Evans Town Board

At a meeting of the Town Board of the Town of Evans, the following were present:

PRESENT:	Mary Hosler	Supervisor
	Michael Schraft	Councilman
	Thomas George	Councilman
ALSO PRESENT:	Lynn Krajacic	Town Clerk
	Kenneth Farrell	Town Attorney
	Doug Czora	Chief of Police
	Ed Michalski	Highway Superintendent

RESOLUTION 2020 #417 Accept Minutes

Supervisor Hosler moved and Councilman Schraft seconded that the reading of the minutes of meetings of October 21, 2020 be dispensed with and accepted as submitted by the Town Clerk.

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

Communications

William Smith, Planning & Community Development: Proposed rezone of a 2.7± acre parcel from Rural Residential (RR) to Single Family Residential (R-1) for a proposed subdivision to be located at 9055 Iroquois Street, Angola, NY, SBL# 234.20-5-18. Petitioner: James B. Widger, 7378 Townline Road, Derby, NY 14047

RESOLUTION 2020 #418 Advertise for Public Hearing for Proposed Local Law #7 of 2020

Councilman Schraft moved and Councilman George seconded,

WHEREAS, James B. Widger has requested that the Town Board of the Town of Evans rezone a 2.7± acre parcel from Rural Residential (RR) to Single Family Residential (R-1) for a proposed subdivision to be located at 9055 Iroquois Street, Angola, NY, SBL# 234.20-5-18 and

WHEREAS, in a letter dated November 2, 2020, the Evans Planning Board unanimously recommended approval of the above-referenced petition for rezone at their October 28, 2020 Planning Board meeting, and

WHEREAS, any subdivision and development of the parcel to be rezoned is subject to all necessary site plan and permitting requirements of the Planning and Building Departments, and

WHEREAS, the Evans Planning Director has requested that the Town Board set a public hearing regarding the request of James B. Widger.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans authorizes the Town Clerk to advertise for a public hearing to consider Proposed Local Law #7 of the year 2020, to be held on November 16, 2020 at 7:10pm for the consideration of said rezoning,

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

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

PUBLIC HEARING

TOWN OF EVANS NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL LAW #6 (OVERRIDE OF TAX LEVY LIMIT)

Please take notice that the Town Board of the Town of Evans, Erie County, New York will hold a public hearing on November 4, 2020 at 7:10pm, at the Town Hall, 8787 Erie Road, Angola, New York 14006, to hear all interested parties and citizens for or against the adoption of Proposed Local Law #6 for the year 2020. The Proposed Local Law seeks to override the tax levy limit established in General Municipal Law Sec 3-c. A copy of the Proposed Local Law will be available at the Town Clerk's Office to review or pick up during normal business hours, Monday, Tuesday, Thursday, and Friday from 8am-4pm and Wednesday from 9am-5pm or it can be viewed or printed out at www.townofevans.org on and after Friday, October 23, 2020.

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

RESOLUTION 2020 #419 Open the Public Hearing

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

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

There was nobody wishing to speak in favor or opposition

RESOLUTION 2020 #420 Close the Public Hearing

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

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

RESOLUTION 2020 #421 Adopt Local Law #6 of 2020

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS, a public hearing was held on November 4, 2020 at 7:10 p.m. at Evans Town Hall, 8787 Erie Road, Angola, New York regarding Proposed Local Law #6 of calendar year 2020;

NOW, THEREFORE, BE IT RESOLVED, that Proposed Local Law #6 of the calendar year 2020, is hereby adopted as Local Law #6 to override the tax levy limit established in General Municipal Law §3-c.

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

Notice of Public Hearing
Town of Evans

Notice is hereby given that a public hearing will be held by the Town Board of the Town of Evans, Erie County, New York at the Evans Town Hall, 8787 Erie Road, Angola, New York at 7:10 pm on Wednesday, November 4, 2020, in accordance with Section 184 of the Town Law and all other applicable statutes, 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 established in the Town of Evans upon the following general term:

A.) The fire department shall answer and attend upon all calls in said Angola Protective Fire District.

B.) For such service said fire departments shall receive the following amount:

Angola Fire Company
$15,000 Emergency Ambulance Service
$62,500 Fire Protection

Lake Erie Beach Fire Company
$15,000 Emergency Ambulance Service
$240,000 Fire Protection

Evans Center Fire Company
$15,000 Emergency Ambulance Service
$240,000 Fire Protection

Highland Hose Fire Company
$15,000 Emergency Ambulance Service

The contract is for the period of January 1, 2021 through December 31, 20210 and such other incidental terms as may be necessary or proper in connection with such contract.

