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
	Paul Ryerse	Supervising Code Enforcement
	Roberta Rappoccio	Planning & Comm Development
	Brittany Gloss	Director of Finance
	James Guarino	Water Department
	Mary Holl	Supervisor's Department

RESOLUTION 2018 #059 Approve Minutes

Supervisor Hosler moved and Councilman Macko seconded that the reading of the minutes of the meeting of the 2018 Organizational Meeting and the January 7, 2018 Town Board 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

Communications

Supervisor Hosler read a communication from Roberta Rappoccio, Director of Community Development and Planning regarding Minor Subdivision Review – dividing a 21.64± acre parcel at 9627 Condon Road, known as SBL# 253.00-3-9, to create an 8.76± acre parcel on Condon Road, and a 12.88± acre portion to be annexed to an adjacent parcel at 9689 Versailles Plank Road, known as SBL# 253.00-3-28, to form a 14.56± acre parcel. Petitioner: Sheila Benoit, 9627 Condon Road, Angola, NY 14006

RESOLUTION 2018 #060 Declare Lead Agency 9627 Condon Road

Supervisor Hosler moved and Councilman Macko seconded,

WHEREAS, minor subdivisions are unlisted SEQR actions, and

WHEREAS, the Town Board of the Town of Evans desires the Town of Evans to be the Lead Agency for the SEQR process:

WHEREAS, the Town has completed a short Environmental Assessment Form for this action, and

WHEREAS, in a letter dated January 12, 2018, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the Sheila Benoit Minor Subdivision, and

WHEREAS, it has been determined that the subdivision of this property will not result in any significant impacts regarding the SEQR process.

NOW THEREFORE BE IT RESOLVED, that the Town of Evans shall be the Lead Agency for the SEQR process for the above mentioned minor subdivision; and

RESOLVED, that the Town Board of the Town of Evans adopts the findings of the Town of Evans Minor Subdivision Review Committee and issues a SEQR negative declaration for the Sheila Benoit Minor Subdivision.
(Addendum A SEQR Short Environmental Assessment Form),

a division of SBL# 253.00-3-9, dividing a 21.64± acre parcel to create:

1. a 8.76± acre parcel with 84.44± feet of frontage on Condon Road, and
2. a 12.88± acre portion to be annexed to an adjacent parcel with 168.98± feet of frontage on Versailles Plank Road, known as SBL# 253.00-3-28, to form a 14.56± acre parcel.

Petitioner: Sheila Benoit, 9627 Condon Road, Angola, NY 14006.

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

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

RESOLUTION 2018 #061 Approve Minor Sub Division 9627 Condon Road

Councilman Macko moved and Supervisor Hosler seconded,

WHEREAS, the Town of Evans Minor Subdivision Review Committee has completed a review and recommended approval, and

WHEREAS, the Evans Town Board, as Lead Agent, issued a negative declaration regarding the SEQR process.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby adopts the findings of the Town of Evans Minor Subdivision Review Committee and approves the Sheila Benoit Minor Subdivision, a division of SBL# 253.00-3-9, dividing a 21.64± acre parcel to create:

1. a 8.76± acre parcel with 84.44± feet of frontage on Condon Road, and
2. a 12.88± acre portion to be annexed to an adjacent parcel with 168.98± feet of frontage on Versailles Plank Road, known as SBL# 253.00-3-28, to form a 14.56± acre parcel.

Petitioner: Sheila Benoit, 9627 Condon Road, Angola, NY 14006.

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

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

Supervisor Hosler read a communication from Roberta Rappoccio, Director of Community Development and Planning regarding renewal of a special use permit for the purpose of operating a Auto Repair facility, located at 9579 Southwestern Blvd., Angola, NY 14006, SBL# 252.00-1-36.

RESOLUTION 2018 #062 Advertise a Public Hearing for Special Use Permit Renewal

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS, in a letter dated January 12, 2018 the Planning Office has requested that the Town Board set a public hearing regarding the petition of Daryl Phillips, dba M&D Auto Repair, for a special use permit renewal for the purpose of operating an Auto Repair facility located at 9579 Southwestern Blvd., Angola, NY 14006, part of SBL# 252.00-1-36.

