Meeting #18 Wednesday, October 20, 2021
Regular _X_ Special _____

AGENDA
Evans Town Board, Evans Town Hall, 8787 Erie Road, Angola, New York
www.townofevans.org

Item	Description	Disp.
I	**Call the Meeting to Order**	
II	**Pledge of Allegiance**	
III	**Roll Call**	
IV	**Approval of the Minutes** October 6, 2021	
V	**Communications:** 1.) Supervisor's Monthly Report for August	
VI	**Privilege of the Floor**	
VII	**Public Hearing & Bid Opening**	
VIII	**Committee & Department Head Reports**	
IX	**Town Clerk Reports:**	
X	**Old Business:** 1.)Rescind Term Limits & Form Advisory Committee 2.)Milling & Repaving - Patriot Court 3.)SEIU Successor Agreement	
XI	**Resolutions:** 1.) Enter into Agreement with Western NY Imaging 2.) Appointment of Full Time Dispatcher 3.) Execute Rural Transit Van Service 4.) Relevy Charges to 2022 Town & County Tax Bill 5.) Advertise Public Hearing for 2022 Fire Protection and/or Emergency Ambulance 6.)Advertise Public Hearing for 2022 Preliminary Budget	
XII	**Licenses:**	
XIII	**Audit of Bills:**	
XIV	**Adjournment to:** Wednesday, November 3, 2021 at 6:00pm for a Work Session and Regular Meeting to follow.	

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. Get the Agenda and Meeting Packet sent to your email! Subscribe to the Town of Evans Legal Paper:www.Townofevans.org http://www.observertoday.com/store/ (716)366-3000 click Newsletter Signup under the Quick Links

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

RESOLUTION 2021 #366 Accept Minutes

Supervisor Hosler moved and Councilman Schraft seconded that the reading of the minutes of September 15, 2021 be dispensed with and accepted as submitted by the Town Clerk.

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

Communications

William Smith, Minor Subdivision Review Committee RE: Minor Subdivision Review dividing a 0.28± acre parcel at 247 Sterling Avenue, known as SBL# 250.14-10-44.1, to create a .18± acre parcel on Sterling Avenue, and a 0.55± acre parcel. Petitioner: Robert & Carol McMillan, 243 Sterling Avenue, Angola, NY 14006

RESOLUTION 2021 #367 SEQR Lead Agency - McMillan

Supervisor Hosler moved and Councilman Schraft 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, and

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

WHEREAS, in a letter dated September 29, 2021, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the Robert & Carol McMillan 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 Robert & Carol McMillan Minor Subdivision.
(Addendum A SEQR Short Environmental Assessment Form),

a division of SBL# 250.14-10-44.1, dividing a 0.28± acre parcel to create:

1. a 0.55± acre parcel formed by annexing an 0.09± acre parcel portion from SBL# 250.14-10-44.1 to an adjacent parcel known as 250.14-10-43.1 with 100.0± feet of frontage on Sterling Avenue and 140± feet of frontage on Pleasant Avenue, and

2. a 0.18± acre parcel with 80.0± feet of frontage on Sterling Avenue.

Petitioner: Robert & Carol McMillan, 243 Sterling Avenue, 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 Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2021 #368 SEQR Negative Declaration - McMillan

Councilman George moved and Councilman Schraft 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 considers the findings of the Town of Evans Minor Subdivision Review Committee and approves the Robert & Carol McMillan Minor Subdivision,

a division of SBL# 250.14-10-44.1, dividing a 0.28± acre parcel to create:

1. a 0.55± acre parcel formed by annexing an 0.09± acre parcel portion from SBL# 250.14-10-44.1 to an adjacent parcel known as 250.14-10-43.1 with 100.0± feet of frontage on Sterling Avenue and 140± feet of frontage on Pleasant Avenue, and
2. a 0.18± acre parcel with 80.0± feet of frontage on Sterling Avenue.

