TOWN OF EVANS

ANNUAL ORGANIZATIONAL MEETING MINUTES January 4, 2023

Supervisor:
Hon. Mary K. Hosler

Councilmembers:
Hon. Laurie H. Reitz
Hon. Jeanne M. Macko
Hon. Michael R. Schraft
Hon. Thomas S. George

RESOLUTION 2023-001

Supervisor Hosler moved and Councilman Schraft seconded,

RESOLVED: that the voting order for Town Board Meetings is hereby set as follows: Councilman Reitz, Councilman Macko, Councilman Schraft, Councilman George, Supervisor Hosler, effective January 1, 2023.

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

RESOLUTION 2023-002

Councilman Macko moved and Supervisor Hosler seconded,

BE IT FURTHER RESOLVED: that Brittanylee Penberthy, Esq. is hereby appointed Deputy Town Attorney to the Zoning Board of Appeals, Planning Board and to assist with other matters as needed, effective January 1, 2023 at a compensation of $13,000 annually, payable bi-weekly.

VOTE RESULT: ROLL CALL VOTE
Councilman Reitz - Aye
Councilman Macko - Aye
Councilman Schraft - Nay
Councilman George - Aye
Supervisor Hosler - Aye

RESOLUTION 2023-003

Councilman Reitz moved and Supervisor Hosler seconded,

RESOLVED: that the firms of Bond, Schoeneck & King, PLLC at a rate not to exceed $375.00 for labor and $310.00 for land use

Hodgson Russ LLP at a rate not to exceed $339.00 per hour, are hereby approved to be retained for Labor Law, Land Use and Legal Issues as needed.

VOTE RESULT: ROLL CALL VOTE
Councilman Reitz - Aye
Councilman Macko - Nay
Councilman Schraft - Nay
Councilman George - Aye
Supervisor Hosler - Aye

RESOLUTION 2023-004

Councilman Schraft moved and Supervisor Hosler seconded,

RESOLVED: that the firm of Bennett, DiFilippo & Kurtzhalts, LLP, Holland, NY at an hourly rate not to exceed $225.00, and the firm of Bengart & Demarco, LLP, Tonawanda, NY, at an hourly rate not to exceed $210.00 are hereby approved to be retained for matters regarding real property tax assessment matters and related issues.

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

RESOLUTION 2023-005

Supervisor Hosler moved and Councilman Reitz seconded,

RESOLVED: that Thomas George is hereby appointed Deputy Supervisor, with no additional compensation.

VOTE RESULT: ROLL CALL VOTE
Councilman Reitz - Aye
Councilman Macko - Nay
Councilman Schraft - Nay
Councilman George - Aye
Supervisor Hosler - Aye -

RESOLUTION 2023-006

Councilman Macko moved and Supervisor Hosler seconded,

RESOLVED: that Jennifer Farrell, Esq. and Brittanylee Penberthy, Esq. will be appointed as Town Prosecutors for the calendar year 2023 to prosecute non-criminal violations within the jurisdiction of the Town of Evans Justice Court, subject to the confirmation of the Erie County District Attorney and that they be compensated for the calendar year 2023 in the amount of $10,605.00 each, payable bi-weekly, and report to the Town Attorney for their duties, responsibilities and assignments as directed by the Town Board.

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

RESOLUTION 2023-007

Councilman Schraft moved and Councilman Macko seconded,

RESOLVED: that in all matters of parliamentary procedure Robert's Rules of Order shall prevail, except where such Rules are inconsistent with State Law and Town Law or resolution pertaining to the conduct of Town Business.

