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:	Alex Haley	Deputy Town Clerk
	Kenneth Farrell	Town Attorney

RESOLUTION 2022 #459 Accept Minutes

Supervisor Hosler moved and Councilman Macko seconded that the reading of the minutes of the December 7th meeting will 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 #460 Appointment of Full-Time "Provisional" Dispatcher

Councilman Schraft moved and Councilman Macko 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, Rose Hassan is a volunteer fireman and active with EMS in the Town of Evans and meets the requirements to participate in the upcoming Erie County Public Safety Dispatcher Civil Service test;

NOW, THEREFORE BE IT RESOLVED, the Town Board of the Town of Evans hereby appoints Rose Hassan, effective January 1, 2023 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 #461 Declare Surplus Police Department Equipment

Councilman Schraft moved and Supervisor Hosler seconded,

BE IT RESOLVED, that the following Police Department equipment is hereby declared surplus equipment;

Whelen Control Box Part Number 01-0882233-00C SN: PID14287
Pentax PocketJet 3Plus Thermal Printer - Model A4312 SN: 021217345
HHP Scanner
HAVIS PN: DS PAN 411 – SN: 01111-P410-0261
HAVIS PN: DS PAN 421 – SN: 27752-005

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2022 #462 Extension Contract/Agreement For Modern Disposal

Supervisor Hosler moved and Councilman Macko seconded,

WHEREAS, the Town entered into a Contract and Agreement ("Agreement"), dated January 1, 2015, with Allied Waste Services of North America, LLC d/b/a/ Allied Waste Services of Buffalo ("Republic") to provide certain solid waste collection, hauling, and disposal services as well as recycling collection, hauling and processing services; and

WHEREAS, the Agreement was amended and approved by the Town dated September 2017; and

WHEREAS, the Town accepted an Assignment ("Assignment") of the Agreement with Modern dated March 30, 2020; and

WHEREAS, the Town and Modern would like to extend the current Agreement for three (3) months;

NOW, THEREFORE, BE IT RESOLVED, the Town of Evans and Modern Disposal stipulate and agree to the following extension of the Agreement:

1. The Town and Modern hereby extend the term of the Agreement until March 31, 2023;

FURTHER, BE IT RESOLVED, this Extension Agreement is intended to modify the agreement only to the extent that the agreement is consistent with the terms stated above. All others terms and conditions of the Agreement including any amendments agreed to and made part of the original Agreement shall remain in full force and effect.

FURTHER, BE IT RESOLVED, that Supervisor Mary Hosler is hereby authorized to execute and any all documents regarding the agreement between the Town of Evans and Modern Disposal, upon approval 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 #463 Authorization To Execute Interlocal Contract For Cooperative Purchasing (Hgacbuy) – (Heavy Duty In-Ground Lift) – Highway Department

Councilman Macko moved and Supervisor Hosler seconded,

WHEREAS, the Evans Town Board discussed the purchase of a new Heavy Duty In-Ground Lift for the Town of Evans Highway Department, which includes removal of the old lift and installation and construction of the new equipment; and

WHEREAS, an HGAC Equipment quote (#2022785) was obtained by the Town of Evans Highway Department from Rotary Lift having its principal place of business at 2700 Lanier Drive, Madison, IN 47250, HGAC #FL03-21; and

WHEREAS, Houston-Galveston Area Council (“H-GAC”) is a regional planning commission and political subdivision of the State of Texas operating under Chapter 391, Texas Local Government Code; and

WHEREAS, H-GAC is authorized to contract with eligible entities to perform governmental functions and services, including the purchase of goods and services; and

WHEREAS, in reliance on such authority, H-GAC has instituted a cooperative purchasing program under which it contracts with eligible entities; and

WHEREAS, the Town of Evans is one of the above referenced eligible entities;

NOW, THEREFORE, BE IT RESOLVED, the Evans Town Board authorizes the HGAC purchase of the Heavy Duty In-Ground Lift and Supporting Equipment (Product Code FL21A14, FL21A15 and FL21B06), in the amount of $324,710.13, per the Rotary Lift HGAC Equipment Quotation #2022785, dated December 13, 2022; and