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

RESOLUTION 2020 #422 Open the Public Hearing

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

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

Ed Conboy spoke neither in favor or opposed

RESOLUTION 2020 #423 Close the Public Hearing

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

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

RESOLUTION 2020 #424 Enter into Agreement with Angola Fire Protection District

Councilman George moved and Supervisor Hosler seconded,

WHEREAS, the Town Clerk of the Town of Evans advertised for a public hearing to be held on November 4, 2020 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 November 4, 2020,

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 2021, pursuant to the advertised amounts.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman George	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

Town of Evans Notice of Public Hearing
On Preliminary Budget Year 2021

Notice is hereby given that the Preliminary Budget of the Town of Evans, Erie County, New York for the fiscal year beginning January 1, 2021 will be completed and filed in the office of the Town Clerk at 8787 Erie Road, Angola, New York on Friday, October 30, 2020, where it will be 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 4, 2020, 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
Building & Grounds Coordinator	$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

RESOLUTION 2020 #425 Open the Public Hearing

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

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

Mike Masullo - opposed
Ed Conboy - opposed
Kimberly Frost - opposed
Charles Klepfer - opposed
Melissa Villa - opposed
Fred Garrasi - opposed
Ed Michalski - opposed

RESOLUTION 2020 #426 Close the Public Hearing

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

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

RESOLUTION 2020 #427 Town Clerk's Reports

Supervisor Hosler moved and Councilman Schraft seconded to accept the reports of the Town Clerk as presented for the month of October 2020:

Town Clerk Report	$37,133.17
Interest	$1.68
Greenspace Fee	$ 3,500
Petty Cash	$650.00

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

RESOLUTION 2020 #428 Human Resource Consultant Contract Extension

Supervisor Hosler moved and Councilman George seconded,

BE IT RESOLVED, that the Town Supervisor is authorized to enter into a 90-day extension agreement (November 8, 2020 through February 6, 2021), with Nancy Tucker dba Thelma and Louise Consulting, LLC, 8818 Lake Shore Road, Angola, New York 14006, to provide Human

Resource consulting and payroll services at the contract rate of $65.00 per hour, to provide a minimum of 19.5 hours per week.

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

RESOLUTION 2020 #429 Suspend the Rules of Order

Supervisor Hosler moved and Councilman Schraft seconded to suspend the Rules of Order for the consideration of additional resolutions.

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

RESOLUTION 2020 #430 Request for Proposals for HVAC Installation at the Town of Evans Senior Center

Councilman Schraft moved and Councilman George seconded,

WHEREAS, the Town of Evans is seeking proposals for the installation of a HVAC System at the Evans Senior Center located at 999 Sturgeon Point Road, Derby, New York, 14047;

BE IT RESOLVED, the Town of Evans shall forward the Request for Proposals (RFP) package for installation of a HVAC System at the Evans Senior Center located at 999 Sturgeon Point Road, Derby, New York, 14047 to interested vendors for their review; and

BE IT FURTHER RESOLVED, that any interested vendor who desires to submit a proposal, shall submit such proposal to the Town Clerk at the Town of Evans, 8787 Erie Road, Angola, New York 14006 by 4:00pm on November 12, 2020, conforming to the requirements listed in the Request for Proposals (RFP) packet.

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

RESOLUTION 2020 #431 Erie County Water Surcharge for 2021

Councilman George moved and Supervisor Hosler seconded,

WHEREAS, per the Town's Lease Management Agreement with the Erie County Water Authority, the District shall notify the Erie County Water Authority annually the amount of its surcharge; and

WHEREAS, the Town has completed an analysis of its 2021 payment requirements relating to capital improvements, including construction and repairs, necessary to meet the Authority's standards; and

WHEREAS, the Town's only means of financing the aforementioned capital improvements is through the annual surcharge as outlined in the lease management agreement; and

WHEREAS, the surcharge per 1,000 gallons of water metered and billed to all, in and out, of District customers provided by the Town of Evans waterlines to meet the aforementioned debt requirements is estimated to be $4.40,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board hereby establish the surcharge to be $4.40 per 1,000 gallons of water metered and billed to all, in and out, of District customers provided by the Town of Evans waterlines.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman George	Aye
Councilman Schraft	Aye
Supervisor Hosler	Aye

RESOLUTION 2020 #432 Audit of Bills

Councilman George moved and Councilman Schraft seconded that all properly audited bills be paid out of their respective accounts as follows:

	AUDIT OF BILLS
DATE	11/5/2020
ABSTRACT NO.	20
VOUCHER NO.	7800 - 7869
CHECK NUMBERS	81880 - 81934
APPROVED AT	Board Meeting
DATE	11/4/2020
GENERAL	$155,445.91
PART TOWN	$4,670.33
HIGHWAY DB	$41,749.75
WATER	$4,954.14
CAPITAL PROJECTS	$0.00
SPECIAL DISTRICTS	$33,431.83
DEBT SERVICE	
TOTAL	**$240,251.96**

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

RESOLUTION 2020 #433 Adjournment

Supervisor Hosler moved and Councilman Schraft seconded to adjourn to Monday, November 16, 2020 at 6:00pm for a Work Session and a Board Meeting immediately to follow and then to Wednesday, December 2, 2020 at 6pm a Work Session and Town Board Meeting to follow.