Petitioner: Robert & Carol McMillan, 243 Sterling Avenue, 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 Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

William Smith, Minor Subdivision Review dividing a 0.32± acre parcel at 458 Lakeside Avenue, known as SBL# 234.19-1-71, to create a 0.26± acre parcel, and a 0.36± acre vacant parcel. Petitioners for the Estate of George W. Munschauer: Mary E. Egloff, 105 South Lane, Orchard Park, NY and Peter J. Munschauer, 78 Castle Hill, East Aurora, NY.

RESOLUTION 2021 #369 SEQR Lead Agency - Munschauer

Councilman Schraft moved and Councilman George 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, and

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

WHEREAS, in a letter dated September 30, 2021, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the George W. Munschauer Estate 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 considers the findings of the Town of Evans Minor Subdivision Review Committee and issues a SEQR negative declaration for the George W. Munschauer Estate Minor Subdivision.
(Addendum B SEQR Short Environmental Assessment Form),

a division of SBL# 234.19-1-71, dividing a 0.32± acre parcel to create:

1. a 0.26± acre parcel with 50.22± feet of frontage at 458 Lakeside Avenue, also known as SBL# 234.19-1-71, and

2. a 0.36± acre vacant parcel formed by annexing an 0.02± acre parcel portion from SBL# 234.19-1-71 to an adjacent vacant parcel known as SBL# 234.19-1-74 with 50.0± feet of frontage on Lake Shore Road.

Petitioners for the Estate of George W. Munschauer: Mary E. Egloff, 105 South Lane, Orchard Park, NY and Peter J. Munschauer, 78 Castle Hill, East Aurora, NY.

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 George	Aye
Supervisor Hosler	Aye

RESOLUTION 2021 #370 Approve Minor Subdivision - Munschauer

Councilman George moved and Supervisor Hosler seconded,

WHEREAS, the proposed subdivision was referred to the Erie County Department of Environment and Planning for a 239M Review as required, and

WHEREAS, the Erie County Department of Environment and Planning offered no recommendation, stating the proposed action was determined to be of local concern, and

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 considers the findings of the Town of Evans Minor Subdivision Review Committee and approves the George W. Munschauer Estate Minor Subdivision,

a division of SBL# 234.19-1-71, dividing a 0.32± acre parcel to create:

1. a 0.26± acre parcel with 50.22± feet of frontage at 458 Lakeside Avenue, also known as SBL# 234.19-1-71, and
2. a 0.36± acre vacant parcel formed by annexing an 0.02± acre parcel portion from SBL# 234.19-1-71 to an adjacent vacant parcel known as SBL# 234.19-1-74 with 50.0± feet of frontage on Lake Shore Road.

Petitioners for the Estate of George W. Munschauer: Mary E. Egloff, 105 South Lane, Orchard Park, NY and Peter J. Munschauer, 78 Castle Hill, East Aurora, NY.

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 George Aye
Supervisor Hosler Aye

RESOLUTION 2021 #371 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 September 2021:

Town Clerk Report	$51,099.43
Interest	$1.42
Greenspace Fee	$ 0
Petty Cash	$650.00

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

RESOLUTION 2021 #372 Halloween Celebration

Supervisor Hosler moved and Councilman Schraft seconded,

WHEREAS, the Evans Town Board recognizes the celebration of Halloween in the Town of Evans for Saturday, October 30, 2021; and

WHEREAS, the citizens of the Town of Evans may choose to participate by leaving an outside light on during the hours of 6:00pm to 8:00pm to insure the safety of the children in their Trick or Treat travels.

NOW, THEREFORE BE IT RESOLVED, that a copy of this resolution be published by the Town Clerk in the Angola Pennysaver.

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

RESOLUTION 2021 #373 Advertise Public Hearing for Community Block Grant Funds

Councilman George moved and Supervisor Hosler seconded,

WHEREAS, the Town of Evans will be applying for a Community Development Block Grant for the year 2022-2023; and

WHEREAS, the Evans Town Board authorizes the Town Clerk to advertise a public hearing on October 20, 2021 at 7:10pm for the purpose of soliciting citizen input regarding the Town's Community Block Development Grant.

