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

RESOLUTION 2018 #106 Approve Minutes

Supervisor Hosler moved and Councilman Macko seconded that the reading of the minutes of the meeting of the February 7, 2018 Meeting and the February 16, 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

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 February 28, 2018, at the Evans Town Hall, 8787 Erie Road, Angola, New York to consider renewal of a Special Use Permit for the purpose of continuing to operate a motor vehicle sales and service facility, known as Razor Brakes & Mufflers, located at 8243 Erie Road, Angola, NY, 14006 (SBL# 220.19-2-13.1). Petitioner: Kevin Rasinski, d/b/a Razor Brakes & Mufflers, 8243 Erie Road, Angola, NY 14006.

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 M. Krajacic, RMC
Town Clerk

RESOLTUION 2018 #107 Open the Public Hearing

Supervisor Hosler moved and Councilman Macko seconded to open the public hearing.

VOTE RESULT ADOPTED
Ayes: Schraft, Macko, Hosler
Nays:

RESOLUTION 2018 #108 Close the Public Hearing

Supervisor Hosler moved and Councilman Macko seconded to close the public hearing.

VOTE RESULT ADOPTED
Ayes: Schraft, Macko, Hosler
Nays:

RESOLUTION 2018 #109 Grant Special Use Permit Razor Brakes & Muffler

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS, a renewal application dated January 5, 2018 was submitted by Kevin Rasinski, d/b/a Razor Brakes & Mufflers, petitioning for a special use permit renewal for the purpose of continued operation of a motor vehicle sales & service facility located at 8243 Erie Road, Angola, NY 14006, SBL# 220.19-2-13.1; and

WHEREAS, the Town of Evans Planning Office and the Code Enforcement Office have conducted a proper review of the application and the facility and have recommended the Special Use Permit be renewed for a period of two (2) years; and

WHEREAS, the negative SEQRA declaration issued by the Town Board on November 20, 2003, for said facility is still sufficient and valid for this action; and

WHEREAS, the Town Board of the Town of Evans conducted a public hearing on February 28, 2018 regarding said special use permit renewal;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans grants a Special Use Permit renewal to Kevin Rasinski, d/b/a Razor Brakes & Mufflers, for a special use permit renewal for the purpose of continued operation of a motor vehicle sales & service facility located at 8243 Erie Road, Angola, NY 14006, SBL# 220.19-2-13.1; and

BE IT FURTHER RESOLVED, that the above-said Special Use Permit be granted for a two (2) year period and may be renewed; and

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

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

RESOLUTION 2018 #110 Part Time Clerk Appointment

Councilman Schraft moved and Supervisor Hosler seconded,

BE IT RESOLVED, that Diane Steinhoff be appointed as a part-time clerk at the rate of $12.00 per hour, effective immediately.

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

RESOLUTION 2018 #111 Appointment of Personnel Clerk

Supervisor Hosler moved and Councilman Macko seconded,

WHEREAS, the position was created and adopted by the Evans Town Board, resolution #2018-104;

BE IT RESOLVED, that Elaine Yingling shall be appointed Personnel Clerk, effective March 19, 2018 and that she be compensated at a rate of $45,000 per year, payable bi-weekly; and

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

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

RESOLUTION 2018 #112 Appointment of Safety Officer

Councilman Macko moved and Supervisor Hosler seconded,

BE IT RESOLVED, that Elaine Yingling shall be appointed to assume the duties of Town of Evans Safety Officer, effective March 19, 2018; and

BE IT FURTHER, RESOLVED, that Elaine Yingling be paid a stipend of $1,000 annually, pro-rata, for the additional duties and responsibilities of Safety Officer, to be paid bi-weekly, effective March 19, 2018.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Nay
Supervisor Hosler	Aye

RESOLUTION 2018 #113 Confidential Appointment

Supervisor Hosler moved and Councilman Macko seconded,

WHEREAS, Elaine Yingling has been appointed to the Personnel Clerk position;

BE IT RESOLVED, that the above referenced position shall be recognized as a position that is confidential in nature and also assumes daily confidential duties and responsibilities, effective March 19, 2018.

FURTHER, BE IT RESOLVED, Elaine Yingling shall be paid an annual stipend of $1,000, pro-rated, to be paid bi-weekly.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Nay
Supervisor Hosler	Aye

RESOLUTION 2018 #114 Grant Permission for Planning Federation Conference

Councilman Schraft moved and Councilman Macko seconded,

WHEREAS; the Director of Planning & Community Development requests permission to attend the New York Planning Federation Conference; and

WHEREAS; said training will be held in Bolton Landing, NY on April 22 - April 24, 2018; and

NOW THEREFORE BE IT RESOLVED, that the Board of the Town of Evans shall grant permission to Roberta Rappoccio, Director of Planning & Community Development, to attend said training and all appropriate and reasonable expenses shall be paid by the Town, per Town policy and budget transfer.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2018 #115 Approve PBA Collective Bargaining Agreement

