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 #176 Accept Minutes

Supervisor Hosler moved and Councilman Reitz seconded that the reading of the minutes of the April 6, 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 #177 Appointment of Part Time Payroll Coordinator

Councilman Schraft moved and Supervisor Hosler seconded;

BE IT RESOLVED, that Mary Beth Palmer be appointed as Part Time Payroll Coordinator at an hourly rate of $15.20, effective Monday, April 18, 2022.

FURTHER, BE IT RESOLVED, this above referenced appointment shall be considered nunc pro tunc.

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

RESOLUTION 2022 #178 Award Bid for Dredging of Sturgeon Point Marina

Supervisor Hosler moved and Councilman Macko seconded;

WHEREAS, bids were solicited for the Sturgeon Point Marina Dredging for the Town of Evans; and

WHEREAS, bids were received and opened on April 20, 2022 at 2:00pm, in accordance with the Notice to Bidders previously authorized and the extension thereof; and

WHEREAS, the lowest responsible bid was submitted by Mark Cerrone, Inc., 2368 Maryland Avenue, Niagara Falls, NY 14305; and

WHEREAS, bid for the project submitted by Mark Cerrone, Inc., was $98,650; and

WHEREAS, the Town of Evans has the authority to waive this and any and all informalities in the bid; and

BE IT RESOLVED, that the Evans Town Board deems the Sturgeon Point Marina Dredging project essential; and

FURTHER, BE IT RESOLVED, that the Evans Town Board authorizes the award of the contract bid for the Sturgeon Point Marina Dredging in the Town of Evans, New York to Mark Cerrone, Inc., and authorizes Supervisor Mary Hosler to execute all necessary contract documents regarding same, contingent 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 #179 2021 Year End Budget Transfers

Councilman Macko moved and Supervisor Hosler 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 to reclassify previously budgeted amounts:

SEE ATTACHED FOR LISTING

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

RESOLUTION 2022 #180 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 #181 PILOT Agreement & Host Community Agreement - Burns Rd

Councilman Schraft moved and Supervisor Hosler seconded;

WHEREAS, Burns Road Solar LLC ("Burns"), has submitted a Notice of Intent to the Town of Evans that it plans to build and operate a "Solar Energy System" as defined in New York Real Property Tax Law ("RPTL") Section 487(1)(b) ("Project") with an expected capacity of approximately 3.25 Megawatts AC on a parcel of land located within the Town of Evans at the corner of Delamater and Burns Road, Angola, New York and identified as SBL # 221.00-4-1; and

WHEREAS, the Town of Evans has not opted out of RPTL Section 487; and

WHEREAS, Burns has submitted or will submit to the Tax Assessor of the Town of Evans an RP-487 Application for Tax Exemption of Solar or Wind Energy Systems or Farm Waste Energy Systems, demonstrating its eligibility for a real property tax exemption pursuant to RPTL Section 487; and

WHEREAS, pursuant to RPTL Section 487(9)(a), the Town of Evans has indicated its intent to require a Payment in Lieu of Taxes ("PILOT") Agreement with Burns, under which Burns, or any successor owner of the Project, will be required to make annual payments to the Town of Evans for a period of fifteen (15) years; and

WHEREAS, during the term of the PILOT Agreement, the Project will be placed on the exempt portion of the assessment roll and Burns or any successor owner will not be assessed for any statutory real property taxes (not including special districts or special assessments, or any non-exempt portion of the land values) for which it might otherwise be subjected under New York law with respect to the Project; however, Burns or any successor shall make the payments in lieu of taxes listed in the PILOT Agreement to the Town of Evans; and

WHEREAS, pursuant to the proposed Host Community Agreement, Burns or any successor owner shall pay the Town of Evans the sum of $3,000.00 per Megawatt AC of capacity, and annual payments will escalate by two percent (2%) per year; and

WHEREAS, pursuant to the proposed Decommissioning Plan, Burns or any successor owner shall be responsible for removal of all Solar Facilities and restoration of the project site, and shall also pay for a bond naming the Town of Evans as beneficiary in order to guaranty monies are available to complete the decommissioning process for the Project.