THEREFORE, BE IT RESOLVED, that the Evans Town Board authorize the Supervisor and/or appropriate Town Officials to sign, submit and execute a contract with Erie County Community Development Grant Program; and

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

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

RESOLUTION 2021 #374 Adoption of Code Enforcement Fees

Councilman Schraft moved and Supervisor Hosler seconded,

BE IT RESOLVED, pursuant to Chapter 106 of the Town Code, fees and Chapter 70-6, fees regarding Building Code Administration, that fees for various applications, permits, etc. in the Code Enforcement Office shall be amended and set forth pursuant to the attached Schedule, effective January 1, 2021.

BE IT FURTHER RESOLVED, that there shall be no refunds for any application, permit or license pursuant hereto.

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

RESOLUTION 2021 #375 NYS Appointment of Part Time Dispatcher

Councilman George moved and Supervisor Hosler seconded,

WHEREAS there is an opening for a part time Public Safety Dispatcher in the Evans Police Department; and
WHEREAS Sarah Reiter is currently a dispatch associate with AMR and meets the qualifications required to be a Public Safety Dispatcher; and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby appoints Sarah Reiter, effective immediately, to the position of part time Police dispatcher with the Evans Police Department; and

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

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

RESOLUTION 2021 #376 Removal of Dead Tree from Town Property

Supervisor Hosler moved and Councilman George seconded,

WHEREAS, there is a dead tree located at the westerly end of Summerdale Road, along the property at 58 Summerdale Road; and

WHEREAS, Town Council has reviewed the issue and has determined that the above referenced area is not an easement, it is an extension of Town property to Lake Erie;

NOW, THEREFORE, BE IT RESOLVED, based on the above findings, the Town Board of the Town of Evans hereby directs the Town of Evans Highway Superintendent to remove said tree in its entirety.

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

Resolution to Execute Rural Transit Van Service Agreement 2022-2023 was pulled from this meeting.

RESOLUTION 2021 #377 Appointment of Court Clerk for Judge Cooper

Supervisor Hosler moved and Councilman Schraft seconded,

BE IT RESOLVED, effective October 4, 2021, the Town Board of the Town of Evans does hereby accepts Town Justice Cooper's appointment of Karen Tempski as Clerk to Town Justice Cooper, for the remainder of the 2021 year, with a yearly salary and benefits as set forth in the IBEW #41 collective bargaining agreement; and

FURTHER, BE IT RESOLVED, this resolution is approved nunc pro tunc by the Evans Town Board.

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

RESOLUTION 2021 #378 Property Demolitions for BENLIC

Councilman George moved and Councilman Schraft seconded,

WHEREAS, in July 2011 in recognition of the growing problem of distressed, vacant, abandoned and tax-delinquent properties, New York State passed the Land bank Act, as article 16 of New York State Not-for-Profit Corporation law, which authorizes and Foreclosing Governmental Unit (FGU) to create a land bank to strategically acquire, improve, assemble and sell these properties; and

WHEREAS, under this law, the Buffalo Erie Niagara Land Improvement Corporation (BENLIC) was formed in May 2012 via an inter-municipal agreement among the county's four FGU's Erie County and the Cities of Buffalo, Lackawanna, and Tonawanda; and

WHEREAS, BENLIC (Buffalo Erie Niagara Land Improvement Corporation) seeks to work collaboratively with the cities, towns, and villages within Erie County to address the growing problem of distressed, vacant, abandoned, and tax-delinquent properties; and

WHEREAS, the Town of Evans, Erie County has recognized the need to address the growing issues of distressed, vacant, abandoned and tax-delinquent properties and is desirous of partnering with BENLIC to address this problem.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Evans hereby officially requests that BENLIC acquire the following properties:

170 Sterling Avenue, Angola NY 14006; SBL#250.13-2-29
172 Sterling Avenue, Angola NY 14006; SBL#250.13-2-30
146 Potomac Avenue, Angola NY 14006; SBL# 250.17-7-18.1
273 Dawn Avenue, Angola NY 14006; SBL# 250.14-2-21

AND BE IT RESOLVED, that the Town of Evans has completed the required Acquisition Application for the properties listed above and has attached the Acquisition Application to this resolution;

