Meeting #20
Regular X Special _____

Wednesday November 1, 2023

AGENDA

Evans Town Board, Evans Town Hall, 8787 Erie Road, Angola, New York
www.townofevans.org

Item	Description	Disp.
I	Call the Meeting to Order	
II	Pledge of Allegiance	
III	Roll Call	
IV	Approval of the Minutes: October 19, 2023	
V	Communications:	
VI	Public Hearing & Bid Opening:	
VII	Committee & Department Head Reports:	
VIII	Town Clerk's Reports:	
IX	Old Business: 1.) Part Time Dog Control Officer	
X	Privilege of the Floor:	
XI	Resolutions: 1.) Lake Erie Beach Volunteer Fire Company Inc. Elected Membership	
XII	Licenses:	
XIII	Audit of Bills:	
XIV	Adjournment to: Wednesday, November 8th , 2023 at 6:00pm for the Work Session and Regular Meeting immediately to follow.	

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. Get the Agenda and Meeting Packet sent to your email! Subscribe to the Town of Evans Legal Paper:www.Townofevans.org http://www.observertoday.com/store/ (716)366-3000 click Newsletter Signup under the Quick Links

Evans Town Board

At a meeting of the Town Board of the Town of Evans, the following were present:

PRESENT:	Laurie Reitz	Councilman
	Jeanne Macko	Councilman
	Thomas George	Deputy Supervisor
ALSO PRESENT:	Lynn Krajacic	Town Clerk
	Kenneth Farrell	Town Attorney
Absent:	Michael Schraft	Councilman

RESOLUTION 2023 #461 Accept Minutes

Deputy Supervisor George moved and Councilman Reitz seconded that the reading of the minutes of October 4, 2023 and October 11, 2023 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	Absent
	Deputy Supervisor George	Aye

Communications

Deputy Supervisor George reported that the Supervisor's Monthly Report for June, July, and August 2023 has been made to the Town Board and a copy was filed with the Town Clerk's Office.

RESOLUTION 2023 #462 Town Clerk's Reports

Deputy Supervisor George moved and Councilman Schraft seconded to accept the reports of the Town Clerk as presented for the month of September 2023:

Town Clerk Report	$26,303.92
Interest	$1.87
Greenspace Fee	$ 0
Petty Cash	$650.00

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

RESOLUTION 2023 #463 Community Development Block Grant Authorizing Resolution

Councilman Mackot moved and Councilman Reitz seconded;

WHEREAS, the Town Board desires to pursue funding opportunities for the following projects, here after known as "The Projects"

1. Wendt Landing: Public Waterfront Project
2. Rural Transit

WHEREAS, the Town Board desires to provide new and improved amenities to residents at the lowest possible cost to the Town and Town taxpayers, and provide services to low and moderate income persons who reside in the Town of Evans,

WHEREAS, the Town Board desires to apply for financial assistance from the Erie County Community Development Program through the Community Development Block Grant (CDBG), and

WHEREAS, the Town Board commits to providing the required local matching funds to insure the timely implementation of the proposed projects.

NOW, THEREFORE BE IT RESOLVED, that Thomas George, as Deputy Supervisor of the Town of Evans, is hereby authorized and directed to accept funds from the Erie County Community Development Program; Community Development Block Grant (CDBG), in an amount not to exceed $150,000, and enter into and execute a project agreement with Erie County for such financial assistance to complete "The Projects",

RESOLVED, that upon approval of the application for financial assistance the Town will make available up to $119,060 in matching funds, from the Town's Municipal 2024 Budget to satisfy the requirements of the funding program.

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

RESOLUTION 2023 #464 Emergency Tree Removal Services

Councilman Reitz moved and Councilman Macko seconded;

WHEREAS, there are a significant number of dead ash trees threatening neighboring houses and electrical wires on the right-of-way between 9485 and 9498 Harrison Street, Angola, NY and 450 Kennedy Avenue, Angola, NY; and

WHEREAS, bids were solicited and the Town Board of the Town of Evans awarded the 2023 Emergency Tree Services contract to Kravitz Tree Service, LLC located at 19 Norton Place, Fredonia, NY 14063 on April 5, 2023;

NOW, THEREFORE, BE IT RESOLVED, the Evans Town Board authorizes Kravitz Tree Services to remove the above referenced ash trees; and

FURTHER, BE IT RESOLVED, a copy of this resolution be given to the Code Enforcement Office.

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

RESOLUTION 2023 #465 Advertise for Public Hearing Fire Protection/Ambulance

Deputy Supervisor George moved and Councilman Reitz seconded;

BE IT RESOLVED, that in accordance with Section 184 of Town Law, that a Public Hearing be held to hear those individuals wanting to discuss the Fire Protection and/or Emergency Ambulance Service Agreements on Wednesday, November 8, 2023 at 7:10pm at the Evans Town Hall; and

BE IT FURTHER RESOLVED, that the Town Clerk advertise said Public Hearing in accordance with Town Law.

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

RESOLUTION 2023 #466 Advertise for Public Hearing 2024 Preliminary Budget

Councilman Macko moved and Councilman Reitz seconded;

BE IT RESOLVED, that in accordance with Article 8, Section 108 of Town Law, that a Public Hearing be held to hear those individuals wanting to discuss the Preliminary Budget on Wednesday, November 8, 2023 at 7:10pm at the Evans Town Hall; and

BE IT FURTHER RESOLVED, that the Town Clerk advertise said Public Hearing in accordance with Town Law.

