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 #159 Accept Minutes

Supervisor Hosler moved and Councilman Schraft seconded that the reading of the minutes of the March 16, 2022 meetings 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

RESOLUTION 2022 #160 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 March 2022:

Town Clerk Report	$37,956.55
Interest	$ .99
Greenspace Fee	$ 4,200.00
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

RESOLUTION 2022 #161 Appointment of Police Detective

Supervisor Hosler moved and Councilman Macko seconded;

WHEREAS; a vacancy exists for the position of Detective in the Town of Evans Police Department; and

WHEREAS; interviews with were conducted of the qualified civil service candidates for the position of Detective;

NOW, THEREFORE, BE IT RESOLVED; that the Town Board of the Town of Evans hereby appoints Patrolman Kenneth Kloss to the rank of Detective for the Town of Evans Police Department, effective on 04/16/2022.

FURTHER, BE IT RESOLVED, all other relative issues, rules and regulations will be understood to all parties subject to Civil Service Law and the Police Benevolent Association 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 #162 Appointment of Police Full Time Police Officer

Councilman Schraft moved and Supervisor Hosler seconded;

WHEREAS there is an opening for a Full Time Police Officer in the Evans Police Department; and,

WHEREAS; Shane Czora is currently a part time police officer and meets the requirements needed to become a full-time police officer; and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby appoints, Shane Czora effective upon the successful completion of civil service requirements and approval, to the position of Full Time Police Officer 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 Evans Police Benevolent Association 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 #163 Appointment of Board of Assessment Review Member

Councilman George moved and Supervisor Hosler seconded;

WHEREAS; the Town of Evans Board of Assessment Review has one (1) vacancy due to a resignation; and

WHEREAS; the Town desires to fill this vacancy for the remainder of the terms for this specific vacancy;

BE IT RESOLVED; Todd Dybdahl is hereby appointed to the Town of Evans Board of Assessment Review for a five (5) year term, commencing on October 1, 2020 with the term ending September 30, 2025; and

FURTHER, BE IT RESOLVED; effective immediately, that Todd Dybdahl is hereby appointed to the Town of Evans Board of Assessment Review for the term ending September 30, 2025; and

FURTHER, BE IT RESOLVED; the above referenced appointment shall not receive compensation from the Town of Evans.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2022 #164 Authorization for Community Therapy Dog

Councilman Macko moved and Supervisor Hosler seconded;

WHEREAS; the Town of Evans Police Department personnel have conducted research into a cost- benefit analysis of the addition of a Community Therapy Dog program to the Police Department; and

WHEREAS; local businesses have agreed to assist and or donate their services to make this program successful and cost-effective; and

WHEREAS; similar programs in other municipalities have proven to be a great community outreach tool and will benefit our youth through the Lake Shore Central School District;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans hereby authorizes the Chief of Police Gregory Szarowicz to follow the Town of Evans Procurement policy and obtain a puppy suitable for the program and begin implementation of the Community Therapy Dog Program within the Town of Evans Police Department; and

BE IT FURTHER RESOLVED; all rules and regulations of the program are set forth in the General Orders of the Town of Evans Police Department.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2022 #165 Derby Road Over Pike Creek

Supervisor Hosler moved and Councilman Macko seconded;

WHEREAS; a project for the Derby Road over Pike Creek, P.I.N. 5763.90 (the "Project") is eligible for reimbursement of qualified costs from Bridge, NY funding that calls for the post-reimbursement apportionment of the qualified costs to be borne at the ratio of 100% Bridge NY funds and 0% non-Bridge NY funds; and

WHEREAS; the Town of Evans will design, let, and administer all phases of the Project; and

WHEREAS; the Town of Evans desires to advance the Project by making a commitment of 100% of the costs of Preliminary Engineering, Right-of-Way Incidentals, Right-of-Way Acquisitions and Construction/Construction Inspections work for the Project or portions thereof;

NOW, THEREFORE; the Evans Town Board, duly convened does hereby resolve that the Evans Town Board hereby approves the Project; and

FURTHER, BE IT RESOLVED; that the Evans Town Board hereby authorizes the Town of Evans to pay 100% of the cost of Preliminary Engineering, Right-of-Way Incidentals, Right-of-Way Acquisitions and Construction/Construction Inspections work for the Project or portions thereof, with the understanding that qualified costs will be reimbursed from Bridge NY funding; and

FURTHER, BE IT RESOLVED; that the sum of $941,367.00 is hereby appropriated and made available to cover the cost of participation in the above phase of the Project; and

FURTHER, BE IT RESOLVED; that the Evans Town Board hereby agrees that the Town of Evans shall be responsible for all costs of the Project, including costs which exceed the amount of reimbursement available from the NY Bridge Funding awarded to the Town of Evans; and