FURTHER, BE IT RESOLVED, Supervisor Mary Hosler is hereby authorized to execute the contract and all documents pertinent documentation, which will allow the Town of Evans to use H-GAC as a purchasing cooperative that meets the procurement policy of the Town of Evans and New York State municipal law, upon approval 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 #464 U&S Services, Inc. Agreement (2023-2025)

Councilman Reitz moved and Supervisor Hosler seconded,

BE IT RESOLVED, that the Town of Evans enter into a HVAC (Heating, Ventilating and Air Conditioning) Preventative and System Software Maintenance and Support agreement for the Municipal Building located at 8787 Erie Road, Angola, New York 14006 with U&S Services, Inc. located at 95 Stark Street, Tonawanda, New York 14150 for the period of January 1, 2023 to December 31, 2025 in the amounts of $6,480 for 2023, $6,480 for 2024 and $6,480 for 2025, payable semi-annually

FURTHER, BE IT RESOLVED, that the Supervisor is hereby authorized to execute the above referenced contract, upon the review and approval 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 #465 2022 Year End Budget Transfers/Modifications

Councilman George moved and Councilman Schraft seconded,

WHEREAS, the Town is obligated by general municipal law to maintain a balanced budget;

NOW, THEREFORE BE IS RESOLVED, that the Town Board of the Town of Evans hereby authorizes the Supervising Accountant to make the following budget transfers/modifications to reclassify previously budgeted amounts:

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

RESOLUTION 2022 #466 2022 Budget Transfers/Modifications - Highway

Councilman Macko moved and Councilman Schraft seconded,

BE IT RESOLVED, that the Town Board of the Town of Evans hereby authorizes the Supervising Accountant to make the following budget transfers/modifications to reclassify previously budgeted amounts for the Highway Department:

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

RESOLUTION 2022 #467 Suspend the Rules of Order

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

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

RESOLUTION 2022 #468 Employee Stipend

Supervisor Hosler moved and Councilman Schraft seconded,

RESOLVED, that the Secretary to the Supervisor, Marry Holl, shall receive additional compensation in the sum of $1,000.00 for the additional duties performed during the fiscal year 2022, payable next payroll.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2022 #469 Approve Town Licenses

Councilman Schraft moved and Supervisor Hosler seconded,

1.) Carrie Preischel D/B/A Chick's Restaurant & Lanes (Amusement, Refresh, Live Band Com)
2.) Tracy Spada D/B/A The Lucy Goose (Amusement, Refresh, Live Band Com)
3.) Karen Erickson D/B/A Connors Hot Dog Stand (Refreshment)
4.) William Holland D/B/A Castaways Bar & Grill (Amusement, Refresh, Live Band Com)
5.) Diana Ulsurd D/B/A Tim Hortons Derby (Refreshment)
6.) Eric Robinson D/B/A Overseas Vets of Evans Post 5798 (Refreshment & Amusement)
7.) Shixing Huang D/B/A AA China King Derby (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 #158 Enter Executive Session

Supervisor Hosler moved and Councilman Reitz seconded,

WHEREAS: the Evans Town Board wishes to enter Executive Session, and;

BE IT RESOLVED: that the public shall be excluded from discussion of and action upon hereinafter specified subject matter.

The general nature of the subject matter to be discussed as follows: Pending Litigation

NOW THEREFORE BE IT RESOLVED: Town Attorney Kenneth Farrell is invited to attend the Evans Town Board Executive Session.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2022 #471 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	12/22/2022
ABSTRACT NO.	24
VOUCHER NO.	11734 - 11807
CHECK NUMBERS	85077 - 85137
APPROVED AT	Board Meeting
DATE	12/21/2022
GENERAL	$278,988.76
PART TOWN	$2,254.12
HIGHWAY DB	$35,576.37
WATER	$5,308.19
CAPITAL PROJECTS	$661,323.45
SPECIAL DISTRICTS	$1,339.02
DEBT SERVICE	
TOTAL	**$984,789.91**

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Reitz	Aye
Councilman Macko	Aye

Councilman Schraft	Aye
Councilman George	Aye
Supervisor Hosler	Aye

RESOLUTION 2022 #472 Adjournment

Supervisor Hosler moved and Councilman Schraft seconded to adjourn to Wednesday, December 28, 2022 at 5:00pm for a Special Work Session.

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