AND BE IT RESOLVED, that the Town of Evans agrees to maintain each property selected by BENLIC during the time in which BENLIC holds title to the property;

AND BE IT FURTHER RESOLVED, that the Town of Evans agrees to accept a transfer of title to the above property by quit claim deed for the limited purposes of:
170 Sterling Avenue, 172 Sterling Avenue, 146 Potomac Avenue, and 273 Dawn Avenue - demolition of structures to remove the blight om the Lake Erie Beach neighborhood; demolition to be funded by Community Development Block Grant funds administered by Erie County.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2021 #379 Grant Relief for Special Use Permit - 8555 Southwestern Blvd

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS, a special use permit was granted to Anthony Martorana on September 18, 2019 for 8555 Southwestern Blvd; and

WHEREAS, the above referenced special use permit is up for renewal this year; and

WHEREAS, the Town of Evans Code Enforcement Officer has sent correspondence to the owners pursuant to the items needed to be addressed and completed for the Special Use Permit originally granted; and

WHEREAS, based on the Code Enforcement Officer's investigation and report, said referenced and documented items have been addressed and completed, therefore, in compliance with terms of the Special Use Permit granted;

NOW, THEREFORE, BE IT RESOLVED, effective immediately, the Town Board hereby grants relief for the Special Use Permit granted to Anthony Martorana for 8555 Southwestern Blvd.

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

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2021 #380 Revoke Special Use Permit - 9268 Erie Rd

Councilman George moved and Councilman Schraft seconded,

WHEREAS, a special use permit was granted to Schaffer Holding Corporation on March 20, 2019 for 9268 Erie Road; and

WHEREAS, Schaffer Holding Corporation's special use permit is up for renewal this year; and

WHEREAS, the Town of Evans Code Enforcement Officer has sent correspondence to the owners pursuant to the items needed to be addressed and completed for the Special Use Permit originally granted; and

WHEREAS, based on the Code Enforcement Officer's investigation and report, said referenced and documented items have not been addressed and/or completed, therefore, not in compliance with terms of the Special Use Permit granted;

NOW, THEREFORE, BE IT RESOLVED, effective immediately, the Special Use Permit granted to Schaffer Holding Corporation for 9268 Erie Road is hereby revoked.

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

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

RESOLUTION 2021 #381 Suspend the Rules of Order

Councilman Schraft moved and Councilman George seconded to suspend the rules of order for the consideration of additional resolutions,

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

RESOLUTION 2021 #382 Purchase of Gradall

Councilman George moved and Supervisor Hosler seconded,

BE IT RESOLVED, the Evans Town Board hereby authorizes the purchase of a new 2022 Gradall XL3100V Hydraulic Excavator totaling $367592.32, less a trade-in value of the old Gradall totaling $12,000.00, net principal cost of $355,592.32. Interest will also be due in the amount of $262; and

FURTHER, BE IT RESOLVED, that the Town Board of the Town of Evans authorizes Supervisor Mary K. Hosler to execute all documentation pursuant to the purchase of the above referenced equipment, upon the approval of the Town Attorney; and

FURTHER, BE IT RESOLVED, said equipment (Gradall XL3100V Hydraulic Excavator) will be financed through a BAN, which will renew May 2022.

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

RESOLUTION 2021 #383 EFC Refunding Bond 2011-C

Councilman Schraft moved and Councilman George seconded,

WHEREAS; the EFC is undertaking a refinancing initiative on behalf of the municipalities that have funded projects with the proceeds of EFC's State Clean Water and Drinking Water Revolving Funds (SRF), Revenue Bonds, Series 2011 C (the.rSeries 201 IC Bonds"); and

WHEREAS; the primary goal of this refinancing is to reduce the interest cost on the SRF financing(s) that were funded with the Series 2011 C Bonds. This will be done by refunding the Series 2011 C Bonds with new SRF bonds (the "Refunding Bonds") issued at lower current market interest rates and passing the interest savings net of EFC's financing costs along to the municipality, in the form of reduced debt service bills; and