FURTHER, BE IT RESOLVED; that in the event the costs of the Project exceed the amount appropriated above, the Town of Evans shall convene as soon as possible to appropriate said excess amount immediately upon the notification by the NYS DOT thereof; and

FURTHER, BE IT RESOLVED; that the Evans Town Board hereby agrees that the Town of Evans hereby commits that construction of the Project shall begin no later than twenty-four (24)

months after award and the construction phase of the Project shall be completed within thirty (30) months; and

FURTHER, BE IT RESOLVED; that Supervisor Mary K. Hosler of Town of Evans be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests with NYS DOT for State Aid and/or Bridge NY funding on behalf of the Town of Evans in connection with the advancement or approval of the Project and providing for the administration of the Project and the municipality's funding of the Project costs; and

FURTHER, BE IT RESOLVED; that the Town of Evans will be responsible for all maintenance of the Project; and

FURTHER, BE IT RESOLVED; that a certified copy of this resolution be filed with the NYS Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project; and

FURTHER, BE IT RESOLVED; this Resolution shall take effect immediately.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2022 #166 Authorize Contractors for Property Maintenance

Councilman Schraft moved and Supervisor Hosler seconded;

WHEREAS, the Town of Evans Code Enforcement Office is responsible for the inspection of various properties within the Town of Evans to ensure compliance with residential and commercial property maintenance codes; and

WHEREAS, the Town of Evans Code Enforcement Office determines from time to time that certain properties are not in compliance with local and/or state laws, ordinances, codes, and regulations concerning the safety, condition and maintenance of said properties; and

WHEREAS, when violations are noted, property owners are notified to safeguard their property by cutting high grass, closing up inground pools, repairing and/or removing hazardous conditions and/or boarding-up their properties and

WHEREAS, in the event the owners of such properties fail to bring them into compliance with local and/or state laws, ordinances, codes, and regulations, and public safety requires that action be taken immediately, it is necessary that the Code Enforcement Office retain a private contractor to perform the necessary work on such property; and

WHEREAS, the Town adopted rates of compensation for such work by Resolution 2022-115, adopted February 16, 2022.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Evans is hereby authorized to retain any of the qualified contractors appearing on the attached list to perform such work at designated properties in the Town of Evans during calendar year 2022, at the rates of compensation stated in Resolution 2022-115, adopted February 16, 2022, upon execution of a written Agreement with the Town and approval of the contractor's Certificates of Insurance, and

BE IT FURTHER RESOLVED, that the Town Supervisor is authorized to execute such Agreements, upon review of the Town Attorney.

Grass Cutting:
Empire Lawncare & Hardscapes
Todd's Landscaping Inc.

Clean up/Board up:
Empire Lawncare & Hardscapes
Todd's Landscaping Inc.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2022 #167 Declare Surplus Equipment Police Department

Supervisor Hosler moved and Councilman Reitz seconded;

WHEREAS; the following Police Department body armor is hereby declared surplus due to manufacturer's warranty expiration dates and therefore holds no value to the Town of Evans; and

WHEREAS; it is understood that the body armor is past the manufacturer's warranty expiration date and the Town of Evans will not be held responsible for any use of said body armor;

NOW, THEREFORE, BE IT RESOLVED; the following body armor will be donated to Federal Eastern International who will then be donating to a Not-for-Profit Organization working with the *State Department* for Humanitarian purposes in Ukraine:

Front Serial	Back Serial	Expiration Date
20119701	20119700	10/19
18354203	18354204	8/19
19376786	19376785	9/19
20239012	n/a	11/19
14131704	14131703	7/19
18354176	18354175	8/19
18354190	18354189	8/19
19877406	19877405	9/19
18354210	18354209	8/19
14055968	14055967	3/19
09115135	09115136	8/14
12075689	12075690	3/17
20119793	20119792	10/19
20780422	20780421	8/21
20316793	20316792	3/20

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

RESOLUTION 2022 #168 Declare Surplus Equipment – Highway Dept.

Councilman George moved and Supervisor Hosler seconded;

RESOLVED, that the following highway equipment is hereby declared surplus equipment and will be sold "as is" at public auction with proceeds being deposited in the appropriate Fund, as amended.