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

RESOLUTION 2023-008

Supervisor Hosler moved and Councilman Macko seconded,

RESOLVED: that the order of business for the conduct of the Town of Evans Town Board Meetings for the year 2023 shall be as follows:

I.	Call the Meeting to Order
II.	Pledge of Allegiance
III.	Roll Call
IV.	Approval of the Minutes
V.	Communications
VI.	Public Hearing and Bid Openings
VII.	Committee and Department Head Reports
VIII.	Town Clerk Reports
IX.	Old Business
X.	Privilege of the Floor
XI.	Resolutions
XII.	Licenses
XIII.	Audit of Bills
XIV.	Adjournment

BE IT FURTHER RESOLVED: Privilege of the Floor is adopted as follows:

The Town of Evans appreciates input from the General Public during the Privilege of the Floor period which is offered at each Regular Meeting of the Town Board, the following policy will be enforced at every meeting:

- Speakers must be recognized by the presiding officer;
- Speakers must state their name, address and organization, if any;
- The public shall only be allowed to speak during the designated period of the meeting;
- Comments shall be related to Town of Evans business only;
- Speakers will be limited to three (3) minutes per person per period which may be timed; time in excess of 3 minutes will be at the discretion of the Town Board.
- Speakers may not yield any remaining time they may have to another speaker;
- All remarks must be addressed to the Town Board as a body and not to any individual member thereof;
- Speakers shall observe the commonly accepted rules of courtesy, decorum, dignity and good taste;

- Unacceptable behavior will not be tolerated and may result in removal from the building and/or loss of future privileges of the floor.

In addition, interested parties or their representatives may address the Town Board by written communication. Any documents submitted to the Town Board will be accepted and filed for one (1) year.

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

RESOLUTION 2023-009

Councilman Schraft moved and Councilman Macko seconded,

RESOLVED: that the following rules will govern the conduct of business for the Town Board Meetings:

A. The agenda shall include resolutions, bills and reports. All resolutions to be included on the agenda shall be submitted to the Supervisor's Office by 12:00 P.M. on the Friday preceding the Board Meeting, and the Supervisor's Office shall submit same to the Town Clerk's Office by 2:00 P.M. on the Monday preceding the Board Meeting. When possible copies of resolutions will be sent to the board members by Friday afternoon from the Supervisor's Office.

B. By 4:00 PM on the Monday preceding the Board Meeting, the Town Clerk or the Town Supervisor shall distribute a copy of the agenda to each Board Member and the Town Attorney and Deputy Town Attorney in electronic form and shall include all written resolutions and important correspondence.

C. The agenda shall not be departed from except with a simple majority vote of the entire Town Board.

D. If the Town Board has voted to depart from the agenda, as provided above, the Town Board may, by a simple majority vote of the entire Town Board, require that any resolutions not on the agenda be produced in written form prior to a vote being taken on such resolution.

E. All matters shall be continued on the agenda until disposed of. All matters not disposed of shall be tabled and taken from the table only by a simple majority vote of the entire Town Board.

F. Correspondence shall be filed with the Town Clerk and

retained for one (1) year, pursuant to the retention schedule.

G. Whenever the Town Board amends a resolution passed at a previous meeting, there shall be added to the official record of minutes of such previous meeting a marginal notation referring to the subsequent amending action.

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

AMENDED
2/1/2023
Res #94
PG 50

RESOLUTION 2023-010

Councilman George moved and Supervisor Hosler seconded,

WHEREAS: Town Law requires the town board of every town of first class to hold at least one (1) meeting in each month of the year:

RESOLVED: that the Town Board of the Town of Evans shall hold its work sessions and board meetings on the following dates, with the work session starting at 6:00 PM followed by the Town Board agenda meeting published by the Town Clerk:

January 4 and 18
February 1 and 15
March 1 and 15
April 5 and 19
May 3 and 17
June 7 and 21
July 19
August 2 and 16
September 6 and 20 Friday, September 29th - Tentative Budget is due
October 4,11, and 18th 11th will be the meeting with outside organizations
November 1 and 8, 15 Final Budget due November 20th
December 6 and 21

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

RESOLUTION 2023-011

Councilman Reitz moved and Councilman Macko seconded,

RESOLVED: that the regular hours of the Evans Town Hall shall be from 8:00 AM to 4:00 PM Monday, Tuesday, Thursday, Friday, and Wednesday from 9:00 AM to 5:00 PM.

