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 #421 Enter Executive Session

Supervisor Hosler moved and Councilman Schraft 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 Ken Farrell and Jennifer Cusack are 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

Communications

William B. Smith, Director of Planning & Community Development Re: Preliminary Plat - for the development of ten (10) separate tax parcels for townhomes and retail space on the eastern portion of the site located at the corner of Iroquois Street and Lake Shore Road and Nine (9) separate tax parcels for the restaurant, mixed use building and single family homes located on the waterfront portion of the site; 8934 Lake Shore Road, Angola, NY, SBL# 234.16-2-25.1 Petitioner: Grandview Bay, LLC (Ellicott Development), 295 Main Street, Suite 700, Buffalo, NY 14203

RESOLUTION 2022 #422 Advertise Public Hearing for a Major Subdivision - Ellicott Development

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS, Grandview Bay, LLC (Ellicott Development), 295 Main Street, Suite 700, Buffalo, NY 14203, has applied for a Major Subdivision for 10 separate tax parcels for townhomes and retail space on the eastern portion of the site located at the corner of Iroquois Street and Lake Shore Road and 9 separate tax parcels for the restaurant, mixed use building and single family homes located on the waterfront portion of the site; 8934 Lake Shore Road, SBL# 234.16-2-25.1, and

WHEREAS, in a letter dated November 10, 2022 the Evans Planning Office has requested that the Town Board set a public hearing regarding the request of Grandview Bay, LLC (Ellicott Development).

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans authorize the Town Clerk to advertise for a public hearing to be held on December 7, 2022 at 7:10pm for the consideration of said Preliminary Plat Review;

AND BE IT FURTHER RESOLVED, that a copy of this resolution be given to the Planning Office, Assessor's Office, and the Code Enforcement Office.

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

William B. Smith, Director of Planning & Community Development RE: Code Amendment - Adoption of 19NYCRR Part 1203 Uniform Code and Energy Code - Chapter 70 of Evans Town Code

RESOLUTION 2022 #423 Advertise Public Hearing for Proposed Local Law #6 of 2022 - Code Amendments

Councilman Macko moved and Councilman Schraft seconded,

WHEREAS, the proposed code amendment was prepared by the Evans Code Review Committee and was subsequently reviewed by the Planning Board; and

WHEREAS, the Evans Planning Board seeks to update Chapter 70 of the Evans Town Code to reflect the minimum standards of the State as it relates to New York State Uniform Fire

Prevention and Building Code and the New York State Energy Conservation Construction Code; and

WHEREAS, the Evans Planning Board held a public meeting on November 9, 2022 and voted unanimously to recommend approval of Proposed Local Law #6 of the Year 2022 to amend Chapter 70 of the Evans Town Code with the minimum standards of 19NYCRR Part 1203 Uniform Code and Energy Code; and

WHEREAS, in a letter dated November 10, 2022, the Evans Planning Director has requested that the Town Board set a public hearing regarding the request of the Evans Planning Board.

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 consider Proposed Local Law #6 of the year 2022, to be held on December 7, 2022 at 7:10p.m. for the consideration of said Code Amendment,

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

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

RESOLUTION 2022 #424 Enter into Agreement with Angola Fire Protection District

Councilman Schraft moved and Supervisor Hosler seconded,

WHEREAS, the Town Clerk of the Town of Evans advertised for a public hearing to be held on November 9, 2022 at 7:10 p.m. in accordance with Section 184 of the Town Law for the purpose of considering proposed contracts with the Village of Angola and the Village of Angola Fire Department, Evans Center Volunteer Fire Company, Lake Erie Beach Volunteer Fire Department 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; and

WHEREAS, said public hearing was held on November 9, 2022,

NOW, THEREFORE, BE IT RESOLVED, that the Town of Evans enter into an agreement with the Village of Angola and the Village of Angola Fire Department, Evans Center Volunteer Fire Company, Lake Erie Beach Volunteer Fire Department and Highland Hose Fire Company for fire

protection and/or emergency services for the calendar year 2023, pursuant to the advertised amounts.

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

RESOLUTION 2022 #425 Amend Preliminary Budget & Adopt 2023 Budget

Councilman George moved and Supervisor Hosler seconded,

WHEREAS, officers and employees in charge of various administrative units of the government of the Town of Evans have submitted estimates of revenues and expenditures for the fiscal year ending December 31, 2023; and

WHEREAS the Supervisor, as the Town's Budget Officer, has caused a tentative ad valorem budget to be prepared, and the Town Clerk has presented such budget to the Town Board; and

WHEREAS, the Supervisor filed a preliminary budget with the Town Clerk on October 28, 2022; and

WHEREAS, the Town Board has met and considered the preliminary budget for the year ending December 31, 2023 and made amendments to same, and a public meeting was conducted on November 9, 2022 as required by Section 108 of Town Law;

NOW, THEREFORE, BE IT RESOLVED, that the preliminary budget as amended and as hereinafter set forth, is hereby adopted as the annual benefit basis budget of the Town of Evans for the fiscal year ending December 31, 2023.

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

RESOLUTION 2022 #426 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 #427 Amend Resolution 2022-349 Purchase of Surf Rake for Parks Department

Councilman George moved and Supervisor Hosler seconded,

WHEREAS, the Evans Town Board discussed the purchase of a new Surf Rake (Beach Rake) for the Parks Department at the September 7, 2022 Work Session to be put up for resolution at the September 21, 2022 Town Board meeting; and

WHEREAS, the Evans Town Board authorized the purchase of the new Surf Rake in the amount of $49,379.00, which $40,000 being paid for through the Town of Evans Greenspace budget line and the remaining balance through the 2023 Parks budget line; and

WHEREAS, the total amount due $49,379.00 was based on a $1,000 trade-in amount for the old 1999 Surf Rake; and

WHEREAS, the trade-in value of $1,000 for the old 1999 Surf Rake was not applied due to the equipment being sold at Auctions International on October 3, 2022 for an amount of $5,400, which is a $4,400 increase over the $1,000 trade-in amount; and

NOW, THEREFORE, BE IT RESOLVED, based on the above, the total amount due will be amended and vouchered at $50,379.00.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2022 #428 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	11/17/2022
ABSTRACT NO.	22

VOUCHER NO.	11560 - 11635
CHECK NUMBERS	84943 - 85002
APPROVED AT	Board Meeting
DATE	11/16/2022
GENERAL	$1,107,985.94
PART TOWN	$25,921.37
HIGHWAY DB	$94,060.38
WATER	$9,673.91
CAPITAL PROJECTS	$38,914.26
SPECIAL DISTRICTS	$25.00
DEBT SERVICE	
TOTAL	$1,276,580.86

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2022 #429 Adjournment

Supervisor Hosler moved and Councilman Macko seconded to adjourn to Wednesday, December 7, 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