WHEREAS, the Town Board of the Town of Evans previously issued a SEQRA negative declaration for the Project; and

WHEREAS, after conducting a public hearing on December 1, 2021, the Town Board of the Town of Evans adopted Resolution 2021-439, granting a Special Use Permit with conditions to Burns for the construction and operation of the project, such conditions including approval of a PILOT Agreement, Host Community Agreement, and Decommissioning Plan between the Town of Evans and Burns; and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans approves the PILOT Agreement, Host Community Agreement, and Decommissioning Plan between the Town of Evans and Burns, and authorizes the Town Supervisor to sign the aforementioned documents.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2022 #182 Appointment of Part Time Van Driver

Councilman George moved and Councilman Reitz seconded;

WHEREAS, there is a vacancy for a part time van driver; and

WHEREAS, the above referenced position was posted accordingly;

BE IT RESOLVED, Matthew Rzepka is hereby appointed to the position, effective April 26, 2022 at an hourly rate of $14.70, payable biweekly; and

FURTHER, BE IT RESOLVED, that Matthew will be assigned as the part time van driver for a weekly schedule of Tuesday, Wednesday and Thursday's for up to 10 hours and may be assigned, from time to time, in the Town of Evans Parks Department for a cumulative totally of up to 19.5 hours per week.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2022 #183 Authorize Drainage Contract (Hamilton Drive)

Councilman Schraft moved and Councilman Macko seconded;

WHEREAS, quotes were requested for drainage work along approximately 570 feet of Hamilton Drive; and

WHEREAS, the lowest responsible quote was submitted by Mollnar Construction Company, Inc., for the sum of $6,500;

THEREFORE, BE IT RESOLVED, that the Town Supervisor is authorized to sign the contract with Mollnar Construction Company, Inc. for drainage work on Hamilton Drive, pursuant to the quote submitted, as amended.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2022 #184 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	4/21/2022
ABSTRACT NO.	8
VOUCHER NO.	10411 - 10476
CHECK NUMBERS	83943 - 83999
APPROVED AT	Board Meeting
DATE	4/20/2022
GENERAL	$120,436.46
PART TOWN	$108.86
HIGHWAY DB	$20,236.14

WATER	
CAPITAL PROJECTS	
SPECIAL DISTRICTS	$25.00
DEBT SERVICE	
TOTAL	**$140,806.46**

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2022 #185 Adjournment

Supervisor Hosler moved and Councilman Macko seconded to adjourn Wednesday, May 4, 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

Town of Evans
Budget Transfer and Modification Requests
Through December 2021

Account	Account Number	Increase	Decrease
GENERAL FUND TOWNWIDE			
LEGISLATIVE PRINTING, POSTAGE, ADVERTISING	AA.01010.0402.00	270.00	
LEGISLATIVE REIMBURSEMENT	AA.01010.0431.00		270.00
To re-allocate budget			
ASSESSMENT FULL TIME SALARIED	AA.01355.0100.00	175.00	
ASSESSMENT SERVICE CONTRACT	AA.01355.0400.00	1,745.00	
ASSESSMENT LEGAL SERVICES	AA.01355.0427.00		1,920.00
To re-allocate budget			
TOWN CLERK FULL TIME SALARIED	AA.01410.0100.00	490.00	
TOWN CLERK PART TIME HOURLY	AA.01410.0111.00		490.00
To re-allocate budget			
FINANCE FULL TIME SALARIED	AA.01610.0100.00	645.00	
FINANCE COPIER	AA.01610.0420.03	65.00	
ACCOUNTING SERVICES	AA.01610.0422.01	8,185.00	
LEGAL SERVICES	AA.01610.0427.00	3,299.00	
PAYROLL SERVICES SERVICE CONTRACT	AA.01610.0400.02		1,750.00
FINANCE SUPPLIES	AA.01610.0401.00		1,815.00
PRINTING, POSTAGE, ADVERTISING	AA.01610.0402.00		405.00
MAILROOM COPIER	AA.01610.0420.01		2,595.00
HARRIS COMPUTER SYSTEMS	AA.01610.0420.02		2,485.00
FINANCE DUES AND SUBSCRIPTIONS	AA.01610.0430.00		500.00
ASSESSMENT LEGAL SERVICES	AA.01355.0427.00		2,644.00
To re-allocate budget and cover costs			
LONGEVITY	AA.01620.0130.00	1,450.00	
MAINTENANCE PART TIME HOURLY	AA.01620.0111.00		1,450.00
MAINTENANCE SUPPLIES	AA.01620.0401.01	880.00	
FACILITY MAINTENANCE	AA.01620.0412.00		880.00
To re-allocate budget			
UTILITIES TIME WARNER CABLE AND INTERNET	AA.01650.0405.02	311.00	
UTILITIES TELEPHONE	AA.01650.0405.01		311.00
To re-allocate budget			
POLICE PART TIME CLERK HOURLY	AA.03120.0111.01	215.00	
POLICE OVERTIME DISPATCHERS	AA.03120.0120.02	116,080.00	
POLICE OFFICERS OVERTIME	AA.03120.0120.03	219,685.00	
POLICE HOLIDAY	AA.03120.0134.00	32,615.00	

