Evans Town Board

At a 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 #406 Accept Minutes

Supervisor Hosler moved and Councilman Schraft seconded that the reading of the minutes of the November 2, 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

Supervisor Hosler reported that the Supervisor's August 2022 Monthly Report has been made to the Town Board and a copy was filed with the Town Clerk's Office.

RESOLUTION 2022 #407 Suspend the Rules of Order

Supervisor Hosler moved and Councilman Schraft seconded, to suspend the rules of order.

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

RESOLUTION 2022 #408 Appointment of Full Time Public Safety Dispatcher

Councilman Schraft moved and Supervisor Hosler seconded,

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

WHEREAS, The Town of Evans Police Department has canvassed the Erie County Civil Service Public Safety Dispatcher list and per civil service law can hire "provisionally"; and

WHEREAS, Kristan Klepp is currently a part time Town of Evans Public Safety Dispatcher and meets the requirements to participate in the upcoming Erie County Public Safety Dispatcher Civil Service test,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans hereby appoints Kristan Klepp, effective November 19, 2022 to the position of full time Police dispatcher "Provisionally" 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 and the U.A.W Local 55 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 #409 Suspend the Rules of Order

Supervisor Hosler moved and Councilman Schraft seconded, to suspend the rules of order.

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

RESOLUTION 2022 #410 Authorize Agreement for Consultant Engineering - Derby Rd Pike Creek

Supervisor Hosler moved and Councilman Schraft seconded,

WHEREAS, the Town of Evans has been approved for reimbursement of 100% of qualified costs from Bridge NY funding for the culvert replacement project on Derby Road over Pike Creek PIN 5763.90; and

WHEREAS, the Town of Evans desires to obtain consultant professional engineering services to design the replacement of the existing Derby Road culvert over Pike Creek; and

WHEREAS, the Town of Evans interviewed four (4) professional engineering firms pre-approved by the New York State Department of Transportation ("NYSDOT"), in compliance with the town's procurement policy pursuant to New York General Municipal Law Section 104;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans authorizes Supervisor Mary Hosler to enter into an Architectural/Engineering Consultant Agreement with C & S Engineers, Inc., 141 Elm Street, Suite 100, Buffalo, New York, to design the culvert replacement project on Derby Road over Pike Creek in compliance with USDOT, NYSDOT, and Bridge NY funding regulations, with the terms and conditions being approved by the Town Attorney and the Town's insurance consultant.

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

RESOLUTION 2022 #411 Southwestern Association of Fire Companies Challenge Coins - Highland Hose

Councilman Schraft moved and Councilman Macko seconded,

WHEREAS, the Highland Hose Volunteer Fire Company will be hosting the Southwestern Association of Fire Companies Convention in 2023. The Convention draws between 1,000 and 2,000 volunteer firefighters from Erie County, Cattaraugus County, Chautauqua County, and Alleghany County,

WHEREAS, the Highland Hose Volunteer Fire Company respectfully requested the Town to assist in the purchase of 200 Challenge Coins at an estimated purchase price of $7 per coin at the November 2, 2022 Evans Town Board Meeting.

NOW, THEREFORE BE IT RESOLVED, the Town Board hereby agrees to support the Highland Hose Volunteer Fire Company and the Southwestern Association of Fire Companies Convention in 2023 to purchase two hundred Challenge Coins not to exceed $1,400.

NOW, THEREFORE BE IT RESOLVED, the amount of $1,400 will be added to the Community Events line in the 2023 Town of Evans Budget.