NOW THEREFORE BE IT RESOLVED, that the Town Board authorize the Town Clerk to advertise for a public hearing to be held on February 7, 2018 at 7:10p.m. for the consideration of said special use permit renewal, and

BE IT FURTHER RESOLVED, that this matter be referred to the Planning Office to determine the need for Planning Board review and recommendation prior to the public hearing, 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 Macko	Aye
	Councilman Schraft	Aye
	Supervisor Hosler	Aye

Supervisor Hosler reported that the Supervisor's December 2017 Monthly Report has been made to the Town Board and a copy was filed with the Town Clerk's Office.

Old Business

RESOLUTION 2018 #063 Advertise a Public Hearing for Proposed Local Law #9 of the Year 2017

Supervisor Hosler moved and Councilman Macko seconded,

WHEREAS, a public hearing was held on November 1, 2017 regarding Proposed Local Law (PLL) #9 of the year 2017 concerning proposed zoning code change from Motor Service to General Business and;

WHEREAS, PLL #9 of the year 2017 has been amended,

NOW, THEREFORE, BE IT RESOLVED, that the Town Clerk be authorized to advertise for a public hearing regarding PLL #9 of the year 2017, as amended, to be held on February 7, 2018 at 7:10pm.

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

RESOLUTION 2018 #064 Authorize Supervisor to Enter into Agreement with the Erie County SPCA

Councilman Schraft moved and Councilman Macko seconded,

WHEREAS, the agreement between the Town of Evans and the SPCA Serving Erie County will expire on December 31, 2017; and

WHEREAS, the Town desires to enter into a new agreement with the SPCA Serving Erie County to avoid a lapse;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans authorizes Supervisor Mary K. Hosler to execute the Agreement between the Town of Evans and SPCA Serving Erie County, upon the approval of the Town Attorney.

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

RESOLUTION 2018 #065 Authorize Town Attorney to Attend Training

Councilman Macko moved and Supervisor Hosler seconded,
WHEREAS; the Town Attorney requests permission to attend the Annual Association of Towns training; and

WHEREAS; said training will be held in New York City on February 18-21, 2018; and

NOW THEREFORE BE IT RESOLVED, that the Board of the Town of Evans shall grant permission to Jennifer S. Farrell, Esq., Town Attorney, to attend said training and all appropriate and reasonable expenses shall be paid by the Town, per Town policy.

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

RESOLUTION 2018 #066 Authorize Town Board to Attend NYS Association of Towns Conference

Councilman Schraft moved and Councilman Macko seconded,

WHEREAS, the Town Supervisor and Councilmen request permission to attend the annual Association of Towns training; and

WHEREAS, said training will be held in New York City on February 18-21, 2018;

BE IT RESOLVED, that the Board of the Town of Evans shall grant permission to Town Supervisor Mary Hosler, Councilman Jeanne Macko and Councilman Schraft to attend said training and all appropriate and reasonable expenses shall be paid by the Town, per Town policy.

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

RESOLUTION 2018 #067 2017 Budget Transfers

Councilman Schraft moved and Councilman Macko seconded,

WHEREAS, the Town of Evans Town Board approved the 2017 budget on November 16, 2016 by resolution #512; and,

WHEREAS, the Town finds it necessary to amend the 2017 budget to recognize the receipt of insurance funds, as well as the corresponding expenditures;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby amends the 2017 budget; and,

BE IT FURTHER RESOLVED, that the Town Board of the Town of Evans hereby authorizes the Director of Finance to make the following budget amendment:

Account Number	Account Name	Approved Appropriation	Change	Amended Appropriations
A.5010.230.00	Infrastructure Sidewalks	$0.00	$45,477	$45,477

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

RESOLUTION 2018 #068 2017 Budget Transfers

Councilman Macko moved and Councilman Schraft seconded,

WHEREAS, the Town of Evans Town Board approved the 2017 budget on November 16, 2016 by resolution #512; and,