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman George 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

State of New York

County of Chautauqua

City of Dunkirk

Jan Harrington, 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: 11-6-2020

Jan Harrington for
Jan Harrington, Account Clerk

Signed before me this 6th day of November 2020.

Barbara J. Musso
Notary Public

BARBARA J. MUSSO
Notary Public, State of New York
Qualified in Chautauqua County
My Commission Expires 5/21/23

LEGAL NOTICE
TOWN OF EVANS
Request for Proposals

HVAC System Installation

Councilman Schraft moved and Councilman George seconded,

WHEREAS, the Town of Evans is seeking proposals for the installation of a HVAC System at the Evans Senior Center located at 999 Sturgeon Point Road, Derby, New York, 14047;

BE IT RESOLVED, the Town of Evans shall forward the Request for Proposals (RFP) package for installation of a HVAC System at the Evans Senior Center located at 999 Sturgeon Point Road, Derby, New York, 14047 to interested vendors for their review; andBE IT FURTHER RESOLVED, that any interested vendor who desires to submit a proposal, shall submit such proposal to the Town Clerk at the Town of Evans, 8787 Erie Road, Angola, New York 14006 by 4:00pm on November 12, 2020, conforming to the requirements listed in the Request for Proposals (RFP) packet.

VOTE RESULT:
ADOPTED BY
ROLL CALL

Councilman George
Aye
Councilman Schraft
Aye
Supervisor Hosler
nAye

By Order of the
Town Board of the
Town of Evans
Lynn M Krajacic RMC
Town Clerk
167296 Nov. 6, 2020

AFFIDAVIT OF PUBLICATION

State of New York

County of Chautauqua

City of Dunkirk

Jan Harrington, 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: 10-24-2020

Jan Harrington, Account Clerk

Signed before me this 26th day of October 2020.

Barbara J Musso

Notary Public

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

TOWN OF EVANS NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL LAW #6 (OVERRIDE OF TAX LEVY LIMIT)

Please take notice that the Town Board of the Town of Evans, Erie County, New York will hold a public hearing on November 4, 2020 at 7:10pm, at the Town Hall, 8787 Erie Road, Angola, New York 14006, to hear all interested parties and citizens for or against the adoption of Proposed Local Law #6 for the year 2020. The Proposed Local Law seeks to override the tax levy limit established in General Municipal Law Sec 3-c. A copy of the Proposed Local Law will be available at the Town Clerk's Office to review or pick up during normal business hours, Monday, Tuesday, Thursday, and Friday from 8am-4pm and Wednesday from 9am-5pm or it can be viewed or printed out at www.townofevans.org on and after Friday, October 23, 2020.

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
167254 Oct. 24, 2020

Notice of Public Hearing
Town of Evans

Notice is hereby given that a public hearing will be held by the Town Board of the Town of Evans, Erie County, New York at the Evans Town Hall, 8787 Erie Road, Angola, New York **at 7:10 pm on Wednesday, November 4, 2020,** in accordance with Section 184 of the Town Law and all other applicable statutes, 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 established in the Town of Evans upon the following general term:

A.) The fire department shall answer and attend upon all calls in said Angola Protective Fire District.

B.) For such service said fire departments shall receive the following amount:

Angola Fire Company
$15,000 Emergency
Ambulance Service
$62,500 Fire Protection

Lake Erie Beach
Fire Company
$15,000 Emergency
Ambulance Service
$240,000 Fire Protection

Evans Center
Fire Company
$15,000 Emergency
Ambulance Service
$240,000 Fire Protection

Highland Hose
Fire Company
$15,000 Emergency Ambulance Service

The contract is for the period of January 1, 2021 through December 31, 20210 and such other incidental terms as may be necessary or proper in connection with such contract.

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
167248 Oct. 23, 2020

AFFIDAVIT OF PUBLICATION

State of New York

County of Chautauqua

City of Dunkirk

Jan Harrington, 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:

10-23-2020 Jan Harrington

Jan Harrington, Account Clerk

Signed before me this 23rd day of October 2020.

Barbara J Musso

Notary Public

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

AFFIDAVIT OF PUBLICATION

State of New York

County of Chautauqua

City of Dunkirk

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Jan Harrington, Account Clerk

Signed before me this 26th day of October 2020.

Barbara J. Musso

Notary Public

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

Town of Evans
Notice of Public Hearing
On
Preliminary Budget
Year 2021

Notice is hereby given that the Preliminary Budget of the Town of Evans, Erie County, New York for the fiscal year beginning January 1, 2021 will be completed and filed in the office of the Town Clerk at 8787 Erie Road, Angola, New York on Friday, October 30, 2020, where it will be 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 4, 2020, 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
Building & Grounds Coordinator
$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
167255
October 24, 2020