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
	Ed Michalski	Highway Superintendent
	Mary Holl	Supervisor's Secretary

PUBLIC HEARING

LEGAL NOTICE
TOWN OF EVANS

Please take notice that the Town Board of the Town of Evans, Erie County, New York will hold a public hearing on April 17, 2019 at 7:10 P.M. at the Evans Town Hall, 8787 Erie Road, Angola, New York 14006 to consider the adoption of Proposed Local Law #5 of the year 2019, which will amend Town Code Chapter 113: Flood Damage Prevention.

Copies of the Proposed Local will be available for inspection by any interested person after April 5, 2019 in the Office of the Town Clerk during normal business hours Monday, Tuesday, Thursday, Friday from 8am - 4pm, Wednesday from 9am - 5pm and the Town's website www.townofevans.org.

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

By Order of the Town Board
of the Town of Evans
Lynn M. Krajacic
Town Clerk

RESOLTUION 2019 #203 Open the Public Hearing

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

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

The following spoke neither in favor or opposed: Marie O'Connor

RESOLUTION 2019 #204 Close the Public Hearing

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

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

RESOLUTION 2019 #205 Proposed Local Law #5 of 2019 Flood Damage Prevention

Supervisor Hosler moved and Councilman Schraft seconded,

WHEREAS, the Town Board of the Town of Evans finds that Proposed Local Law Number 5 of the year 2019 regarding miscellaneous code revisions to Section 113: Flood Damage Prevention, will provide necessary revisions and additions to the code, and maintain eligibility in the National Flood Insurance Program; and

WHEREAS, the Evans Town Board held a Public Hearing on the proposed code amendments on April 17, 2019, which was properly advertised by the Town Clerk; and

NOW, THEREFORE, BE IT RESOLVED, that Proposed Local Law Number 5 of the year 2019 be and hereby is adopted as Local Law Number #4 of the year 2019; and

BE IT FURTHER RESOLVED, that a copy of this resolution be provided to the Town Clerk's Office.

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

RESOLUTION 2019 #206 Approve Minutes

Supervisor Hosler moved and Councilman Macko seconded that the reading of the minutes of the meetings of April 3, 2019 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 reported that the Supervisor's March 2019 Monthly Report has been made to the Town Board and a copy was filed with the Town Clerk's Office.

RESOLUTION 2019 #207 Authorize a Lieutenant to Attend Advanced Roadside Interview Techniques for Patrol Officer

Councilman Schraft moved and Councilman Macko seconded,

RESOLVED, that the Town Board of the Town of Evans approves the request of Chief Douglas Czora for Lieutenant Brad DiMartino to attend Advanced Roadside Interview Techniques For Patrol Officers on May 2 and May 3, 2019, in Kent, Ohio, with lodging and meals to be paid for by the Town of Evans per Town Policy, and Lieutenant DiMartino providing his own transportation.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2019 #208 Authorize Patrolman to Instruct at the Marine Patrol Vessel Operator Authorize Affirmative Action Officer to Attend Training Course

Councilman Macko 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 instruct, at the request of the N.Y.S. Parks, Recreation and Historic Preservation, the Marine Patrol Vessel Operator Course from May 6, 2019 to May 10, 2019 in Lake George, NY, with lodging and meals to be paid for by the N.Y.S. Parks, Recreation and Historic Preservation.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2019 #209 Authorize Patrolman to Attend the Marine Law Enforcement Program Training

Supervisor Hosler moved and Councilman Macko seconded,

RESOLVED, that the Town Board of the Town of Evans approves the request of Chief Douglas Czora for Patrolman Joseph LaRosa and Patrolman Jeff DeVinney to attend Marine Law Enforcement Program training May 6, 2019 to May 10, 2019 in Lake George, NY, with lodging and meals to be paid for by the N.Y.S. Parks, Recreation and Historic Preservation.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2019 #210 Amend Resolution 2019 #199

Councilman Schraft moved and Councilman Macko seconded,

WHEREAS, the Evans Town Board previously authorized Supervisor Hosler to make an employment offer, including salary and benefits, to William Smith as Director of Community Development for the Town of Evans, per resolution #2019-199 adopted on April 12, 2019;

BE IT RESOLVED, that William Smith is hereby appointed as Director of Community Development for the Town of Evans at a salary of $66,250 yearly, payable bi-weekly, which includes benefits as adopted in resolution #2019-199; and

BE IT FURTHER RESOLVED, that holidays and health insurance buy-out shall be at the same rate as IBEW #41 collective bargaining agreements rates; and

BE IT FURTHER RESOVLED, that all relative issues, rules and regulations will be understood to all parties subject to Civil Service Law.

