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:	Michael Schraft	Councilman
	Jeanne Macko	Councilman
	Mary Hosler	Supervisor
ALSO PRESENT:	Lynn Krajacic	Town Clerk
	Jennifer Farrell	Town Attorney
	Roberta Rappoccio	Director of Planning
	Doug Czora	Police Chief
	Brittany Gloss	Director of Finance
	Mary Holl	Supervisor's Secretary

RESOLUTION 2018 #357 Approve Minutes

Supervisor Hosler moved and Councilman Macko seconded that the reading of the minutes of the meeting of the July 18, 2018 and July 25, 2018 meeting be dispensed with and accepted as submitted by the Town Clerk.

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

RESOLUTION 2018 #358 Advertise for Public Hearing for Proposed Local Law #6, Taxation

Supervisor Hosler moved and Councilman Macko seconded,

BE IT RESOLVED, that the Town Clerk is hereby authorized to post and publish the needed legal notice for a public hearing to be held Wednesday, August 15, 2018 at 7:10 p.m. in the Evans Town Hall for consideration of Proposed Local Law #6 of 2018 regarding code revisions to Evans Town Code Section 182: Taxation, to allow filing of a RP-467 renewal exemption application after taxable status day until hearing complaint day each year, under certain circumstances.

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

RESOLUTION 2018 #359 Advertise for Public Hearing for Proposed Local Law #7, Expert Fee Recovery

Supervisor Hosler moved and Councilman Macko seconded,

BE IT RESOLVED, that the Town Clerk is hereby authorized to post and publish the needed legal notice for a public hearing to be held Wednesday, August 15, 2018 at 7:10 p.m. in the Evans Town Hall for consideration of Proposed Local Law #7 of the calendar year 2018 regarding code revisions to the Evans Town Code, for addition of a chapter regarding expert fee recovery.

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

RESOLUTION 2018 #359 Amend Hiring Policy

Councilman Macko moved and Councilman Schraft seconded,

WHEREAS, the Town Board of the Town of Evans adopted a Hiring Policy on April 18, 2018; and

WHEREAS, the Evans Town Board desires to amend said Hiring Policy;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby adopts the attached Hiring Policy to amend the policy adopted April 18, 2018, effective immediately.

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

RESOLUTION 2018 #360 Amend Resolution #2017- 537 Correction of Pay Rate

Councilman Schraft moved and Supervisor Hosler seconded,

BE IT RESOLVED, that Resolution #2017-537 be amended to reflect the corrected annual pay rate for the Maureen Cournyea, Town of Evans Police Department Junior Administrative Assistant to $45,261.00 annual, to be paid bi-weekly.

FURTHER, BE IT RESOLVED, that this amended pay rate is retroactive to January 6, 2018, which is the appointment date for the position, per resolution 2017-537.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2018 #361NYS Water Infrastructure Improvement Act

Councilman Schraft 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 her 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 her 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 Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2018 #362 Evans Center Audit LOSAP Approval

Councilman Macko moved and Councilman Schraft seconded,

WHEREAS, an audit has been completed by the Town of Evans Finance Department for the Length of Service Award Program ("LOSAP") for the 2017 Evans Center Volunteer Fire Company, Inc. records listing per Article 11-A for the New York State General Municipal Law.

BE IT RESOLVED, that the Evans Town Board hereby approves the 2017 Firefighter Records listing for Evans Center Volunteer Fire Company, Inc. and is authorized to execute the 2017 Sponsor Approval For as required by Article 11-A.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2018 #363 Appointment of Part Time Seasonal Gate Guards

Supervisor Hosler moved and Councilman Schraft seconded,

BE IT RESOLVED, that the following part time seasonal gate guards are hereby appointed, effective immediately, for the year 2018, with their respective rates as follows:

Janice Struebel	$10.40
Joshua Geiser	$10.40

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2018 #364 National Grid Lighting Installation

Councilman Schraft moved and Councilman Macko seconded,

WHEREAS, the Town of Evans Police have concluded their lighting investigation on Herr Road, more specifically National Grid Pole #51, between Steffi Drive and Erie Road (Route 5); and

WHEREAS, the investigation found that the area near Pole #51 is in need of lighting for safety reasons; and

WHEREAS, an annual cost comparison was reviewed at the Town Board Work Session on July 25, 2018;

NOW, THEREFORE, BE IT RESOLVED, that an LED "B" - 25W roadway light be installed on National Grid Pole #51 at an estimated annual cost of $95.07, cost to be distributed in Lighting District #1.

