Evans Town Board

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

PRESENT:	Mary Hosler	Supervisor
	Laurie Reitz	Councilman
	Jeanne Macko	Councilman
	Michael Schraft	Councilman
	Thomas George	Councilman
ALSO PRESENT:	Lynn Krajacic	Town Clerk
	Kenneth Farrell	Town Attorney

RESOLUTION 2022 #75 Accept Minutes

Supervisor Hosler moved and Councilman Macko seconded that the reading of the minutes of the Organizational Meeting and the January 5, 2022 meeting be dispensed with and accepted as submitted by the Town Clerk.

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

Communications

Bill Smith Director of Planning RE: Major Subdivision – Approval of Preliminary Plat for a 22 residential lot major subdivision and supporting infrastructure on the 15.97± acre parcel located at 8462 Lake Shore Road, Angola, NY, SBL# 220.00-1-22. Petitioner: Eagle Associates of Niagara Frontier, Inc., 4155 Walden Avenue, Lancaster, NY 14086.

RESOLUTION 2022 #76 Advertise Public Hearing – Eagle Associates of Niagara Frontier

Supervisor Hosler moved and Councilman Schraft seconded;

WHEREAS, Eagle Associates of Niagara Frontier, Inc. has submitted a Preliminary Plat Plan for a Major Subdivision for the construction of The Bay at St. Vincent, consisting of 22 residential lots and supporting infrastructure on the 15.97± acre parcel zoned Residential Two-Family (R2) and located at 8462 Lake Shore Road, Angola, NY, SBL# 220.00-1-22; and

WHEREAS, in a letter dated January 10, 2022 the Evans Planning Director has requested that the Town Board set a public hearing regarding the request of Eagle Associates of Niagara Frontier, Inc.

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 be held on February 2, 2022 at 7:10pm for the consideration of said Preliminary Plat,

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

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

RESOLUTION 2022 #77 NYS Association of Town Delegate & Alternate Designation

Councilman Schraft moved and Councilman George seconded;

WHEREAS, the Town of Evans is a member of the NYS Association of Towns; and

WHEREAS, the Association of Towns will hold its' 2022 Virtual Training School and Annual Meeting from February 20 – 23, 2022; and

WHEREAS, the Annual Business Session will be held during the above referenced week; and

WHEREAS, pursuant to Section 6 of Article III of the Constitution and Bylaws of the NYS Association of Towns;

NOW, THEREFORE, BE IT RESOLVED, that Town of Evans Supervisor Mary Hosler has been designated Delegate and Councilwoman Laurie Reitz has been designated as Alternate for voting purposes.

FURTHER, BE IT RESOLVED, a copy of this resolution be given to the Town Clerk.

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

RESOLUTION 2022 #78 Appointment of Full Time Truck Driver - Highway

Supervisor Hosler moved and Councilman Schraft seconded;

WHEREAS, due to a Town of Evans Highway Department employee's retirement, there is a vacant position at the Town of Evans Highway Department; and

WHEREAS, is it the recommendation of Town of Evans Highway Superintendent Jack Fritz to appoint Jeff Nolan, who is currently a part-time laborer for the Town of Evans Highway Department, to the vacant position of full-time truck driver for the Highway Department;

NOW, THEREFORE, BE IT RESOLVED, effective January 21, 2022, the Evans Town Board hereby acknowledges the appointment of Jeff Nolan to the position of full-time truck driver; and

FURTHER, BE IT RESOLVED; effective January 21, 2022, the payroll department is directed to increase Mr. Nolan's hourly rate of pay from $13.50 per hour to $18.98 per hour, in accordance with the current CSEA Local 815 collective bargaining agreement; and

FURTHER, BE IT RESOLVED, that all requirements pursuant to NYS DOT rules and regulations regarding CDL licensing for the above referenced employee is current and in compliance; and

FURTHER, BE IT RESOLVED, all other relative issues, rules and regulations will be understood to all parties subject to Civil Service Law and CSEA Local 815 collective bargaining agreement.

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

RESOLUTION 2022 #79 Suspend the Rules of Order

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

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

RESOLUTION 2022 #80 BENLIC

Supervisor Hosler moved and Councilman George 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 the New York State Not-for-Profit Corporation Law, which authorizes any 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 intermunicipal agreement among the county's four FGUs: Erie County and the Cities of Buffalo, Lackawanna, and Tonawanda; and

WHEREAS, county-wide land banks have proven highly successful in Michigan, Ohio, and other regions experiencing growing numbers of problem properties by supporting municipal and regional revitalization efforts by strategically acquiring, improving, assembling, and selling these properties; and

WHEREAS, BENLIC (the land bank) 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 TOWN OF EVANS hereby officially requests that BENLIC acquire the following properties in the Town of Evans:

541 Adams Ave	250.12-12-6
8630 Florence Ave	235.09-5-46.1
473 Monroe Ave	250.11-7-13
531 Roanoke Ave	250.08-3-11
9160 Waterman Rd	234.20-1-9
804 Beach Rd	235.09-2-45
539 Jefferson Ave	250.12-1-31
303 Herr Rd	250.06-1-23
6633 Erie Rd	193.13-2-15
0 Harding Ave	250.09-3-45
0 Harding Ave	250.09-3-44
9647 Pearl St	250.14-2-34
0 Taft Ave	250.14-9-2
0 Northfield St	250.14-7-30.1
509 Sycamore Ave	250.11-3-7
0 Grape St	250.11-3-18.1
0 Roanoke Ave	250.15-3-17
9645 Jamestown St	250.15-2-26
0 Sterling Ave	250.14-9-26
0 Sterling Ave	250.14-9-27
275 Taft Ave	250.14-9-3

AND BE IT FURTHER RESOLVED, that the TOWN OF EVANS is in the process of completing the required Acquisition Applications for each property listed above and will attach the Acquisition Applications to this resolution; and be it further

RESOLVED, that the TOWN OF EVANS agrees to reimburse Erie County for the costs associated with foreclosure of this property; and be it further

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, in the event that after a period of one year from the date of BENLIC acquisition, BENLIC is unable to dispose of vacant lots which do not contain structures and which are identified herein, BENLIC retains option to transfer to the TOWN OF EVANS, the TOWN OF EVANS agrees to accept a transfer of title of all non-disposed vacant lots which do not contain structures by quit claim deed:

541 Adams Ave	250.12-12-6
8630 Florence Ave	235.09-5-46.1
473 Monroe Ave	250.11-7-13
531 Roanoke Ave	250.08-3-11
9160 Waterman Rd	234.20-1-9
804 Beach Rd	235.09-2-45
539 Jefferson Ave	250.12-1-31
303 Herr Rd	250.06-1-23
6633 Erie Rd	193.13-2-15
0 Harding Ave	250.09-3-45
0 Harding Ave	250.09-3-44
9647 Pearl St	250.14-2-34
0 Taft Ave	250.14-9-2
0 Northfield St	250.14-7-30.1
509 Sycamore Ave	250.11-3-7
0 Grape St	250.11-3-18.1
0 Roanoke Ave	250.15-3-17
9645 Jamestown St	250.15-2-26
0 Sterling Ave	250.14-9-26
0 Sterling Ave	250.14-9-27
275 Taft Ave	250.14-9-3

AND BE IT FURTHER RESOLVED, that certified copies of this resolution will be sent to the Executive Director of the Buffalo Erie Niagara Land Improvement Corporation; the Commissioner of the Erie County Department of Environment and Planning; the Director of the City of Buffalo's Office of Strategic Planning; and the Mayors of the cities of Lackawanna and Tonawanda.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Reitz	Aye
Councilman Macko	Aye
Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2022 #81 Approve Town Licenses

Councilman Schraft moved and Councilman Macko seconded,
1.) Lake Erie Beach Volunteer Fire Co. Inc. – Refreshment, Amusement & Live Band

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 Reitz	Aye
	Councilman Macko	Abstain
	Councilman Schraft	Aye
	Councilman George	Aye
	Supervisor Hosler	Aye

RESOLUTION 2022 #82 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	01/120/2022
ABSTRACT NO.	2
VOUCHER NO.	9924 - 9942
CHECK NUMBERS	83573 - 83589
APPROVED AT	Board Meeting
DATE	1/19/2022
GENERAL	$20,427.73
PART TOWN	
HIGHWAY DB	$20,137.20
WATER	
CAPITAL PROJECTS	$643,316.47
SPECIAL DISTRICTS	$25.00
DEBT SERVICE	
TOTAL	$683,906.40

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

RESOLUTION 2022 #83 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	1/20/2022
ABSTRACT NO.	2 - A
VOUCHER NO.	9943 - 9956
CHECK NUMBERS	83590 - 83603
APPROVED AT	Board Meeting
DATE	1/19/2022
GENERAL	$8,008.19
PART TOWN	$155.00
HIGHWAY DB	$1,050.00
WATER	
CAPITAL PROJECTS	
SPECIAL DISTRICTS	
DEBT SERVICE	
TOTAL	$9,213.19

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

RESOLUTION 2022 #84 Adjournment

Supervisor Hosler moved and Councilman Macko seconded to adjourn Wednesday, February 2, 2022 at 6:00pm for a Work Session and the Regular Meeting to follow.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Reitz	Aye
	Councilman Macko	Aye
	Councilman Schraft	Aye
	Councilman George	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