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

RESOLUTION 2019 #211 Bond for Senior Center

Councilman Macko moved and Councilman Schraft seconded,

WHEREAS, the Town Board (the "Board") of the Town of Evans, Erie County (the "Town") proposes to authorize the issuance of $320,000 in serial bonds of the Town to finance the cost of renovations and improvements to the Town's Senior Center, consisting of the replacement of the roof, windows, façade, heating and cooling systems, fire alarms, and any ancillary or related work required in connection therewith, all at an estimated maximum cost of $420,000 (the "Project"); and

WHEREAS, the Board now wishes to appropriate funds for such each purpose and to authorize the issuance of the Town's serial bonds and bond anticipation notes to be issued to finance each such appropriation.

NOW THEREFORE, THE TOWN BOARD OF THE TOWN OF EVANS, ERIE COUNTY, NEW YORK HEREBY RESOLVES (by the affirmative vote of not less than two-thirds of all the members of such body), AS FOLLOWS:

SECTION 1. The Town is hereby authorized to undertake renovations and improvements to the Town's Senior Center, consisting of the replacement of the roof, windows, façade, heating and cooling systems, fire alarms, and any ancillary or related work required in connection therewith and to issue $320,000 principal amount of serial bonds pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York

(the "Law") to finance a portion of the estimated cost of the aforementioned specific purpose. It is hereby determined that the maximum estimated cost of such specific object or purpose is $420,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the expenditure of $100,000 in Community Development Block Grant monies expected to be received by the Town with respect to the Project to pay or reimburse the costs thereof, including the partial repayment of obligations authorized herein; (ii) the issuance of up to $320,000 in serial bonds of the Town authorized to be issued pursuant to this section, or bond anticipation notes issued in anticipation of such serial bonds; and (iii) unless paid from other sources, the levy and collection of taxes on all the taxable real property in the Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

SECTION 2. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is five (5) years, pursuant to subdivision 89. of paragraph a. of Section 11.00 of the Law.

SECTION 3. The final maturity of the bonds herein authorized to be issued shall not be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to Section 1 of this resolution.

SECTION 4. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by Section 1 of this resolution. This resolution shall constitute a declaration of "official intent" to reimburse the expenditures authorized by Section 1 hereof with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 5. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town without legal or constitutional limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 6. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations and of Section 21.00, Section 50.00, Section 54.90, Sections 56.00 through 60.00 and Sections 62.10 and 63.00 of the Law, the powers and duties of the Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters relating thereto, and of any bond anticipation notes issued in anticipation of said bonds,

and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor of the Town, as the chief fiscal officer of the Town (the "Town Supervisor"). Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds to be issued for one or more of the objects or purposes authorized by this resolution are combined for sale, pursuant to paragraph c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Board, then the power of the Board to determine the "weighted average period of probable usefulness" (within the meaning of paragraph a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town.

SECTION 7. The Town Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 8. The Town Supervisor is further authorized to enter into continuing disclosure undertaking with or for the benefit of the initial purchasers of the bonds or notes authorized by this resolution in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 9. The Town Board hereby determines that the actions authorized by this resolution and the adoption hereof collectively constitute a "Type II" action within the meaning of the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation thereunder (collectively, "SEQRA") and that no further action under SEQRA need be taken by the Town Board as a condition precedent to the adoption of this resolution.

SECTION 10. The intent of this resolution is to give the Town Supervisor sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Board.

SECTION 11. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the Constitution.

SECTION 12. The Town Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published in the official newspaper(s) of the Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Law.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2019 #212 SEQR for 2019 Muddy Creek Maintenance

Supervisor Hosler moved and Councilman Schraft seconded,

WHEREAS, the Town of Evans Town Board (the "Board") has considered the impact to the environment of following Scope of Work to be completed:

1. Muddy Creek Maintenance
   - Work to be completed on the mouth of Muddy Creek as it enters Lake Erie;
   - Work may include, but not limited to the reconstruction and/or removal of concrete training walls and the return of the mouth of Muddy Creek to its natural state.

WHEREAS, the Board has reviewed the Scope of Work set forth above as one Proposed Action, and has further consulted with its Engineer and legal counsel with respect to the potential for environmental impacts resulting from the Proposed Action,

WHEREAS, the Board has reviewed the Proposed Action with respect to the Type II criteria set forth in 6 NYCRR. Part 617 of the Environmental Conservation Law, Article 8 ("SEQRA") and concluded that the project involves:

- Maintenance or reconstruction involving no substantial changes in an existing facility, structure or infrastructure (6 NYCRR §617.5(c)(1));

THEREFORE, BE IT RESOLVED, by the Board as follows:

1. The Proposed Action, individually and cumulatively, does not constitute substantial changes to the existing facilities or infrastructure and involves routine activities required for proper operation and maintenance of Muddy Creek, and, therefore, does not exceed the thresholds for a Type II Action established under 6 N.Y.C.R.R. Part 617.