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

RESOLUTION 2018 #365 Authorization for 2018 TAP Lakeshore Multi Use Pathway - Phase 3

Councilman Macko moved and Councilman Schraft seconded,

WHEREAS, the Town Board desires to pursue funding opportunities to address public safety and pedestrian/bicycle transportation concerns in the Town of Evans. This is a project The Town of Evans proposes constructing a 1.8 mile 8 foot wide multi-use pathway along the west side of Old Lake Shore Road, from Evans Town Park to Kennedy Street (also known as Point Breeze) "Shoreline Trail".

WHEREAS, the Town Board desires to provide this type of facility to residents at the lowest possible cost to the Town and Town taxpayers, and

WHEREAS, the Town Board desires to apply for financial assistance from the NYSDOT Transportation Alternative Program, and

WHEREAS, the Town Board commits to providing the required local matching funds to insure the timely implementation of the proposed project.

THEREFORE BE IT RESOLVED, that the Town Board authorizes and submits an application to the NYS Department of Transportation TAP (Transportation Alternative Program) for funding for the Evans Sidewalk Construction Project in the amount of $3,193,880.00, and

BE IT FURTHER RESOLVED, that upon approval of the application for financial assistance that the Town make available $638,776 (20%) in matching funds to satisfy the requirements of the funding program, and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Town Supervisor to sign all documents and agreements related to the TAP/CMAQ application.

BE IT FURTHER RESOLVED, that Mary Hosler, as Supervisor of the Town of Evans, is hereby authorized and directed to file an application for funds from the New York State Department of Transportation, Transportation Alternatives Program, and authorize a Town financial commitment in an amount no less than 20% of the approved funding, and upon approval of said

request to enter into and execute a project agreement with the State of New York for such financial assistance to the Town of Evans for the proposed Shoreline Trail Project.

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

RESOLUTION 2018 #366 Approve Town Licenses

Supervisor Hosler moved and Councilman Macko seconded,

SASI - 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 Macko	Aye
	Councilman Schraft	Aye
	Supervisor Hosler	Aye

RESOLUTION 2018 #367 Audit of Bills

Councilman Macko moved and seconded Supervisor Hosler seconded that all properly audited bills be paid out of their respective accounts per abstract

AUDIT OF BILLS

DATE	8/2/2018
ABSTRACT NO.	14
VOUCHER NO.	3068 - 3153
CHECK NUMBERS	78199 - 78252
APPROVED AT	Board Meeting
DATE	8/1/2018
GENERAL	$55,215.36
PART TOWN	$804.65
HIGHWAY DB	$102,022.95
WATER	$385.66
CAPITAL PROJECTS	$7,770.21
SPECIAL DISTRICTS	
DEBT SERVICE	

TA FUND
TOTAL $166,198.83

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2018 #367 Adjournment

Supervisor Hosler moved and Councilman Macko seconded to adjourn to Wednesday, August 15, 2018 at 6pm for an Agenda Meeting then to 7pm for the Regular Meeting.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	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, RMC
Town Clerk

Town of Evans
Hiring Policy

1) All vacancies shall be filled in accordance with applicable Civil Service Law and Regulations.
2) The Town shall determine whether or not a vacancy exists and must authorize the filling of a vacancy consistent with Town Law, the Town Budget, and applicable collective bargaining agreements.
3) The Personnel Director and department head will determine the best method of advertising open positions.
    a. All job postings must be approved by the Town Board prior to advertising, except for elected department heads.
    b. Salaries will be stated in the approved budget or by a collective bargaining agreement, unless approved in advance by the Town Board.
4) All elected department heads, in consultation with the Personnel Director, will conduct his/her own lawful, non-discriminatory, selection procedure and inform the Town Board of the selected candidate, who must then follow the pre-employment policies of the town as laid out in this policy.
5) Non-elected department heads, in consultation with the Personnel Director, will follow a lawful, non-discriminatory, selection procedure, and make recommendations for hiring to the Town Board. The department's Town Board liaison may participate in interviews, if any, and decision-making, if either the department head or liaison decides that this would be the most effective procedure. The Town Board may choose to conduct a second interview with candidates before making a final employment decision.
6) Employees who are considered Unclassified Civil Service under Civil Service Law, exempt employees, and deputies, shall be appointed in accordance with the law.
7) Seasonal employees will be hired consistent with applicable law and regulations. Seasonal employees will not be required to present for a pre-employment physical.
8) Promotions will be filled utilizing a lawful, non-discriminatory selection procedure established by the Board for that vacancy.
9) All selected candidates, including those from canvassed Eligible Lists, promotions, seasonal employees, and those hired as outlined in the procedures listed above, must be appointed via resolution by the Town Board prior to the start of their employment, or ratified after commencing employment with the Town, with the exception of the Highway Superintendent, who must submit a letter notifying the Town Board of the selected candidate so the Town Board may acknowledge the selection through a resolution.
10) All job offers are contingent upon a candidate passing the following:
    a. A pre-employment physical to include an occupational assessment with a physician or facility designated by the Town;
    b. A criminal background and sex offender database check;
    c. A motor vehicle record check for positions that require operation of a motor vehicle or a valid driver license.