WHEREAS; the Refunding Bonds will be secured, in part, by an assignment of the debt service payments due on the outstanding bonds. EFC plans to bill the municipality only for the principal due on the outstanding bond(s) and that amount of interest necessary to pay the pro-rata share of interest due on the Refunding Bonds or other sources of proceeds; and

WHEREAS; the resulting benefit to the municipality will be a reduction in net debt service payable for the remaining life of the bond(s) and it will not be necessary for the Town to issue refunding bonds; and

WHEREAS; it is EFC's practice to refund bond(s) only when annual savings will be achieved. Furthermore, changing market conditions can affect which bond(s) are refunded, therefore, it is possible that EFC will not be able to lower the municipalities interest costs. If that would be the case, EFC will advise the Town.

BE IT RESOLVED, the Evans Town Board hereby authorizes EFC's refinancing intitiative for the Town of Evans as stated above and authorizes Supervisor Mary Hosler to execute all documentation pursuant to the above.

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

RESOLUTION 2021 #384 SEQR Lead Agency

Supervisor Hosler moved and Councilman George seconded,

WHEREAS, the Town Board has reviewed Part 1 of the SEQR Full Environmental Assessment Form prepared by TM Montante Solar Development, LLC ("the Applicant") for the proposed construction of a Type 1 Solar Photovoltaic System to be located at 1305 Burns Road ("the Project"); and

WHEREAS, the Project includes the development of an approximately 4.8 megawatt (3.25 MW-AC) photovoltaic solar generating facility within approximately 16 acres of undeveloped land located within the designated Solar Overlay District; and

WHEREAS, according to Section 200-73 of the Evans Town Code, any SPS Type 1 utility-scale solar photovoltaic system in the Town of Evans requires the issuance and approval of a special use permit and site plan approval; and

WHEREAS, the Project is also subject to the full site plan review and recommendation of the Planning Board prior to Town Board approval; and

WHEREAS, the Town Board determines that the Project is classified as a Type 1 Action under the State Environmental Quality Review ("SEQR") regulations; and

WHEREAS, the Town Board also determines that the Project is subject to review and approval by other involved and interested agencies under SEQR; and

WHEREAS, the Town Board determines that it is the most appropriate agency to oversee the coordinated review of the Project, and will provide written notification to involved and interested agencies, for the purpose of making a determination of significance under SEQR regulations.

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans does hereby declare its intent to be designated as lead agency for this Project; and

BE IT FURTHER RESOLVED, that the Town of Evans Planning Department is directed to provide notice hereof to the involved and interested agencies, seeking their agreement (or objection thereto) in writing on or before noon on Friday, November 5, 2021.

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

RESOLUTION 2021 #385 Drainage Issue Near Hamilton Drive

Supervisor Hosler moved and Councilman George seconded,

WHEREAS, the Town of Evans desires to address the drainage issue near Hamilton Drive which has resulted in mosquitos in the standing water and has impeded the proper flow of drainage to the retention pond;

NOW, THEREFORE BE IT RESOLVED, the Town of Evans Town Board hereby directs the appropriate employees of the Town Highway Department to complete the necessary work to remedy the drainage issue on lands owned by the Town and lands which the Town has a right of way easement or other rights.

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

RESOLUTION 2021 #386 Audit of Bills

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

AUDIT OF BILLS

DATE	10/7/2021
ABSTRACT NO.	17
VOUCHER NO.	9407 - 9484
CHECK NUMBERS	83163 - 83219
APPROVED AT	Board Meeting
DATE	10/6/2021
GENERAL	$420,193.76
PART TOWN	$4,996.55
HIGHWAY DB	$81,946.94
WATER	$4,960.97
CAPITAL PROJECTS	
SPECIAL DISTRICTS	$24,560.38
DEBT SERVICE	
TOTAL	$536,658.60

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2021 #387 Adjournment

Supervisor Hosler moved and Councilman Schraft seconded to adjourn to a in-person only Work Session on Wednesday, October 13, 2021 at 6pm for the purpose of discussing the 2022 Town Budget.