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

RESOLUTION 2023 #467 Suspend the Rules of Order

Deputy Supervisor George moved and Councilman Reitz seconded to Suspend the Rules of Order for the consideration of additional resolutions;

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

RESOLUTION 2023 #468 Award Bid for Lake Erie Beach Park Creek Embankment/Bridge/Rock/Retaining Wall Erosion

Councilman Reitz moved and Councilman Macko seconded,

WHEREAS, bids were solicited for the Lake Erie Beach Park Creek Embankment/Bridge/Rock Retaining Wall Erosion project that is proposed at Lake Erie Beach Park in the Town of Evans; and

WHEREAS, bids were received and opened on October 3rd, 2023 at 2:00 P.M., in accordance with the Notice to Bidders previously authorized; and

WHEREAS, the lowest responsible bid was submitted by Martin's Custom Tidesides at 5500 Fisher Road, Newark, NY 14513; and

WHEREAS, CPL has reviewed and discussed the bid from Martin's Custom Tidesides and have confirmed the company's understanding of the requirements of this project; and

WHEREAS, the bid for the project submitted by Martin's Custom Tidesides was $466,328.32;

NOW, THEREFORE, BE IT RESOLVED, that the Evans Town Board authorizes the award of the contract for the Lake Erie Beach Park Creek Embankment/Bridge/Rock Retaining Wall Erosion project to Martin's Custom Tidesides, 5500 Fisher Road, Newark, NY 14513.

BE IT FURTHER RESOLVED, that the Deputy Supervisor is authorized to execute any necessary contract documents regarding said bid award upon the approval of the Town Counsel.

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

RESOLUTION 2023 #469 Advertise Invitation to Bid for Demolitions

Deputy Supervisor George moved and Councilman Macko seconded,

WHEREAS; per Evans Town Board Resolution #2023-436, passed on September 20, 2023, the Town of Evans acquired 273 Dawn Avenue (SBL 250.14-2-21) and 146 Potomac Avenue (SBL 250.17-7-18.1) in the Town of Evans from the Buffalo Erie Niagara Land Improvement Corporation (BENLIC);

NOW, THEREFORE, BE IT RESOLVED, that the Code Enforcement Office is hereby authorized to prepare an invitation to bid for the residential demolitions for 146 Potomac Avenue and 273 Dawn Avenue; and

BE IT FURTHER RESOLVED, that the specifications for the invitation to bid shall be available at Clark Patterson Lee (CPL), 26 Mississippi Street, Suite 100, Buffalo, NY 14203; and

BE IT FURTHER RESOLVED, that the Town Clerk shall advertise a notice of invitation to bid in the Town's official newspaper and appropriate legal advertisement (notification) pursuant to Minority/Women Business Enterprises; and

BE IT FURTHER RESOLVED, that the bids are due to the Town Clerk's Office, 8787 Erie Road, Angola, NY 14006 by 2:00pm (local time) on November 3, 2023, at which time the bids will be publicly opened and read aloud; and

BE IT FURTHER RESOLVED, that all costs for said demolition work shall be initially paid for by the Town, and thereafter reimbursed by Community Development Block Grant (CDBG) funds.

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

RESOLUTION 2023 #470 Audit of Bills

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

AUDIT OF BILLS

DATE	10/19/2023
ABSTRACT NO.	19

VOUCHER NO.	13312 - 13403
CHECK NUMBERS	86398 - 86472
APPROVED AT	Board Meeting
DATE	10/18/2023
GENERAL	$209,256.00
PART TOWN	$1,075.63
HIGHWAY DB	$79,325.81
WATER	
CAPITAL PROJECTS	$458,249.75
SPECIAL DISTRICTS	$25.00
DEBT SERVICE	
TOTAL	$747,932.19

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Reitz	Aye
Councilman Macko	Aye
Councilman Schraft	Absent
Deputy Supervisor George	Aye

RESOLUTION 2023 #441 Adjournment

Deputy Supervisor George moved and Councilman Reitz seconded to adjourn to Wednesday, October 25, 2023 at 8:00am for a Budget Work Session and then to November 1, 2023 at 6pm for a Work Session and Regular Meeting to follow.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Reitz	Aye
Councilman Macko	Aye
Councilman Schraft	Absent
Deputy Supervisor George	Aye

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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

Res 1

RESOLUTION – LAKE ERIE BEACH VOLUNTEER FIRE COMPANY, INC. ELECTED MEMBERSHIP

WHEREAS, Lake Erie Beach Volunteer Fire Company, Inc. has accepted applications for new candidates for membership; and

WHEREAS, each candidate was interviewed thoroughly and found to meet or exceed the qualifications; and

WHEREAS, the following candidates were elected into membership of the Lake Erie Beach Volunteer Fire Company, Inc. during the October 6, 2023 General Membership Meeting;

NOW, THEREFORE, BE IT RESOLVED, based on the above, the Evans Town Board hereby approves the following member elected into membership to Lake Erie Beach Volunteer Fire Company, Inc.;

Scott Emhof

ROLL CALL VOTE