    If the candidate is unable to successfully pass any of these, the job offer will be rescinded and the Town will move on the next best candidate as determined in the canvass or interview process.
11) All reports and paperwork must be submitted to Human Resources prior to the employee's start date.

Town of Evans
Hiring Guidelines

1) Unless otherwise directed by the Town Board, when a vacancy occurs, the department head will work with the Personnel Director to ensure that all policies and civil service regulations are followed when searching for a new employee.
    a. All competitive class positions, as classified by Erie County Civil Service, require that an Eligible List be canvassed. Once the list has been canvassed and the results are reviewed, all interested candidates who are reachable on the list will be interviewed. If three or more of the interviewed candidates indicate that they would accept the position if offered, the successful candidate shall be chosen from the list.
        i. If there is no established Eligible List for a competitive class position, or if a canvassed list does not conclude with three or more interested candidates, the position will be posted in all Town office buildings, on the Town website, and posted on the New York State Job Bank and Indeed.com. If the Personnel Director and department head deem it necessary, positions may also be posted in the local pennysaver.
        ii. The Town Super visor shall determine the deadline indicating when applications are due.
        iii. Any individual hired under these circumstances will be required to take the Civil Service Exam when it becomes available.
    b. All non-competitive class positions, as classified by Erie County Civil Service, are not required to follow the canvassing procedure. Advertising and posting procedures will be implemented as previously stated above.
    c. All job postings must be approved by the Town Board prior to advertising, except for elected department heads.
    d. Salaries will be stated in the approved budget or by a collective bargaining agreement, unless approved in advance by the Town Board.
2) Unless otherwise approved by the Board, all elected department heads, in consultation with the Personnel Director, will conduct his/her own interviews and inform the Town Board of the selected candidate, who must then follow the pre-employment policies of the town as laid out in this policy.
3) Unless otherwise approved by the Board, non-elected department heads, in consultation with the Personnel Director, will interview applicants, review references, and make recommendations for hiring to the Town Board. The department's Town Board liaison may participate in the interviews and decision-making, if either the department head or liaison decides that this would be the most effective procedure. At least two, but preferably three, candidates will be recommended to the Town Board. Recommendations must include a copy of the candidate's application and resume,
4) The Town Board may choose to conduct a second interview with candidates before making a final employment decision.
5) Employees who are considered Unclassified Civil Service under Civil Service Law, exempt employees, and deputies, shall be appointed in accordance with the law.
6) Seasonal employees will be hired as follows. The Supervisor shall determine whether and how to advertise seasonal vacancies. If interviews are required by the Supervisor, there will be one interview with either the Department Head or Town Supervisor. Employees invited to return from the previous year are not required to re-interview. Unless otherwise specified by the Supervisor, seasonal employees will not be required to present for a pre-employment physical.

7) Promotions due to vacancies, or the creation of a new position, will be posted as determined by the Supervisor and may not be posted at all.
8) Former employees will be considered for employment in the sole discretion of the Town Board, provided they left the Town on good terms with an adequate record of employment.
9) All selected candidates, including those from canvassed Eligible Lists, promotions, seasonal employees, and those hired as outlined in the procedures listed above, must be appointed via resolution by the Town Board prior to the start of their employment or ratified after commencing employment with the Town, with the exception of the Highway Superintendent, who must submit a letter notifying the Town Board of the selected candidate so the Town Board may acknowledge the selection through a resolution.
10) All hires are contingent upon passing a pre-employment physical to include an occupational assessment with a physician or facility designated by the Town, a criminal background check, and a sex offender database check. Positions that require operation of a motor vehicle or a valid driver license are also contingent upon a motor vehicle record check. If the candidate is unable to successfully pass any of these, the job offer will be rescinded and the Town will move on to the next best candidate as determined in the canvass or interview process.