Meeting #22 Wednesday November 15, 2023
Regular _X_ Special _____

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: November 8, 2023	
V	Communications:	
VI	Public Hearing & Bid Opening:	
VII	Committee & Department Head Reports:	
VIII	Town Clerk's Reports:	
IX	Old Business:	
X	Privilege of the Floor:	
XI	Resolutions: 1.) Advertise for Request for Proposal for Transportation Master Plan. 2.) Appointment of Part Time Assistant Code Enforcement Officer 3.) Enter into Agreement with Angola Fire Protection District 4.) Amend Preliminary 2024 Budget and Adopt 2024 Budget	
XII	Licenses:	
XIII	Audit of Bills:	
XIV	Adjournment to: Wednesday, December 6, 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
	Michael Schraft	Councilman (Zoom)
	Thomas George	Deputy Supervisor
ALSO PRESENT:	Lynn Krajacic	Town Clerk
	Kenneth Farrell	Town Attorney

RESOLUTION 2023 #479 Accept Minutes

Deputy Supervisor George moved and Councilman Macko seconded that the reading of the minutes of November 1, 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	Aye
	Deputy Supervisor George	Aye

RESOLUTION 2023 #480 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 October 2023:

Town Clerk Report	$40,439.98
Interest	$3.45
Greenspace Fee	$ 0
Petty Cash	$650.00

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

RESOLUTION 2023 #481 Declare Surplus Equipment - Highway

Councilman Macko moved and Councilman Reitz seconded;

BE IT RESOLVED, that the following highway equipment is hereby declared surplus equipment and will be sold at auction with proceeds being deposited in the appropriate Fund account:

1-2 way plow 1(one) foot
9- Calcium tank (70 gallon)
Calcium tank (2600 gallon)
Hydraulic lift tank and motor (240 volt)
2- old style Gradall buckets
Parts washer
14- plastic pvc water lines (8 inch)
Mini John Deere broom
Alamo mower deck; and

FURTHER, BE IT RESOLVED, that the following highway vehicles are hereby declared surplus vehicles and will be sold at auction with the proceeds being deposited in the appropriate Fund account:

2006 International 7600 with plow and wing VIN: 1HTWZAHR26J234722, as amended.

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

RESOLUTION 2023 #482 Budget Transfer - Highway

Councilman Reitz moved and Councilman Macko seconded;

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

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Evans hereby authorizes the Supervising Accountant to make the following budget transfer to reappropriate funds for costs associated with Facility Maintenance and Information Technology:

Transfer From:

A5010.111.00	Part Time Hourly	$4,500

Transfer To:

A5010.412.00	Facility Maintenance	$4,500

And;

Transfer From:

A5010.111.00	Part Time Hourly	$1,500

Transfer To:

A5010.420.00	Information Technology	$1,500

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #483 Budget Transfer - Parks

Deputy Supervisor George moved and Councilman Reitz seconded;

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

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Evans hereby authorizes the Supervising Accountant to make the following budget transfer to reappropriate funds for costs associated with Gas and Chemical Price Increases and Supplies for Park (remainder of year):

Transfer From:

A7110.403.00	Fuel Parks	$1,500

Transfer To:

A7180.403.02	Fuel Marina Operations	$1,500

And;

Transfer From:

A7110.112.01	Beach/Pool - Lifeguards	$5,000

Transfer To:

A7110.401.00	Supplies Parks	$5,000

And;

Transfer From:

A7110.401.01	Supplies Pool - General	$1,205

Transfer To:

A7110.401.03	Supplies Pool - Chemicals	$1,205

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

RESOLUTION 2023 #484 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	Aye
	Deputy Supervisor George	Aye

RESOLUTION 2023 #485 Budget Amendment - Police

Councilman Macko moved and Councilman Reitz seconded,

WHEREAS, the Town of Evans Town Board approved the 2023 budget on November 16, 2022 by resolution 2022-425; and,

WHEREAS, the Town finds it necessary to amend the 2023 budget to recognize the purchase of three (3) vehicles;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby amends the 2023 budget; and,

BE IT FURTHER RESOLVED, that the Town Board of the Town of Evans hereby authorizes the Supervising Accountant to make the following budget amendments:

Transfer From:

A1990.400	Contingent	$125,469.00

Transfer To:

A3120.220.01	Machinery and Motor Vehicles - Cruisers	$125,469.00

And;

Increase:

A3120.220.01	Machinery and Motor Vehicles - Cruisers	$15,099.00

(**Note: Total cost of Police vehicles $140,568. $15,099.00 to be taken from Fund Balance. Remaining contingent line has been fully utilized).