VOTE RESULT: ADOPTED BY ROLL CALL

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

PUBLIC HEARING

Legal Notice 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 9, 2022, 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
$5,000 Turnout Gear replacement

Lake Erie Beach Fire Company
$15,000 Emergency Ambulance Service
$245,000 Fire Protection
$10,000 Turnout Gear Replacement

Evans Center Fire Company
$15,000 Emergency Ambulance Service
$245,000 Fire Protection
$10,000 Turnout Gear Replacement

Highland Hose Fire Company
$15,000 Emergency Ambulance Service

The contract is for the period of January 1, 2023 through December 31, 2023 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 2022 #412 Open the Public Hearing

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

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

Ed Conboy spoke in favor

RESOLUTION 2022 #413 Close the Public Hearing

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

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

Legal Notice
Town of Evans Notice of Public Hearing
on
Preliminary Budget Year 2023

Notice is hereby given that the Preliminary Budget of the Town of Evans, Erie County, New York for the fiscal year beginning January 1, 2023 will be completed and filed in the office of the Town Clerk at 8787 Erie Road, Angola, New York on Friday October 28, 2022, 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 9,

2022, 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 (4) each	$15,300
Town Clerk	$58,056
Registrar of Vital Statistics	$ 8,935
Superintendent of Highways	$69,838
Town Justices (2) each	$22,819

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

RESOLUTION 2022 #414 Open the Public Hearing

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

VOTE RESULT: ADOPTED BY ROLL CALL

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

There was nobody speaking in favor or opposition

RESOLUTION 2022 #415 Close the Public Hearing

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

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2022 #416 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 2022:

Town Clerk Report	$22,986.46
Interest	$.64
Greenspace Fee	$700.00
Petty Cash	$650.00

VOTE RESULT: ADOPTED BY ROLL CALL

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

Old Business

RESOLUTION 2022 #417 Remove a Portion of Item #2 from Old Business

Supervisor Hosler moved and Councilman Macko seconded to remove item #2 - Advertise Invitation to bid for demolition and date for bid opening

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2022 #418 Amend Resolution #2021-456 Demolition of Various Properties

Supervisor Hosler moved and Councilman Macko seconded,

WHEREAS, as Public Hearing was held on December 15, 2021 at 7:10pm and pursuant to Chapter 74 of the Code of the Town of Evans entitled, "Buildings Unsafe", the Town has duly noticed the following property owners and/or those with an interest in the property of the Town's interest in demolition of any such building or structure is considered unsafe or dangerous of and appropriate for demolition:

8800 Southwestern Boulevard, Angola 14006
170 W Sterling Avenue, Angola 14006
172 W Sterling Avenue, Angola 14006
9687 Erie Road, Angola 14006

9813 Erie Road, Angola 14006
8291 Erie Road, Angola 14006
9096 Southwestern Boulevard, Angola 14006
170 Delavan Avenue, Angola 14006
566 Monroe Avenue, Angola 14006
7254 Erie Road, Angola 14006
1441 Sturgeon Point Road, Derby 14047
7018 Woodcliff Drive, Angola 14006
395 Herr Road, Angola 14006
497 Roanoke Avenue, Angola 14006
146 Potomac Avenue, Angola 14006
273 Dawn Avenue, Angola 14006; and

WHEREAS, the above referenced properties will incur the cost of the demolition and it will be added as a lien on the subject property; and

WHEREAS, the Town has duly noticed the following property owners and/or those with an interest in the property of the Town's interest in demolition of any such building or structure is considered unsafe or dangerous of and appropriate for demolition; and

WHEREAS, due to various changes in the status of the properties listed in resolution #2021-456 passed on December 15, 2021 (listed above), the list of properties per resolution #2021-456 is hereby amended as follows,

NOW, BE IT RESOLVED, the following properties are considered unsafe and/or dangerous and appropriate for demolition,

8800 Southwestern Boulevard, Angola 14006
170 W Sterling Avenue, Angola 14006
172 W Sterling Avenue, Angola 14006
9687 Erie Road, Angola 14006
9813 Erie Road, Angola 14006
8291 Erie Road, Angola 14006
170 Delavan Avenue, Angola 14006
566 Monroe Avenue, Angola 14006
7254 Erie Road, Angola 14006
1441 Sturgeon Point Road, Derby 14047
7018 Woodcliff Drive, Angola 14006
395 Herr Road, Angola 14006
497 Roanoke Avenue, Angola 14006
146 Potomac Avenue, Angola 14006
273 Dawn Avenue, Angola 14006
197 Pleasant Avenue, Angola 14006
9625 Ivanhoe Avenue, Angola 14006; and