POLICE APPOINTED OFFICIAL	AA.03120.0140.00	40,670.00	
MACHINERY AND MOTOR VEHICLES CHANGEOVERS	AA.03120.0220.02	14,570.00	
POLICE MEDICAL SERVICES	AA.03120.0400.01	513.00	
POLICE FUEL	AA.03120.0403.00	1,190.00	
POLICE VEHICLE MAINTENANCE	AA.03120.0411.00	16,235.00	
POLICE INFORMATION TECHNOLOGY	AA.03120.0420.00	7,426.00	
POLICE CONSULTING	AA.03120.0424.00	900.00	
POLICE FULL TIME SALARIED	AA.03120.0100.00		159,828.00
POLICE DISPATCHERS PART TIME HOURLY	AA.03120.0111.04		10,488.00
POLICE OFFICERS PART TIME HOURLY	AA.03120.0111.05		25,087.00
POLICE OVERTIME COURT	AA.03120.0120.01		19,984.00
POLICE VACATION SELL BACK	AA.03120.0137.00		51,443.00
STOP DWI POLICE	AA.03120.0200.07		12,150.00
INFORMATION TECHNOLOGY POLICE	AA.03120.0210.00		7,489.00
POLICE SUPPLIES OTHER	AA.03120.0401.03		13,203.00
POLICE UNIFORMS MAINTENANCE	AA.03120.0404.01		21,293.00
POLICE UNIFORMS PATROLMEN	AA.03120.0404.02		5,940.00
POLICE CELL PHONE/CAMERAS/MARINA	AA.03120.0405.02		2,371.00
POLICE TRAINING	AA.03120.0431.00		2,179.00
HOSPITAL AND MEDICAL INSURANCE	AA.09060.0800.00		118,644.00
To re-allocate budget and cover costs			
DOG CONTROL FULL TIME SALARIED	AA.03510.0100.00	315.00	
DOG CONTROL PART TIME HOURLY	AA.03510.0111.00		315.00
To re-allocate budget			
AMBULANCE SERVICE CONTRACT	AA.04540.0400.00	15,000.00	
HOSPITAL AND MEDICAL INSURANCE	AA.09060.0800.00		15,000.00
To cover 2020 costs paid in 2021			
FULL TIME SALARIED DEP SUPER OF HIGHWAY	AA.05010.0100.00	205.00	
LONGEVITY DEP SUPER OF HIGHWAY	AA.05010.0130.00	1,850.00	
FACILITY MAINTENANCE	AA.05010.0412.00	7,435.00	
INFRASTRUCTURE SIDEWALKS	AA.05010.0230.00		5,000.00
SERVICE CONTRACT - GEITER DONE	AA.05010.0400.02		4,100.00
UTILITIES	AA.05010.0405.00		390.00
To re-allocate budget			
PARKS AND REC PART TIME HOURLY CLERK	AA.07020.0111.00	13,044.00	
PARKS AND REC LONGEVITY	AA.07020.0130.00	750.00	
APPOINTED OFFICAL - DPW SUPERINTENDENT	AA.07020.0140.00		8,845.00
PARKS PART TIME SEASONAL	AA.07110.0112.00	4,145.00	
PARKS EQUIPMENT	AA.07110.0240.01	67.00	
PARKS SUPPLIES	AA.07110.0401.00	1,695.00	
POOL SUPPLIES - GENERAL	AA.07110.0401.01	24,500.00	
POOL - DANFORTH SERVICE CONTRACT	AA.07110.0401.04	385.00	
UTILITIES PARKS	AA.07110.0405.00	1,565.00	
PARKS - VEHICLE MAINTENANCE	AA.07110.0411.00	1,748.00	
PARKS FULL TIME SALARIED	AA.07110.0100.00		39,054.00
To re-allocate budget			