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

RESOLUTION 2023 #486 Budget Transfer - Parks

Councilman Reitz moved and Councilman Macko seconded,

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

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Evans hereby authorizes the Supervising Accountant to make the following budget transfer to for purchase of a 2024 Dump Truck for the Parks Department:

Transfer From:

A1990.400	Contingent	$64,491.20

Transfer To:

A7110.220	Vehicles - Parks	$64,491.20

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

RESOLUTION 2023 #487 Appointment to Drainage Committee - Chairman

Councilman Macko moved and Deputy Supervisor George seconded,

BE IT RESOLVED, effective immediately, Richard Janik is hereby appointed Chairman of the Town of Evans Drainage Committee.

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

PUBLIC HEARING

Legal Notice Town of Evans
Notice of Public Hearing
Preliminary Budget
Year 2024

Notice is hereby given that the Preliminary Budget of the Town of Evans, Erie County, New York for the fiscal year beginning January 1, 2024 will be completed and filed in the office of the Town Clerk at 8787 Erie Road, Angola, New York on Friday, October 27, 2023, where it is available for inspection by any interested person during regular business hours Monday, Tuesday, Thursday, Friday 8:00 a.m. to 4:00 p.m. and Wednesday from 9:00 a.m. to 5:00 p.m. The Preliminary Budget can be viewed and printed out at no cost at www.townofevans.org.

Further notice is hereby given, that the Town Board of the Town of Evans, pursuant to all applicable statutes, will meet and review the Preliminary Budget at the Evans Town Hall, 8787 Erie Road, Angola, New York and hold a public hearing at 7:10 pm on Wednesday, November 8, 2023, and that at such hearing any person may be heard in favor or against the preliminary budget as compiled and for or against any item or items therein contained.

And further notice is given pursuant to Section 108, of the Town Law that the proposed salaries of the following Town Officers are hereby specified as follows, to wit:

Supervisor	$41,000
Budget Officer	$15,375
Councilmen (4) each	$15,683
Town Clerk	$59,507
Registrar of Vital Statistics	$ 9,158
Superintendent of Highways	$71,584
Town Justices (2) each	$23,390

By Order of the Town Board of the Town of Evans
Lynn M. Krajacic, Town Clerk

RESOLUTION 2023 #488 Open the Public Hearing

Deputy Supervisor George moved and Councilman George seconded to open the public hearing.

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

There was nobody wishing to speak in favor or opposition

RESOLUTION 2023 #489 Close the Public Hearing

Deputy Supervisor George moved and Councilman Schraft seconded to close the public hearing.

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

Legal Notice Notice of Public Hearing
Town of Evans

Notice is hereby given that a public hearing will be held by the Town Board of the Town of Evans, Erie County, New York at the Evans Town Hall, 8787 Erie Road, Angola, New York at 7:10 pm on Wednesday, November 8, 2023, in accordance with Section 184 of the Town Law and all other applicable statutes, for the purpose of considering proposed contracts with the Village of Angola and the Village of Angola Fire Company, Evans Center Fire Company, Lake Erie Beach Fire Company 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 established in the Town of Evans upon the following general term:
A.) The fire department shall answer and attend upon all calls in said Angola Protective Fire District.
B.) For such service said fire departments shall receive the following amount:

Angola Fire Company
$15,000 Emergency Ambulance Service
$62,500 Fire Protection
$5,000 Turnout Gear replacement

Lake Erie Beach Fire Company
$15,000 Emergency Ambulance Service
$245,000 Fire Protection
$10,000 Turnout Gear Replacement

Evans Center Fire Company
$15,000 Emergency Ambulance Service
$245,000 Fire Protection
$10,000 Turnout Gear Replacement

Highland Hose Fire Company
$15,000 Emergency Ambulance Service

The contract is for the period of January 1, 2024 through December 31, 2024 and such otherincidental terms as may be necessary or proper in connection with such contract.

All parties in interest and citizens shall have an opportunity to be heard by the Town Board at the public hearing to be held aforesaid.