BE IT FURTHER RESOLVED, the cost of the demolition will be added as a lien on the subject property; and
BE IT FURTHER RESOLVED, that Code Enforcement is hereby authorized and directed to initiate the above-referenced demolition projects located on those approved premises listed herein.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2022 #419 Audit of Bills

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

	AUDIT OF BILLS
DATE	11/10/2022
ABSTRACT NO.	21-A
VOUCHER NO.	11549 - 11559
CHECK NUMBERS	24935 - 84942
APPROVED AT	Board Meeting
DATE	11/9/2022
GENERAL	$6,176.33
PART TOWN	$100.66
HIGHWAY DB	
WATER	
CAPITAL PROJECTS	
SPECIAL DISTRICTS	
DEBT SERVICE	
TOTAL	**$6,276.99**

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

RESOLUTION 2022 #420 Adjournment

Supervisor Hosler moved and Councilman Macko seconded to adjourn to Wednesday, November 16, 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
Town Clerk, RMC

OBSERVER

AFFIDAVIT OF PUBLICATION

See Proof on Next Page

Observer
10 E SECOND ST
(716) 366-3000

I, JAN HARRINGTON, of lawful age, being duly sworn upon oath, deposes and says that I am the CLERK of Observer, a publication that is a "legal newspaper" as that phrase is defined for the city of DUNKIRK, for the County of CHAUTAUQUA, in the state of New York, that this affidavit is Page 1 of 2 with the full text of the sworn-to notice set forth on the pages that follow, and that the attachment hereto contains the correct copy of what was published in said legal newspaper in consecutive issues on the following dates:

PUBLICATION DATES:
29 Oct 2022

Notice ID: mM1TaHIeMnN4Jc6PeemC
Publisher ID: LTNEVN
Notice Name: PH Preliminary Budget

PUBLICATION FEE: $50.79

Jan Harrington
CLERK

VERIFICATION

STATE OF NEW YORK
COUNTY OF CHAUTAUQUA

Signed or attested before me on this

1st day of November, A.D. 2022.

Barbara J Musso
Notary Public

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

Legal Notice

Legal Notice
Town of Evans
Notice of Public Hearing
on
Preliminary Budget
Year 2023

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Registrar of Vital Statistics	$ 8,935
Superintendent of Highways	$69,838
Town Justices (2) each	$22,819

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

Oct 29, 2022

OBSERVER

AFFIDAVIT OF PUBLICATION

See Proof on Next Page

Observer
10 E SECOND ST
(716) 366-3000

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PUBLICATION DATES:
29 Oct 2022

Notice ID: 6B3OL72gz3VyXePpMYqf
Publisher ID: LTNEVN
Notice Name: LN PH Fire and Ambulance

PUBLICATION FEE: $44.55

Jan L Harrington
CLERK

VERIFICATION

STATE OF NEW YORK
COUNTY OF CHAUTAUQUA

Signed or attested before me on this

1st day of November, A.D. 2022.

Barbara J. Musso
Notary Public

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

Legal Notice

Notice of Public Hearing
Town of Evans

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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
$5,000 Turnout Gear replacement.
Lake Erie Beach Fire Company
$15,000 Emergency Ambulance Service
$245,000 Fire Protection
$10,000 Turnout Gear Replacement
Evans Center Fire Company
$15,000 Emergency Ambulance Service
$245,000 Fire Protection
$10,000 Turnout Gear Replacement
Highland Hose Fire Company

$15,000 Emergency Ambulance Service

The contract is for the period of January 1, 2023 through December 31, 2023 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

Oct 29, 2022