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

RESOLUTION 2023-012

Councilman Schraft moved and Councilman Reitz seconded,

RESOLVED: that the following 2023 holidays will be observed as paid holidays by the full-time employees of the Town of Evans not covered by a collective bargaining unit:

Holiday	Observed	Holiday	Observed
New Year's Day (2023)	1/2	Columbus Day	10/9
Martin Luther King, Jr. Day	1/16	Election Day	11/7
President's Day	2/20	Veterans Day**	11/10
Good Friday	4/7	Thanksgiving Day	11/23
Memorial Day	5/29	Day after Thanksgiving	11/24
Independence Day	7/4	Day before Christmas	12/26
Labor Day	9/4	Christmas Day	12/25

**Note: CSEA 815 Local 1000 members will observe Veterans Day on Monday, November 13, 2023 as per current collective bargaining agreement.

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

RESOLUTION 2023-013

AMENDED
04/05/2023
Res #181
PG 170

Councilman Macko moved and Supervisor Hosler seconded,

RESOLVED: that Supervisor Hosler - Aye be and hereby is permitted to sign her signature by facsimile pursuant to Town Law, and be it further

RESOLVED: that Paychex, Inc. is authorized to issue checks in payment of payroll for the Town of Evans under a facsimile as they may designate as long as their services are needed by the Town.

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

RESOLUTION 2023-014

Councilman Reitz moved and Supervisor Hosler seconded,

RESOLVED: that Evans Bank, Manufacturers and Traders Trust Company, Chase/JP Morgan Bank, NYCLASS and/or TD Ameritrade be and hereby are designated Depositories in which all Town monies shall be deposited into properly designated accounts.

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

RESOLUTION 2023-015

Councilman George moved and Supervisor Hosler seconded,

RESOLVED: that Evans Bank, Manufacturers and Traders Trust Company, Chase/JP Morgan Bank, and/or TD Ameritrade be and hereby are designated as the depositories for the Town Clerk's accounts. The Town Clerk shall deposit all funds received by her for the Town of Evans therein: these designations being pursuant to the authority contained in Section 64, Subdivision 1 of the Town Law, and be it further

RESOLVED: that the Town Clerk be and the same is hereby authorized to deposit, from time to time, with Evans Bank, Manufacturers and Traders Trust Company, Chase/JP Morgan Bank and/or TD Ameritrade, such funds as come into the hands of said Town Clerk in Negotiable Order of Withdrawal accounts, Certificates of Deposit and/or time Deposit Accounts, as the said Town Clerk may from time to time elect, but that any such deposits shall be made in such a fashion that they shall mature, without penalty, sufficiently in advance of any date required for the transmittal of such funds to any municipal body entitled to the same, so long as same are fully collateralized.

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

RESOLUTION 2023-016

Councilman Schraft moved and Supervisor Hosler seconded,

RESOLVED: that the Dunkirk Observer is hereby designated as the official newspaper of the Town of Evans for the calendar year 2023, and that the Hamburg Sun and/or Buffalo News may be used if additional coverage is needed.

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

RESOLUTION 2023-017

Supervisor Hosler moved and Councilman George seconded,

RESOLVED: Investment Policy -- The objectives of the Investment Policy of the Town of Evans are to minimize risk; to ensure that investments mature when the cash is required to finance operations; and to insure a competitive rate of return.

In accordance with the policy, the Chief Fiscal Officer is hereby authorized to invest all funds, including proceeds of obligations and reserve funds in:

Certificates of Deposit/Time Deposits Accounts with Evans Bank, Manufacturers and Traders Trust Company, Chase/JP Morgan Bank, NYCLASS and/or TD Ameritrade.; and

Repurchase Agreements involving the purchase and sale of direct obligations of the United States; and

All other Town Officials receiving money in their official capacity must deposit such funds in negotiable order of withdrawal accounts with Evans Bank, Manufacturers and Traders Trust Company, Chase/JP Morgan Bank, NYCLASS and/or TD Ameritrade.