2. The Board hereby determines the Proposed Action is a Type II action in accordance with SEQRA regulations.

3. No further review of the Proposed Action is required under SEQRA.

4. This resolution shall be effective immediately.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2019 #213 Bond for Excavation & Dredging of Muddy Creek

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS, the Town Board (the "Board") of the Town of Evans, Erie County (the "Town") proposes to authorize the issuance of $250,000 in serial bonds of the Town to finance the excavation and dredging of Muddy Creek, including the reconstruction of the concrete training walls, or the removal of the concrete training walls and the return of the creek to its natural state, and/or mitigating erosion under or near pedestrian bridge, all at an estimated maximum cost of $250,000 (the "Project"); and

WHEREAS, by resolution dated April 17, 2019, adopted immediately prior to consideration of this of this resolution, the Town Board of the Town, acting as lead agency for purposes of conducting a review of the Project under the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation adopted thereunder (collectively, "SEQRA"), determined that the proposed Project constitutes an "Type II" action within the meaning of SEQRA, and that no further action under SEQRA need be taken by the Town Board with respect to the Project; and

WHEREAS, the Board now wishes to appropriate funds for such each purpose and to authorize the issuance of the Town's serial bonds and bond anticipation notes to be issued to finance each such appropriation.

NOW THEREFORE, THE TOWN BOARD OF THE TOWN OF EVANS, ERIE COUNTY, NEW YORK HEREBY RESOLVES (by the affirmative vote of not less than two-thirds of all the members of such body), AS FOLLOWS:

SECTION 1. The Town is hereby authorized to undertake renovations and improvements to the Town's Senior Center, consisting of the excavation and dredging of Muddy Creek, including the reconstruction of the concrete training walls, or removal of the concrete training walls and the return of the creek to its natural state, and/or mitigating erosion under or near the pedestrian bridge, and to issue $250,000 principal amount of serial bonds pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the "Law") to finance the estimated cost of the aforementioned specific purpose. It is hereby determined that the maximum estimated cost of such specific object or purpose is $250,000, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the issuance of up to $250,000 in serial bonds of the Town authorized to be issued pursuant to this section, or bond anticipation notes issued in anticipation of such serial bonds; and (ii) unless paid from other sources, the levy and collection of taxes on all the taxable real property in the

Town to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

SECTION 2. It is hereby determined that the period of probable usefulness for the aforementioned specific object or purpose is five (5) years, pursuant to subdivisions 3., 22(c). and 89. of paragraph a. of Section 11.00 of the Law.

SECTION 3. The final maturity of the bonds herein authorized to be issued shall not be in excess of five (5) years measured from the date of issuance of the first serial bond or bond anticipation note issued pursuant to Section 1 of this resolution.

SECTION 4. The temporary use of available funds of the Town, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. The Town shall reimburse such expenditures with the proceeds of the bonds or bond anticipation notes authorized by Section 1 of this resolution. This resolution shall constitute a declaration of "official intent" to reimburse the expenditures authorized by Section 1 hereof with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulations Section 1.150-2.

SECTION 5. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the real property within the Town without legal or constitutional limitation as to rate or amount. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 6. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations and of Section 21.00, Section 50.00, Section 54.90, Sections 56.00 through 60.00 and Sections 62.10 and 63.00 of the Law, the powers and duties of the Board relative to authorizing serial bonds and bond anticipation notes and prescribing terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters relating thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the Supervisor of the Town, as the chief fiscal officer of the Town (the "Town Supervisor"). Further, pursuant to paragraph b. of Section 11.00 of the Law, in the event that bonds to be issued for one or more of the objects or purposes authorized by this resolution are combined for sale, pursuant to paragraph c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by other resolutions of the Board, then the power of the Board to determine the "weighted average period of probable usefulness" (within the meaning of paragraph a. of Section

11.00 of the Law) for such combined objects or purposes is hereby delegated to the Town Supervisor, as the chief fiscal officer of the Town.

SECTION 7. The Town Supervisor is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 8. The Town Supervisor is further authorized to enter into continuing disclosure undertaking with or for the benefit of the initial purchasers of the bonds or notes authorized by this resolution in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 9. The intent of this resolution is to give the Town Supervisor sufficient authority to execute those applications, agreements and instruments, or to do any similar acts necessary to affect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this Board.