Councilman Schraft moved and Supervisor Hosler seconded,

WHERAS, the collective bargaining agreement between the Town of Evans (hereinafter "Town") and the Town of Evans Police Benevolent Association (hereinafter "PBA"), expired on December 31, 2016; and

WHEREAS, the Town of Evans and PBA have negotiated a collective bargaining agreement for the period of January 1, 2017 through December 31, 2020; and

WHEREAS, the PBA held a vote and its membership ratified the aforementioned collective bargaining agreement for the period of January 1, 2017 through December 31, 2020;

NOW, THEREFORE, BE IT RESOLVED, that the Town of Evans hereby approves the collective bargaining agreement with the PBA for the period of January 1, 2017 through December 31, 2020, and Supervisor Mary Hosler is hereby authorized to execute the agreement on behalf of the Town of Evans.

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

RESOLUTION 2018 #116 Suspend the Rules

Supervisor Hosler moved and Councilman Schraft seconded to suspend the rules of order for consideration of an additional resolution,

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

RESOLUTION 2018 #117 Add Authorized Signer to Evans Bank Account

Supervisor Hosler moved and Councilman Macko seconded,

WHEREAS, Judge Anthony Barone submitted his letter of resignation/retirement from the position of Evans Town Justice, effective December 20, 2017; and

WHEREAS, the Evans Town Board accepted Judge Barone's resignation/retirement by Resolution #2017-550; and

WHEREAS, Moria H. Cooper was appointed Evans Town Justice, replacing Judge Barone by Resolution #2018-004;

BE IT RESOLVED, that Judge Anthony Barone be removed from the existing account with Elavon/Global Operations, which is utilized for monies for court fees.

FURTHER, BE IT RESOLVED , that Judge Moria H. Cooper is hereby authorized to be added as a new signer/owner on Elavon/Global Operations account, Evans Bank Account XXXXX0121, effective immediately.

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

RESOLUTION 2018 #118 Audit of Bills

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

AUDIT OF BILLS

DATE	3/1/2018
ABSTRACT NO.	4
VOUCHER NO.	2151 - 2206
CHECK NUMBERS	77504 - 77547
APPROVED AT	Board Meeting
DATE	2/28/2018
GENERAL	$159,501.37
PART TOWN	$4,493.41
HIGHWAY DB	$53,295.44
WATER	$18,597.94
CAPITAL PROJECTS	
SPECIAL DISTRICTS	$737,295.58
DEBT SERVICE	
TA FUND	
TOTAL	**$973,183.74**

The dollar difference of what was approved at the meeting is due to a $35 voucher pulled

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

RESOLUTION 2018 #119 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 upon hereinafter specified subject matter.

The general nature of the subject matter to be discussed as follows: Employment History of an Employee

NOW THEREFORE BE IT RESOLVED: Jennifer Farrell, Town Attorney, Lynn Krajacic, Town Clerk and Doug Czora, Chief of Police is invited to attend the Evans Town Board Executive Session.

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

RESOLUTION 2018 #120 Extension of Light Duty

Supervisor Hosler moved and Councilman Schraft seconded,

RESOLVED, that Chief of Police Douglas Czora, without prejudice ad without creating a precedent is hereby authorized to issue a special order directing Bradley DiMartino to return to the payroll, to work light duty, effective January 28, 2018 to March 18, 2018 to perform functions and duties consistent with physical restrictions established by his physician and/or a physician designated by the Town of Evans; and

BE IT FURTHER RESOLVED, unless the Town Board authorizes an extension of Bradley DiMartino's light duty assignment, this light duty assignment shall terminate effective at the end of his shift on March 18, 2018.

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

RESOLUTION 2018 #121 Adjournment

Supervisor Hosler moved and Councilman Macko seconded to adjourn the Town Board meeting to Wednesday, March 7, 2018 at 6pm for an Agenda meeting and 7pm for the Town Board Meeting and then to March 21, 2018 at 6pm for a Work Session.

VOTE RESULT: ADOPTED
AYES: Schraft, 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, RMC
Town Clerk

AFFIDAVIT OF PUBLICATION

State of New York

County of Chautauqua

City of Dunkirk

Sheila McWillson , being duly sworn, deposes and says that he 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

February 15, 2018

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 February 28, 2018, at the Evans Town Hall, 8787 Erie Road, Angola, New York to consider renewal of a Special Use Permit for the purpose of continuing to operate a motor vehicle sales and service facility known as Razor Brakes & Mufflers, located at 8243 Erie Road, Angola, NY 14006 (SBL#: 220.19-2-13.1). Petitioner: Kevin Rasinski, d/b/a Razor Brakes & Mufflers, 8243 Erie Road, Angola, NY 14006.
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 M. Krajacic, RMC
Town Clerk
O-163285: February 15, 2018
-Adv

Signed Sheila McWillson
Sheila McWillson

Signed before me this 15th day of February 2018

Barbara J Musso
Notary Public

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