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

DRAFT

Communication

The Supervisor's Monthly report has been made to the Town Board and a copy was filed with the Town Clerk's office in accordance with Town Law.

August, 2021

RESOLUTION – WNY Imaging Copier(s) Agreement

WHEREAS, the agreement for the printer/copier/scanner/fax machine in the Finance Department office expires on November 15, 2021; and

WHEREAS, there is a need for a network printer/copier/scanner/fax machine in the Payroll/Human Resource Department;

BE IT RESOLVED, the Town of Evans enter into a renewal Lease/Maintenance agreement for the Town of Evans printer/copier/scanner/fax machine located in the Finance Department with WNY Imaging located at 411 Maryvale Drive, Buffalo, New York 14225 for the period of 60 months; and

FURTHER, BE IT RESOLVED, the Town of Evans enter into a Lease/Maintenance agreement for the Town of Evans printer/copier/scanner/fax machine in the Payroll/Human Resources Department with WNY Imaging located at 411 Maryvale Drive, Buffalo, New York 14225 for the period of 60 months

FURTHER, BE IT RESOLVED, that the Supervisor Hosler is hereby authorized to execute the above referenced agreements, upon the approval of the Town Attorney.

ROLL CALL VOTE:

Res 2

RESOLUTION – APPOINTMENT OF FULL-TIME DISPATCHER

Submitted for the October 20, 2021 Board Meeting

WHEREAS, there is an opening for a full time Public Safety Dispatcher in the Evans Police Department; and

WHEREAS, Timothy Hoff is currently a dispatch communication supervisor with AMR and meets the qualifications required to be a Public Safety Dispatcher;

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Evans hereby appoints Timothy Hoff, effective October 27th, 2021 to the position of full-time Police Dispatcher with the Evans Police Department; and

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

ROLL CALL VOTE:

Authorized by _____

Chief of Police

Res3

RESOLUTION – RURAL TRANSIT SERVICE, INC. 2022-2023 CDBG YEAR

WHEREAS, Rural Transit Service, Inc. continues to provide a valuable service to the residents of the Town of Evans;

BE IT RESOLVED, that the Supervisor of the Town of Evans is authorized to execute an agreement with Rural Transit Service, Inc. for van services for the 2022-2023 CDBG year, upon the approval of the Town Attorney for the Town of Evans.

ROLL CALL VOTE:

Res 4

RESOLUTION - Re-levy Charges to 2022 Town & County Tax Bill

BE IT RESOLVED, in accordance with New York State Town Law, Section 198, the Evans Town Board has opted to enforce various unpaid accounts for water, sewer, refuse and other unpaid town services as indicated below; and

BE IT FURTHER RESOLVED, in light of the aforementioned, the Erie County Legislature shall levy in such sums as indicated below and against the applicable properties as provided for on the Town of Evans Assessor's master computer assessment roll file:

TOTAL Clean-Up Charges	$ 25,780.00

VOTE RESULT: ADOPTED BY ROLL CALL

Res 5

RESOLUTION – SET PUBLIC HEARING FOR FIRE PROTECTION AND/OR EMERGENCY AMBULANCE SERVICE AGREEMENTS FOR 2022

BE IT RESOLVED, that in accordance with Section 184 of Town Law, that a Public Hearing be held to hear those individuals wanting to discuss the Fire Protection and/or Emergency Ambulance Service Agreements on Wednesday, November 3, 2021 at 7:10pm at the Evans Town Hall; and

BE IT FURTHER RESOLVED, that the Town Clerk advertise said Public Hearing in accordance with Town Law.

ROLL CALL VOTE:

Res 6

RESOLUTION – SET PUBLIC HEARING FOR 2022 PRELIMINARY BUDGET

BE IT RESOLVED, that in accordance with Article 8, Section 108 of Town Law, that a Public Hearing be held to hear those individuals wanting to discuss the Preliminary Budget on Wednesday, November 3, 2021 at 7:10pm at the Evans Town Hall; and

BE IT FURTHER RESOLVED, that the Town Clerk advertise said Public Hearing in accordance with Town Law.

ROLL CALL VOTE: