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 M. Krajacic	Town Clerk
	Sean Beiter	Counsel to the Town of Evans
	Doug Czora	Police Chief
	Ed Michalski	Highway Superintendent
	Mary Holl	Supervisor's Secretary

RESOLUTION 2019 #436 Approve Minutes

Supervisor Hosler moved and Councilman Macko seconded that the reading of the minutes of the meetings of October 16 and October 30, 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

PUBLIC HEARING

Town of Evans
Notice of Public Hearing on
Preliminary Budget Year 2020

Notice is hereby given that the Preliminary Budget of the Town of Evans, Erie County, New York for the fiscal year beginning January 1, 2020 has been completed and filed in the office of the Town Clerk at 8787 Erie Road, Angola, New York where it is available for inspection by any interested person during regular business hours Monday, Tuesday, Thursday, Friday 8:00 a.m. to 4:00 p.m. and Wednesday from 9:00 a.m. to 5:00 p.m. The Preliminary Budget can be viewed and printed out at no cost at www.townofevans.org.

Further notice is hereby given, that the Town Board of the Town of Evans, pursuant to all applicable statutes, will meet and review the Preliminary Budget at the Evans Town Hall, 8787 Erie Road, Angola, New York and hold a public hearing at 7:10 pm on Wednesday, November 6, 2019, and that at such hearing any person may be heard in favor or against the preliminary budget as compiled and for or against any item or items therein contained.

And further notice is given pursuant to Section 108, of the Town Law that the proposed salaries of the following Town Officers are hereby specified as follows, to wit:

Supervisor	$40,000
Budget Officer	$15,000
Councilmen (2) each	$15,300
Town Clerk	$56,365
Registrar of Vital Statistics	$ 8,935
Superintendent of Highways	$69,838
DPW Superintendent	$10,000
Drainage Officer	$ 5,000
Town Justices (2) each	$22,819

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

RESOLTUION 2019 #437 Open the Public Hearing

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

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

Cheri Hahn spoke in favor the Preliminary Budget

RESOLUTION 2019 #438 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 #439 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 October 2019:

Town Clerk Report	$23,798.26
Interest for	$3.07
Greenspace Fee	$1400.00

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2019 #440 Appointment of Part Time Clerks

Supervisor Hosler moved and Councilman Schraft seconded,

WHEREAS, the Evans Town Board previously authorized the advertisement for two Part Time Clerk positions for the Courts Department in resolution #2019 427 adopted on October 16, 2019;

BE IT RESOLVED, that effective November 6, 2019, Julie Mackey and Kathleen Hartloff are hereby appointed as Part Time Clerks for the Town of Evans. Both individuals will be scheduled 19.5 hours per week and earn $12.00 per hour.

BE IT FURTHER RESOLVED, that there are no benefits associated with these positions. Nor are they subject to any collective bargaining agreement.

BE IT FURTHER RESOLVED, that all relative issues, rules, and regulations will be understood to all parties subject to civil service law and any applicable policies of the Town of Evans.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2019 #441 Reimbursement for Portable Restrooms

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS, on July 3, 2019, the 4th of July celebration took place in the Lake Erie Beach/Point Breeze area that brings several thousand plus people to this community to honor our nation's birth; and

WHEREAS, the fireworks license was granted by the Evans Town Board per resolution 2019-267 for the July 3, 2019 celebration; and

WHEREAS, it was necessary to provide additional portable restrooms to accommodate the public for this event; and

WHEREAS, the owners of Eddie Stroh's provided and paid for those above referenced portable restroom accommodations per invoice;

BE IT RESOLVED, the Evans Town Board agrees to offset the cost by reimbursing 1/3 of the cost of the portable restrooms, which is $300.00 dollars.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2019 #442 Enter into Agreement with Angola Fire Protection District

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS, the Town Clerk of the Town of Evans advertised for a public hearing to be held on October 16, 2019 at 7:10 p.m. in accordance with Section 184 of the Town Law for the purpose of considering proposed contracts with the Village of Angola and the Village of Angola Fire Company, Evans Center Fire Company, Lake Erie Beach Fire Company and Highland Hose Fire Company for fire protection and/or emergency ambulance service to be furnished by said fire departments to the Angola Fire Protection District; and

WHEREAS, said public hearing was held on October 16, 2019,

NOW, THEREFORE, BE IT RESOLVED, that the Town of Evans enter into an agreement with the Village of Angola and the Village of Angola Fire Company, Evans Center Fire Company, Lake Erie Beach Fire Company and Highland Hose Fire Company for fire protection and/or emergency services for the calendar year 2020 pursuant to the advertised amounts.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Abstain
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2019 #443 Snow & Ice Control - County Roads

Councilman Macko moved and Supervisor Hosler seconded,

WHEREAS, the County of Erie, pursuant to COMM. 16E-12 (2019) dated July 25, 2019, relating to the control of snow and ice on County roads by towns and incorporated villages, entered into a three (3) year agreement with local municipalities for such purposes; and

WHEREAS, the said agreement expired August 31, 2019; and

WHEREAS, it would be in the best interests of Erie County to execute an agreement at a lane mile reimbursement rate increasing three (3) percent each year for a three (3) year period ending August 31, 2022, and representatives of the affected municipalities have agreed to terms with the County.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes the said Snow and Ice Control Agreement, as modified and updated, at a lane mile reimbursement rate increasing three (3.5)

percent each year for the first two years and three (3.0) percent the third year, to expire August 31, 2022, payable from adopted Division of Highways, Operating Budget, Fund 210, Cost Center 1231010, G/L 520060 Town and Village Snow Contracts, as set forth below:

September 1, 2019 through August 31, 2020	$4,193.37 per lane mile
September 1, 2020 through August 31, 2021	$4,340.14 per lane mile
September 1, 2021 through August 31, 2022	$4,470.34 per lane mile

; and be it further

RESOLVED, that the County Executive is hereby authorized and directed on behalf of Erie County to execute agreements with participating municipalities; and be it further

RESOLVED, that the Clerk of this Legislature is hereby directed to transmit four (4) certified copies of the foregoing resolution to the Commissioner of Public Works, one (1) certified copy each to the Office of the County Executive, the Division of Budget and Management, the County Attorney and the Office of the Comptroller.

; and be it further

RESOLVED, that Supervisor Mary Hosler is authorized to execute the agreement with Erie County consistent with these terms following review and approval by the Counsel of the Town of Evans.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2019 #444 Suspend the Rules of Order

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

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2019 #445 Award Bid for the Senior Center Masonry Repair

Supervisor Hosler moved and Councilman Schraft seconded,

WHEREAS, bids were solicited for the Town of Evans Senior Center Masonry Repair in the Town of Evans, New York; and

WHEREAS, bids were received and opened on October 17, 2019 at 11:00am, in accordance with the Notice to Bidders previously authorized and the extension thereof; and

WHEREAS, the lowest responsible bid was submitted by FSR Contracting, Inc., 4140 S. Taylor Road, Orchard Park, New York 14127; and

WHEREAS, Clark Patterson Lee has reviewed and discussed the bid from FSR Contracting, Inc. and have confirmed the company's understanding of the requirements of this project; and

WHEREAS, the bid for the project submitted by FSR Contracting, Inc. was $159,260.00;

NOW, THEREFORE, BE IT RESOLVED, that the Evans Town Board authorizes the award of the contract for the Town of Evans Senior Center Masonry Repair to FSR Contracting, Inc., 4140 S. Taylor Road, Orchard Park, New York 14127, contingent upon Counsel to the Town of Evans' review of the Contractor's Bonds and Insurance; and

BE IT FURTHER RESOLVED, that Supervisor Mary Hosler is authorized to execute any necessary contract documents regarding said bid award upon the approval of the Counsel to the Town of Evans.

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

RESOLUTION 2019 #446 Award Bid for the Senior Center Roofing Rehabilitation

Councilman Schraft moved and Councilman Macko seconded,

WHEREAS, bids were solicited for the Town of Evans Senior Center Roofing Rehabilitation in the Town of Evans, New York; and

WHEREAS, bids were received and opened on October 17, 2019 at 11:00am, in accordance with the Notice to Bidders previously authorized and the extension thereof; and

WHEREAS, the lowest responsible bid was submitted by Progressive Roofing, Inc., 325 Grote Street, Buffalo, New York 14207; and

WHEREAS, Clark Patterson Lee has reviewed and discussed the bid from Progressive Roofing, Inc. and have confirmed the company's understanding of the requirements of this project; and

WHEREAS, the bid for the project submitted by Progressive Roofing, Inc. was $265,000.00;

NOW, THEREFORE, BE IT RESOLVED, that the Evans Town Board authorizes the award of the contract for the Town of Evans Senior Center Roofing Rehabilitation to Progressive Roofing, Inc. 325 Grote Street, Buffalo, New York 14207, contingent upon Counsel to the Town of Evans' review of the Contractor's Bonds and Insurance; and

BE IT FURTHER RESOLVED, that Supervisor Mary Hosler is authorized to execute any necessary contract documents regarding said bid award upon the approval of the Counsel to the Town of Evans.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2019 #447 Audit of Bills

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

AUDIT OF BILLS

DATE	11/7/2019
ABSTRACT NO.	20
VOUCHER NO.	5708, 5726-5813, 5815-5847
CHECK NUMBERS	80199-80285
APPROVED AT	Board Meeting
DATE	11/6/2019
GENERAL	$219,109.96
PART TOWN	$4,830.02
HIGHWAY DB	$129,910.07
WATER	$6,510.22
CAPITAL PROJECTS	$132.35
SPECIAL DISTRICTS	$22,119.07
DEBT SERVICE	$0.00
TOTAL	**$382,611.69**

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Macko	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2019 #448 Adjournment

Supervisor Hosler moved and Councilman Schraft seconded to adjourn to Wednesday, November 13, 2019 at 6pm for a Work Session at 6pm and 7pm for a Regular Town Board 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

AFFIDAVIT OF PUBLICATION

TOWN OF EVANS NOTICE OF PUBLIC HEARING ON PRELIMINARY BUDGET YEAR 2020

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Superintendent of Highways
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DPW Superintendent
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Drainage Officer
$5,000
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$22,819

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

O-166075 November 1 2019-adv

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

November 1, 2019

Signed: Sheila McWillson

Sheila McWillson

Signed before me this 1st day of November 2019

Barbara J. Musso

Notary Public

BARBARA J. MUSSO
Notary Public, State of New York
Qualified in Chautauqua County
My Commission Expires 5/4/23