SECTION 10. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money; or

(b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

(c) such obligations are authorized in violation of the provisions of the Constitution.

SECTION 11. The Town Clerk is hereby authorized and directed to cause a copy of this resolution, or a summary thereof, to be published in the official newspaper(s) of the Town for such purpose, together with a notice of the Town Clerk in substantially the form provided in Section 81.00 of the Law.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2019 #214 Appointment of RPT Laborers

Councilman Macko moved and Supervisor Hosler seconded,

BE IT RESOLVED, that the following individuals be appointed to the Laborer RPT position:

Name	Salary	Location	Effective Date
James Bingenheimer	$12.00	Parks	4/22/19
Michael Smith	$12.00	Parks	4/22/19

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2019 #215 Appointment of Seasonal Laborers

Supervisor Hosler moved and Councilman Macko seconded,

BE IT RESOLVED, that the following individuals be appointed to the PT Seasonal Laborer position:

Name	Salary	Location	Effective Date
Adam Ballard	$11.50	Marina	4/22/19
William Bratek	$11.50	Marina	4/22/19
Zachary Byrne	$11.10	Marina (gate)	4/22/19
Darrin Frame	$11.10	Marina (night gate)	4/22/19
Kathryn Klopp	$11.10	Marina (gate)	4/22/19
Harold Mergenhagen	$11.10	Parks (gate)	4/22/19
Nicholas Ralph	$11.50	Parks	4/22/19
Wayne Thomas	$11.10	Marina (gate)	4/22/19
Matthew Timm	$11.50	Parks	4/22/19
Robert Watts	$11.10	Marina (gate)	4/22/19
Leon Widelko	$11.10	Marina (gate)	4/22/19

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2019 #216 Donation to Evans PBA Fundraising Event

Councilman Schraft moved and Councilman Macko seconded,

WHEREAS, the Town of Evans Police Benevolent Association ("PBA") holds an annual fundraising event; and

WHEREAS, the Town of Evans PBA has requested a donation for its annual fundraiser event;

BE IT RESOLVED, that the Town Board of the Town of Evans hereby authorizes the donation of one (1) 2019 seasonal boat launch pass.

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

RESOLUTION 2019 #217 Approve Town Licenses

Supervisor Hosler moved and Councilman Macko seconded,

David W. Smith D/B/A Pappi's Place - Refreshment

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 2019 #218 Audit of Bills

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

AUDIT OF BILLS

DATE	4/18/2019
ABSTRACT NO.	8
VOUCHER NO.	4518 - 4589
CHECK NUMBERS	79344 - 79403
APPROVED AT	Board Meeting
DATE	4/17/2019
GENERAL	$126,247.24
PART TOWN	$1,824.65
HIGHWAY DB	$29,348.28
WATER	$2,993.00

CAPITAL PROJECTS	$0.00
SPECIAL DISTRICTS	$113,378.02
DEBT SERVICE	$0.00
TOTAL	**$273,791.19**

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

RESOLUTION 2019 #219 Adjournment

Supervisor Hosler and Councilman Macko moved to adjourn to Wednesday April 24, 2019 at 6pm for a Work Session and then to Wednesday May 1, 2019 at 6pm for a Work Session and Regular Meeting at 7pm.

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

AFFIDAVIT OF PUBLICATION

ESTOPPEL NOTICE

The resolution, a summary of which is published herewith, has been adopted on April 17, 2019 and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Evans, Erie County, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

Lynn M. Krajacic,
Town Clerk
Town of Evans

SUMMARY OF BOND RESOLUTION

Set forth below is a summary of said resolution adopted by the Town Board of the Town of Evans, Erie County, New York, on April 17, 2019.

1. The resolution is entitled "BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF EVANS, ERIE COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE ISSUANCE OF UP TO $250,000 IN SERIAL BONDS OF THE TOWN TO FINANCE THE EXCAVATION AND DREDGING OF MUDDY CREEK".

2. Amount of Debt Obligations Authorized: $250,000.

3. The resolution authorized serial bonds of the Town to finance the cost of the excavation and dredging of Muddy Creek, including the removal of the concrete training walls and the return of the creek to its natural state.

4. Period of Probable Usefulness: 5 years.

A complete copy of the bond resolution summarized above shall be available for public inspection during normal business hours at the office of the Town Clerk, Town of Evans Town Hall, 8787 Erie Road, Angola, New York 14006.

O-165247 April 18, 2019 -Adv.