WHEREAS, the Town finds it necessary to amend the 2017 budget to recognize the receipt of funds associated with the Justice Court Association Program ("JCAP") funding, as well as the corresponding expenditures;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby amends the 2017 budget; and,

BE IT FURTHER RESOLVED, that the Town Board of the Town of Evans hereby authorizes the Director of Finance to make the following budget amendment:

Account Number	Account Name	Approved Appropriation	Change	Amended Appropriations
A.1110.401.01	JCAP Grant	$0.00	$931.76	$931.76

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

RESOLUTION 2018 #069 Advertise Invitation to Bid for the Highway Roof

Councilman Schraft moved and Supervisor Hosler seconded,

RESOLVED, that the Town Engineer is hereby authorized to prepare an invitation to bid for the Town of Evans' Highway Garage Reroof Project, Town of Evans, New York, and

BE IT FURTHER RESOLVED, that the specifications for the invitation to bid shall be available at the Office of the Engineer, Clark Patterson Lee, 26 Mississippi Street, Buffalo, NY 14203, and

Evans Town Clerk's Office, 8787 Erie Road, Angola, NY 14006, beginning February 19, 2018; and

BE IT FURTHER RESOLVED, that the Town Clerk shall advertise a notice of invitation to bid; and

BE IT FURTHER RESOLVED, that the bids are due to the Evans Town Clerk's Office, 8787 Erie Road, Angola, New York, by 10:00 a.m. local time on March 13, 2018, at which time the bids will be publicly opened and read aloud.

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

RESOLUTION 2018 #070 Establish a Code Review Committee

Councilman Macko moved and Councilman Schraft seconded,

RESOLVED, that the Town of Evans hereby establish a Code Review Committee to review and provide advice to the Town Board of the Town of Evans regarding proposed changes to the Town Code, and

BE IT FURTHER RESOLVED, that the Code Review Committed shall be comprised of the Supervising Code Enforcement Officer, one (1) member of the Planning Board as designated by the Planning Board, one (1) member of the Zoning Board of Appeals as designated by the Zoning Board of Appeals, the Town Engineer, and one (1) contractor/developer appointed by the Town Board on an annual basis; and

BE IT FURTHER RESOLVED, that the Supervising Code Enforcement Officer shall be the Chair of the Code Review Committee; and

BE IT FURTHER RESOLVED, that the Code Review Committee shall meet on a quarterly basis, or more frequently as determined necessary by the Chair, and shall be solely advisory in nature.

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

RESOLUTION 2018 #071 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 #072 Authorize Councilman Schraft to Attend NYS Association of Town Training

Supervisor Hosler moved and Councilman Macko seconded,

WHEREAS, Town Councilman Michael Schraft requests permission to attend the Association of Towns' 2018 Newly Elected Town Officials' School; and

WHEREAS, said training will be held in Rochester, New York on January 17-19, 2018;

NOW, THEREORE, BE IT RESOLVED, that the Town Board of the Town of Evans shall grant permission to Town Councilman Michael Schraft to attend said training and all appropriate and reasonable expenses shall be paid by the Town, per Town policy.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2018 #073 Approve Town Licenses

Supervisor Hosler moved and Councilman Macko seconded,

Gary T. Ballowe D/B/A Turtle Joes Sandbar – Refreshment, Amusement & Live Band Commercial

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 #074 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	1/18/2018
ABSTRACT NO.	2
VOUCHER NO.	1964 - 1993
CHECK NUMBERS	77358 - 77384
APPROVED AT	Board Meeting
DATE	1/17/2018
GENERAL	$40,747.50
PART TOWN	$2,911.60
HIGHWAY DB	$2,590.95
WATER CAPITAL PROJECTS	$2,743.36
SPECIAL DISTRICTS	$97,994.33
DEBT SERVICE	
TA FUND	
TOTAL	**$146,987.74**

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2018 #075 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: Litigation & Employment History of an Employee

NOW THEREFORE BE IT RESOLVED: Jennifer Farrell, Town Attorney and Mary Holl, Supervisor's Secretary are invited to attend the Evans Town Board Executive Session.

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