COLLATERAL - All Town deposits shall be fully secured by insurance of the Federal Deposit Insurance Corporation or by obligations of New York State or obligations of the United States or obligations of federal agencies the principal and interest of which are guaranteed by the United States or obligations of New York State local governments.

Collateral shall be held by the seller bank's trust department or its designate. The market value of collateral shall at all times equal or exceed the principal amount of the certificate of deposit. Collateral shall be monitored no less frequently than quarterly.

Investments in time deposits/certificates of deposit and repurchase agreements are to be made with banks or trust companies.

The Town will encourage the purchase and sale of investments through a competitive or negotiated process involving telephone solicitation of at least two bids for each transaction.

At the time independent auditors conduct the annual audit of the accounts and financial affairs of the Town, the independent auditors shall audit the investments of the Town for compliance with the provisions of these Investment Guidelines.

The provisions of these Investment Guidelines any amendments hereto shall take effect prospectively, and shall not invalidate prior investment.

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

AMENDED
04/05/2023
Res #182
PG 170

RESOLUTION 2023-018

Councilman Macko moved and Supervisor Hosler seconded,

RESOLVED, that the following individuals are authorized signatures for the following Town of Evans Accounts with the Evans Bank, Angola, New York 14006:

Asset Forfeiture Fund - Police (xxxxx6000)	Gregory Szarowicz, Chief of Police
Police Reserve (x2001)	Mary K. Hosler, Supervisor
Combined Checking (xxx2468)	Mary K. Hosler, Supervisor
Combined Savings (xxxx0409)	Thomas George, Deputy Supervisor
BAN Account (xx4000)	
Bid Deposits Account (xx4379)	
Retiree Banks (xxx6573)	
Payroll (xxxxx0000)	
T&A Greenspace (xxxxx5000)	
Grant Reserve (xx4001)	
Revolving Loan (xx6000)	
Senior Meal Plan Account (xx9809)	
Water Surcharge (xx2283)	
Senior Activity Account (xx9775)	Mary K. Hosler, Supervisor Thomas George, Deputy Supervisor

Veronica Yeager, Director of Senior Services;

AND, BE IT FURTHER RESOLVED, that Mary K. Hosler, Town of Evans Supervisor will remain as the designated System Administrator of the online banking.

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

RESOLUTION 2023-019

Councilman Reitz moved and Councilman Schraft seconded,

WHEREAS, the State Domestic Relations Law, Section 11-c authorized Town Boards to appoint Marriage Officer(s) who shall have the authority to solemnize marriages with the Town,

BE IT RESOLVED: that Paul T. Cooper is appointed Marriage Officer for the Town of Evans, pursuant to the foregoing, effective January 1, 2023 to December 31, 2023.

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

RESOLUTION 2023-020

Councilman Schraft moved and Supervisor Hosler seconded,

RESOLVED: that the wages of all personnel are hereby established for 2023 in accordance with the Union Contracts in effect with the following Collective Bargaining Units:

IBEW #41
PBA (Police Benevolent Association)
CSEA #815
UAW - Amalgamated Local 55
SEIU Local 200United

VOTE RESULT: ROLL CALL VOTE
Councilman Reitz - Aye
Councilman Macko - Aye
Councilman Schraft - Aye

Councilman George - Aye
Supervisor Hosler - Aye

RESOLUTION 2023-021

Supervisor Hosler moved and Councilman Macko seconded,

RESOLVED: That the Town Board of the Town of Evans establishes the following as standard work days for its employees and will report days worked to the New York State and Local Employees' Retirement System:

a. Full Time Union and Non-Union Employees -	8 hours
b. Regular Part Time (RPT) Employees -	8 hours
c. Part Time Employees -	8 hours
d. Seasonal Employees -	8 hours

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

RESOLUTION 2023-022

Councilman George moved and Councilman Macko seconded,

RESOLVED: that the following Town's elected officials be salaried as budgeted effective January 1, 2023 as follows:

Supervisor	$40,000
Councilman (4)	15,300
Town Clerk	58,056
Superintendent of Highways	69,838
Town Justice (2)	22,819

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

RESOLUTION 2023-023

Councilman Schraft moved and Supervisor Hosler seconded,

RESOLVED: that the Town Board acknowledges the appointment made by the Supervisor of Keith Young of Angola, New York as the Town of Evans Historian for the calendar year 2023.

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

RESOLUTION 2023-024

Councilman Reitz moved and Councilman Macko seconded,

RESOLVED: that the Town Board of the Town of Evans does hereby appoints William Smith as the Director of Planning & Community Development with a salary of $90,000 and benefits as set forth in the Employee Contract for the calendar year of 2023 renewable each year.

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

RESOLUTION 2023-025

Councilman Schraft moved and Councilman Macko seconded,

RESOLVED: that the Town Board of the Town of Evans does hereby appoints Gregory Szarowicz as Chief of Police with a salary of $110,670 with the benefits and terms that have been negotiated and set in an Employee Contract and;

BE IT FURTHER RESOLVED: that Chief Szarowicz will be the FOIL Officer for police and dispatch information at no additional compensation.

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

RESOLUTION 2023-026

Councilman Macko moved and Councilman Reitz seconded,

RESOLVED: that the Town Board of the Town of Evans does hereby appoints Lynn Krajacic as Registrar of Vital Statistics for the Town of Evans for year 2023

BE IT FURTHER RESOLVED, that an additional annual stipend of $6,635 be paid bi-weekly, for the additional duties and responsibilities.

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

RESOLUTION 2023-027

Councilman Schraft moved and Councilman Macko seconded,

RESOLVED: that the Town Board of the Town of Evans does hereby acknowledge the Town Clerk's appointment of Kim Johnson and Alex Haley as Deputy Town Clerks for the year 2023 with their salary and benefits to follow the IBEW CBA; and

BE IT FURTHER RESOLVED: that an additional annual stipend of $1,150 each, be paid bi-weekly, for the additional duties and responsibilities including but not limited to the duties of Deputy of Vital Statistics.

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

RESOLUTION 2023-028

Supervisor Hosler moved and Councilman Reitz seconded,

RESOLVED: that the Town Board of the Town of Evans does hereby acknowledge the Superintendent of Highway's appointment of Robert Densmore as Deputy Superintendent of Highway for the calendar year of 2023 with a salary of $52,521 and benefits to follow the IBEW Collective Bargaining Agreement

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

RESOLUTION 2023-029

Councilman George moved and Councilman Reitz seconded,

RESOLVED: that the Town Board of the Town of Evans does hereby accepts Town Justice Glascott's appointment of Maggie Fetterly as Clerk to Town Justice Glascott, for the calendar year of 2023, with her salary and benefits to follow the IBEW CBA

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

RESOLUTION 2023-030

Councilman Reitz moved and Supervisor Hosler seconded,

RESOLVED: that the Town Board of the Town of Evans does hereby accepts Town Justice Cooper's appointment of Karen Tempski as Clerk to Town Justice Cooper for the calendar year of 2023, with her salary and benefits to follow the IBEW CBA .

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

RESOLUTION 2023-031

Supervisor Hosler moved and Councilman Reitz seconded,

RESOLVED: effective January 1, 2023, the Town Board hereby appoints Bahgat & Laurito-Bahgat for accounting services as needed at an hourly rate of $145.00.

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

RESOLUTION 2023-032

Supervisor Hosler moved and Councilman Schraft seconded,

RESOLVED: effective January 1, 2023, the Town Board acknowledges the appointment of Mary Holl as Assistant to the Supervisor at an annual salary of $48,410, payable bi-weekly, with her benefits to follow the IBEW CBA.