2008 Ford F-150 Pick Up Truck VIN #1FTRX14W18KD72616
1987 Hyster Roller VIN #B156C2151H
2013 Chipper VIN #459PC1813DC171070
Assorted Safety Flags
Assorted Truck Parts
Assorted Belts & Bulbs
Alternators, PTO, Clutches
Two (2) Truck Tool Boxes
Fuel Pump Hose, Odd Size Salter Chains
Generator, Mobile Welder, Mobile Gas Compressor
Loader Quick Connect, Inner Axle, Mechanics Tool Box
Storage Bins, Two (2) Engine Stands, Old Gradall Tire, Old Steel Plow Blades
Assorted Plow Wing Arms, Assorted Plow Shoes

VOTE RESULT: ADOPTED BY ROLL CALL
Councilman Reitz Aye

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

RESOLUTION 2022 #169 Town of Evans Highway Department Working Crew Chief

Councilman Reitz moved and Supervisor Hosler seconded;

BE IT RESOLVED, based on the current collective bargaining agreement and the recommendation of Town of Evans Highway Superintendent Jack Fritz the Evans Town Board accepts the promotion of Stanley Mikucki from Truck Driver to Working Crew Chief; and

FURTHER, BE IT RESOLVED, effective April 4, 2022, the payroll department is directed to increase Mr. Mikucki's hourly rate of pay from $23.72 per hour to $25.87 per hour, in accordance with the currently collective bargaining agreement; and

FURTHER, BE IT RESOLVED, a PO-8 form will be submitted to Erie County Civil Service documenting the above referenced changes, in accordance with Civil Service rules and regulations; and

FURTHER, BE IT RESOLVED, approval of this resolution is considered nunc pro tunc.

FURTHER, BE IT RESOLVED, a copy of this resolution be given to the HR Department

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2022 #170 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 #171 Award Contract for Survey of Lake Erie Beach Park

Councilman Schraft moved and Supervisor Hosler seconded;

WHEREAS, the Town of Evans is embarking on a project to make repairs and improvements to shoreline and streambank infrastructure at Lake Erie Beach Park and Muddy Creek, including reconstruction of the damaged rock revetment and pedestrian bridge; and

WHEREAS, a portion of this project is being funded through FEMA event 4472DR-NY; and

WHEREAS, the project requires a design level topographic survey of the repairs project site; and

WHEREAS, the Town of Evans also wishes to conduct a topographic, hydrographic and boundary survey of the entire Lake Erie Beach Park in order to assist in the design of future improvements; and

WHEREAS, the Planning Department solicited competitive cost proposals from qualified firms to conduct a comprehensive physical survey of Lake Erie Beach Park; and

WHEREAS, the Planning Director has reviewed the proposal from 360 Land Survey and has confirmed the company's understanding of the requirements of the project; and

WHEREAS, the cost of the proposal submitted by 360 Land Survey was $12,600.

NOW, THEREFORE BE IT RESOLVED, that the Evans Town Board authorizes the award of contract for the Comprehensive Physical Survey of Lake Erie Beach Park to 360 Land Survey, PO Box 474 Lockport, NY.

AND BE IT FURTHER RESOLVED, that Supervisor Mary Hosler is authorized to execute any necessary contract documents, upon review of the Town Attorney.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2022 #172 Advertise Invitation to Bid for Dredging Services for Sturgeon Point Marina

Supervisor Hosler moved and Councilman Macko seconded;

WHEREAS, the Town Engineer is hereby authorized to prepare an invitation to bid for Dredging Services for the Sturgeon Point Marina; and

WHEREAS, the specifications for the invitation to bid shall be available at the Office of the Engineer, Clark Patterson Lee, 26 Mississippi Street, Buffalo, NY 14203, beginning Friday, April 8, 2022;

NOW, BE IT RESOLVED, the Town Clerk shall advertise a notice of invitation to bid; and

BE IT FURTHER RESOLVED, that the bids are due to the Evans Town Clerk's Office, 8787 Erie Road, Angola, New York, by 2:00 p.m. (local time) on Wednesday, April 20, 2022, at which time the bids will be publicly opened and read aloud.

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

RESOLUTION 2022 #173 Approve Town Licenses

Councilman Schraft moved and Councilman George seconded,

1) David Singelyn D/B/A McDonalds – Refreshment
2) 8934 Grandview Beach LLC D/B/A The Beach Club at Mickey Rats – Refreshment, Amusement & Live Band Commercial
3) Erie Robinson D/B/A Overseas Vets of Evans – Refreshment

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	Aye
	Councilman Schraft	Aye
	Councilman George	Aye
	Supervisor Hosler	Aye

RESOLUTION 2022 #174 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	4/7/2022
ABSTRACT NO.	7
VOUCHER NO.	10296 - 10410
CHECK NUMBERS	83862 - 83942
APPROVED AT	Board Meeting
DATE	4/6/2022

GENERAL	$267,316.67
PART TOWN	$6,254.63
HIGHWAY DB	$66,292.62
WATER	$15,161.88
CAPITAL PROJECTS	$123,687.00
SPECIAL DISTRICTS	$141,324.26
DEBT SERVICE	
TOTAL	$620,037.06

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2022 #175 Adjournment

Supervisor Hosler moved and Councilman Macko seconded to adjourn Wednesday, April 20, 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