By Order of the Town Board of the Town of Evans
Lynn M. Krajacic, Town Clerk

RESOLUTION 2023 #490 Open the Public Hearing

Deputy Supervisor George moved and Councilman Macko seconded to open the public hearing.

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

There was nobody wishing to speak in favor or opposition

RESOLUTION 2023 #491 Close the Public Hearing

Deputy Supervisor George moved and Councilman Macko seconded to close the public hearing.

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

RESOLUTION 2023 #492 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	11/2/2023
ABSTRACT NO.	20

VOUCHER NO.	13404 - 13476
CHECK NUMBERS	86473 - 86533
APPROVED AT	Board Meeting
DATE	11/1/2023
GENERAL	$57,319.05
PART TOWN	$54,976.56
HIGHWAY DB	$37,447.02
WATER	$2,995.51
CAPITAL PROJECTS	$19,812.50
SPECIAL DISTRICTS	$12,286.00
DEBT SERVICE	
TOTAL	$184,836.64

.VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2023 #493 Adjournment

Deputy Supervisor George moved and Councilman Schraft seconded to adjourn Wednesday, November 15, 2023 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
Deputy Supervisor George	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

Res 1

Submitted for the November 15, 2023 Evans Town Board meeting:

RESOLUTION – Advertise Request for Proposals for Transportation Master Plan

WHEREAS, the Town of Evans wishes to develop a Transportation Master Plan to identify improvements, policies, programs, strategies, projects, schedules, responsibilities, costs and funding sources needed to assure that the Evans transportation system adequately serves the Town's travel needs; and

WHEREAS, the Town is seeking to retain a professional transportation planning and engineering consultant firm and/or teams licensed to practice in New York State to provide master planning services; and

WHEREAS, the Director of Planning and Community Development is hereby authorized to prepare a Request for Proposals (RFP) for the Town of Evans for the Transportation Master Plan; and

WHEREAS, the RFP will be posted and made available at the Evans Planning Office, 8787 Erie Road, Angola, NY 14006, beginning Monday, November 20th, 2023.

NOW, THEREFORE BE IT RESOLVED, the Planning Office shall advertise a notice of invitation for proposals for the Transportation Master Plan; and

BE IT FURTHER RESOLVED, that proposals are due to the Evans Planning Office, 8787 Erie Road, Angola, New York, by 2:00 p.m. (local time) on Monday, January 15th of 2024.

ROLL CALL VOTE

Res 2

RESOLUTION – APPOINTMENT OF PART TIME ASSISTANT CODE ENFORCEMENT OFFICER

WHEREAS; A vacancy exists for a Part Time Assistant Code Enforcement Officer; and

WHEREAS; The Town posted the position for Part Time Code Enforcement Officer; and

WHEREAS; HR – Kelly Kent and Code Enforcement Officer – John Flading conducted interviews; and

NOW, THEREFORE, BE IT RESOLVED, that Jared Elliott is hereby appointed as Part Time Code Enforcement Officer for the Town of Evans effective December 4, 2023 at an hourly rate of $21.40 and a maximum of 19.5 hours per week.

ROLL CALL VOTE:

Res 3

RESOLUTION - Enter into Agreement with Angola Fire Protection District

WHEREAS, the Town Clerk of the Town of Evans advertised for a public hearing to be held on November 8, 2023 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 Company, Evans Center Fire Company, Lake Erie Beach Fire Company 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 8, 2023,

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 Company, Evans Center Fire Company, Lake Erie Beach Fire Company and Highland Hose Fire Company for fire protection and/or emergency services for the calendar year 2024, pursuant to the advertised amounts.

ROLL CALL VOTE:

Res 4

RESOLUTION – AMEND PRELIMINARY 2024 BUDGET AND ADOPT 2024 BUDGET

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, 2024; 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 27, 2023; and

WHEREAS, the Town Board has met and considered the preliminary budget for the year ending December 31, 2024 and made amendments to same, and a public meeting was conducted on November 8, 2023 as required by Section 108 of Town Law;

NOW, THEREFORE, BE IT RESOLVED, that the preliminary budget as amended **(see attached)** 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, 2024.

ROLL CALL VOTE:

Res 4 attachment

Preliminary Budget Amendment

Increased	SF3410.400.04	$4,000
Increased	Appropriated Fund Balance	$4,000

To reflect changes on proposed LOSAP fee structure for 2024.