FULL TIME SALARIED SP REC FACILITIES	AA.07180.0100.00	24,334.00	
UTILITIES - MARINA	AA.07180.0405.02	3,085.00	
PARKS FULL TIME SALARIED	AA.07110.0100.00		27,419.00
To re-allocate budget			
SPECIAL EVENTS ADVISORY BOARD	AA.07550.0400.03	10,800.00	
CONTINGENT	AA.01910.0408.00		10,800.00
TO cover costs			
SENIORS UTILITIES	AA.07610.0405.00	1,940.00	
COUNTY SUBSIDIZED VEHICLE	AA.07610.0411.00	1,000.00	
FACILITY MAINTENANCE	AA.07610.0412.00	1,535.00	
SENIORS FULL TIME SALARIED	AA.07610.0100.00		4,475.00
To re-allocate budget			
ENVIRONMENTAL TESTING SERVICE CONTRACT	AA.08090.0400.00	865.00	
CONTINGENT	AA.01910.0408.00		865.00
to cover costs			
APPOINTED OFFICIAL ADMINSTRATION	AA.08686.0140.00	9,748.00	
PRINTING POSTAGE AND ADVERTISING ADMINISTR.	AA.08686.0402.00	208.00	
LWRP Professional Services	AA.08686.0403.07	8,360.00	
HOSPITAL AND MEDICAL INSURANCE	AA.09060.0800.00		18,316.00
To cover costs			
OTHER EMPLOYEE BENEFITS RETIREMENT BUYOUT	AA.09089.0800.00	555.00	
HOSPITAL AND MEDICAL INSURANCE	AA.09060.0800.00		555.00
To re-allocate budget			
GENERAL FUND PART-TOWN			
SAFETY INSPECTION PART TIME HOURLY	BB.03620.0111.00	4,825.00	
SAFETY INSPECTION VEHICLE MAINTENANCE	BB.03620.0411.00	1,230.00	
SAFETY INSPECTION FULL TIME SALARIED	BB.03620.0100.00		6,055.00
To re-allocate budget			
PLANNING FULL TIME SALARIED	BB.08020.0100.00	1,575.00	
PLANNING OFFICIAL	BB.08020.0140.00	2,075.00	
PLANNING PT ATTORNEY	BB.08020.0150.00	7,075.00	
SAFETY INSPECTION FULL TIME SALARIED	BB.03620.0100.00		10,725.00
To cover costs			
HOSPITAL AND MEDICAL INSURANCE	BB.09060.0800.00	1,895.00	
WORKER'S COMPENSATION	BB.09040.0800.00		1,895.00
To re-allocate budget			

HIGHWAY PART-TOWN

MAINTENANCE OF ROADS FULL TIME HOURLY	DB.05110.0101.00	62,800.00	
HIGHWAY OVERTIME	DB.05110.0120.00	4,340.00	
HIGHWAY MACHINERY AND MOTOR VEHICLES	DB.05110.0220.00	22,334.00	
HIGHWAY TREE REMOVAL	DB.05110.0400.02	27,275.00	
HIGHWAY PIPE SUPPLIES	DB.05110.0401.03	8,740.00	
MACHINERY FULL TIME HOURLY	DB.05130.0101.00	3,010.00	
MACHINERY LONGEVTIY	DB.05130.0130.00	825.00	
MACHINERY EQUIPMENT PARTS AND SUPPLIES	DB.05130.0410.00	5,025.00	
STATE RETIREMENT	DB.09010.0800.00	19,752.00	
OTHER - RETIREMENT BUYOUT	DB.09089.0800.00	14,206.00	
HIGHWAY RESURFACING SUPPLIES	DB.05110.0401.04		168,307.00

To re-allocate budget

Budget Modification

		Increase
INFRASTRUCTURE CHIPS	DB.05112.0230.01	163,375.00
CHIPS - CONSOLIDATED HIGHWAY AID PROGRAM	DB.03501.0000.01	163,375.00

Budget modifiation to increase CHIPs expenditure due to increase in CHIPS funding (Increases both revenue and expense budget)

Requested by Finance Director

Approved by Town Supervisor