State of New York

County of Chautauqua

City of Dunkirk

Christine Sell, being duly sworn, deposes and says that she 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

April 18, 2019

Signed: Christine Sell
Christine Sell

Signed before me this 18th day of April 2019

Barbara J Musso
Notary Public

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

ESTOPPEL NOTICE
The resolution, a summary of which is published herewith, has been adopted on April 17, 2019 and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Evans, Erie County, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

Lynn M. Krajacic,
Town Clerk
Town of Evans

SUMMARY OF BOND RESOLUTION

Set forth below is a summary of said resolution adopted by the Town Board of the Town of Evans, Erie County, New York, on April 17, 2019.

1. The resolution is entitled "BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF EVANS, ERIE COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE ISSUANCE OF UP TO $320,000 IN SERIAL BONDS OF THE TOWN TO FINANCE RENOVATIONS AND IMPROVEMENTS TO THE TOWN'S SENIOR CENTER".

2. Amount of Debt Obligations Authorized: $320,000.

3. The resolution authorized serial bonds of the Town to finance the cost of renovations and improvements to the Town's Senior Center, consisting of the replacement of the roof, windows, fa©ade, heating and cooling systems, fire alarms, and any ancillary or related work required in connection therewith.

4. Period of Probable Usefulness: 5 years.

A complete copy of the bond resolution summarized above shall be available for public inspection during normal business hours at the office of the Town Clerk, Town of Evans Town Hall, 8787 Erie Road, Angola, New York 14006.

O-165248 April 18, 2019 -Adv.

AFFIDAVIT OF PUBLICATION

State of New York

County of Chautauqua

City of Dunkirk

Christine Sell, being duly sworn, deposes and says that she 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

April 18, 2019

Signed: Christine Sell
Christine Sell

Signed before me this 18th day of April 2019

Barbara J Musso
Notary Public

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

ESTOPPEL NOTICE

The resolution, a summary of which is published herewith, has been adopted on April 17, 2019 and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of Evans, Erie County, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of publication of this notice, or such obligations were authorized in violation of the provisions of the Constitution.

Lynn M. Krajacic,
Town Clerk
Town of Evans

SUMMARY OF BOND RESOLUTION

Set forth below is a summary of said resolution adopted by the Town Board of the Town of Evans, Erie County, New York, on April 17, 2019.

1. The resolution is entitled "BOND RESOLUTION OF THE TOWN BOARD OF THE TOWN OF EVANS, ERIE COUNTY, NEW YORK (THE "TOWN"), AUTHORIZING THE ISSUANCE OF UP TO $250,000 IN SERIAL BONDS OF THE TOWN TO FINANCE THE EXCAVATION AND DREDGING OF MUDDY CREEK".

2. Amount of Debt Obligations Authorized: $250,000.

3. The resolution authorized serial bonds of the Town to finance the cost of the excavation and dredging of Muddy Creek, including the reconstruction of the concrete training walls, or the removal of the concrete training walls and the return of the creek to its natural state, and/or mitigating erosion under or near pedestrian bridge.

4. Period of Probable Usefulness: 5 years.

A complete copy of the bond resolution summarized above shall be available for public inspection during normal business hours at the office of the Town Clerk, Town of Evans Town Hall, 8787 Erie Road, Angola, New York 14006.

O-165261 April 20, 2019 -Adv.

AFFIDAVIT OF PUBLICATION

State of New York

County of Chautauqua

City of Dunkirk

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

April 20, 2019

Signed: Sheila McWillson
Sheila McWillson

Signed before me this 22nd day of April 2019

Barbara J. Musso
Notary Public

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

AFFIDAVIT OF PUBLICATION

State of New York

County of Chautauqua

City of Dunkirk

LEGAL NOTICE
TOWN OF EVANS

Please take notice that the Town Board of the Town of Evans, Erie County, New York will hold a public hearing on April 17, 2019 at 7:10 P.M. at the Evans Town Hall, 8787 Erie Road, Angola, New York 14006 to consider the adoption of Proposed Local Law #5 of the year 2019, which will amend Town Code Chapter 113: Flood Damage Prevention.

Copies of the Proposed Local will be available for inspection by any interested person after April 5, 2019 in the Office of the Town Clerk during normal business hours Monday, Tuesday, Thursday, Friday from 8am – 4pm, Wednesday from 9am – 5pm and the Town's website www.townofevans.org.

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

By Order of the Town Board of the Town of Evans
Lynn M. Krajacic
Town Clerk

O-165189 April 5, 2019-adv

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

April 5, 2019

Signed: Sheila McWillson
Sheila McWillson

Signed before me this 5th day of April 2019

Barbara J. Musso
Notary Public

BARBARA J. MUSSO
Notary Public, State of New York
Qualified in Chautauqua County
My Commission Expires 3/4/19