about the connections Peter Bogulski has and his offer to help the Town.

John Calleri asked about the tentative budget increase.

Legislator John Mills gave an update on Wendt Beach the need for tax dollars in the Town of Evans and also gave a report on Erie County roads and the nature trail.

Committee & Department Head Reports

Councilman Macko announced Trick or Trunk to held on October 13th starting at 6pm at the Evans Town Park and that she attended Advanced Government Accounting School.

Supervisor Hosler reported on her meeting with Legislator Mills on Erie County Parks and the green infrastructure project.

RESOLUTION 2017 #419 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 August 2017:

Town Clerk Report for September	$36,840.42
Interest for August	$3.32
Greenspace Fees transferred to Trust & Agency Account	$700.00

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

RESOLUTION 2017 #420 Celebration of Halloween

Councilman Macko moved and Councilman Feldmann seconded,

WHEREAS, the Evans Town Board declares the celebration of Halloween in the Town of Evans for Tuesday, October 31, 2017; and

WHEREAS, the citizens of the Town of Evans are hereby requested to leave an outside light on during the hours of 6:00pm to 8:00pm to insure the safety of the children in their Trick or Treat travels and show willingness to participate in the celebration of Halloween with the children of our community.

NOW, THEREFORE BE IT RESOLVED, that a copy of this resolution be published by the Town Clerk in the Angola Pennysaver.

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

RESOLUTION 2017 #421 Declare Surplus Equipment for the Police Department

Supervisor Hosler moved and Councilman Macko seconded,

RESOLVED, that the following police portable radio is hereby declared surplus equipment and will be sold, with monies being returned to the General Savings Account:

Kenwood TK-260-G-1 Portable Radio with Charger - SN 11000785

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

RESOLTUION 2017 #422 Declare Surplus Police Vehicle

Councilman Feldmann moved and Supervisor Hosler seconded,

RESOLVED, that the following police vehicle is hereby declared surplus equipment and will be sold at auction with proceeds being returned to the asset forfeiture account:

2007 Cadillac Escalade VIN # - 1GYFK63847R392814

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

Supervisor Hosler Aye

RESOLUTION 2017 #423 Appointment of Law Enforcement Chaplin

Councilman Macko moved and Councilman Feldmann seconded

WHEREAS, Reverend Mike Trippett of the Angola Wesleyan Church has volunteered his services to serve as the Law Enforcement Chaplain to assist and support for the Town Evans Police Department;

BE IT RESOLVED, that the Town Board of the Town of Evans hereby acknowledges the recommendation of Chief of Police Douglas Czora and hereby appoints Reverend Mike Trippett as Law Enforcement Chaplain for the Evans Police Department, with no compensation from the Town.

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

Resolution 2017 #424 Authorize Supervisor to Enter into Agreement with Rural Transit Service Van

Supervisor Hosler moved and Councilman Macko seconded,

WHEREAS, Rural Transit Service, Inc. continues to provide a valuable service to the residents of the Town of Evans;

BE IT RESOLVED, that the Supervisor of the Town of Evans is authorized to execute an agreement with Rural Transit Service, Inc. for van services for the 2018-2019 CDBG year, upon the approval of the Town Attorney.

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

Resolution 2017 #425 Advanced Marine Law Enforcement Training

Councilman Feldmann moved and Supervisor Hosler seconded,

RESOLVED, that the Town Board of the Town of Evans approves the request of Chief Douglas Czora for Patrolman Michael Kauzala to attend Advanced Marine Law Enforcement Training to be held on October 16-20, 2017 in Lake George, New York, with lodging and meals to be paid for by New York State Parks, Recreation and Historic Preservation.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Macko	Aye
Supervisor Hosler	Aye

Resolution 2017 #426 Table Resolution for John K. Thompson Pool Heater Purchase & Repair

Supervisor Hosler and Councilman Feldmann seconded to table the resolution.

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

Resolution 2017 #427 Suspend the Rules for Consideration of Additional Resolution

Supervisor Hosler and Councilman Feldmann seconded,

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

Resolution 2017 #428 Authorize Justice Court to Submit Grant Application

Councilman Feldmann moved and Supervisor Hosler seconded,

WHEREAS, the Town Justices request permission to submit the Justice Court Assistance Program grant to the New York Unified Court System for the year 2017-2018;

NOW, THEREFORE BE IT RESOLVED, that the Board of the Town of Evans shall grant permission to the Evans Justice Court to submit said grant application.

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

RESOLUTION 2017 #429 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	10/5/2017
ABSTRACT NO.	18
VOUCHER NO.	1390 - 1443

CHECK NUMBERS	76917 - 76961
APPROVED AT	Board Meeting
DATE	10/4/2017
GENERAL	$56,194.77
PART TOWN	$2,128.42
HIGHWAY DB	$41,860.00
WATER	$532.66
CAPITAL PROJECTS	
SPECIAL DISTRICTS	$20,131.33
DEBT SERVICE	
TA FUND	
TOTAL	**$120,847.18**

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Feldmann	Aye
Councilman Macko	Aye
Supervisor Hosler	Aye

RESOLUTION 2017 #430 Adjournment

Supervisor Hosler moved and Councilman Macko seconded to adjourn to Wednesday, October 11, 2017 at 6pm for a Work Session and then to Wednesday, October 18, 2017 at 6pm for an Agenda Meeting, and then 7pm for the Town Board Meeting to follow.

VOTE RESULT: ADOPTED

AYES:	Macko, Hosler
NAYS:	Feldmann

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