VOTE RESULT: ROLL CALL VOTE
Councilman Reitz - Aye
Councilman Macko - Aye
Councilman Schraft - Nay
Councilman George - Aye
Supervisor Hosler - Aye

RESOLUTION 2023-033

Supervisor Hosler moved and Councilman Reitz seconded,

RESOLVED: as per resolution 2022-468 of the of the year 2022, the board extends the stipend of $5,000 for 2023 to be paid biweekly.

VOTE RESULT: ROLL CALL VOTE
Councilman Reitz - Aye
Councilman Macko - Nay
Councilman Schraft - Nay
Councilman George - Aye
Supervisor Hosler - Aye

RESOLUTION 2023-034

Supervisor Hosler moved and Councilman Reitz seconded,

RESOLVED: that the Town Justices be authorized to employ court stenographers and interpreters if and when necessary.

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

RESOLUTION 2023-035

Councilman Schraft moved and Supervisor Hosler seconded,

RESOLVED: that the following Town Officials and/or Department be and are hereby authorized to continue their Petty Cash Funds in the amounts set forth, and further that they present a monthly report to the Town Board concerning their Petty Cash Funds:

Lynn M. Krajacic, Town Clerk $650.00

Justice Department	$100.00
Senior Center	$200.00

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

RESOLUTION 2023-036

Councilman Reitz moved and Supervisor Hosler seconded,

WHEREAS: The Town Board adopted a procurement policy on February 3, 2016, Resolution 2016-116
RESOLVED: that the procurement policy adopted February 3, 2016, Resolution 2016-116 is hereby reaffirmed.

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

RESOLUTION 2023-037

Councilman George moved and Councilman Reitz seconded,

RESOLVED: that the Secretaries of the Zoning Board of Appeals, Board of Assessment Review, and Planning Board shall be an employee of the Town of Evans, and shall receive compensation time equal to the amount of time spent in attendance at meetings required to attend by the Chairman, and may complete the preparation of minutes and notices during normal work hours, and be it further

RESOLVED: that all meeting and public notices of the Zoning Board of Appeals, Board of Assessment Review, and Planning Board shall be published on the calendar on the Town website, and approved meeting minutes shall be posted to the Document Center on the Town website.

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

RESOLUTION 2023-038

Councilman Schraft moved and Councilman Reitz seconded,

RESOLVED: that the mileage allowance for town personnel utilizing their own vehicles on Town business shall be the prevailing Federal Guideline; and be it further,

RESOLVED: that lodging reimbursement rates shall be actual costs incurred. Meal and incidental per diem rates shall be in accordance with the current and prevailing federal guidelines for the respective locations. Individual local lunch rates shall be set not to exceed $20.00, for seminars or training.

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

RESOLUTION 2023-039

Supervisor Hosler moved and Councilman Macko seconded,

RESOLVED: That all fixed asset transactions with value exceeding $5,000 for capital assets shall be formally recorded for financial statement purposes.

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

RESOLUTION 2023-040

Councilman Macko moved and Supervisor Hosler seconded,

WHEREAS: the Town of Evans does provide a town-owned vehicle to the Superintendent of Highways and Chief of Police to be used for business use only, and
WHEREAS: the Town of Evans is subject to Internal Revenue Service Regulations which require substantiation of all business use of Town-owned vehicles

NOW THEREFORE BE IT RESOLVED: that the Town of Evans Superintendent of Highways shall maintain a daily mileage log and provide such substantiation to the Payroll Office on a quarterly basis so that proper payroll adjustments are made in accordance with the law; and

BE IT FURTHER RESOLVED: that the accounting department shall provide the Town Board with a quarterly report of said mileage logs.

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

RESOLUTION 2023-041

Supervisor Hosler moved and Councilman Reitz seconded,

WHEREAS: Section 142 of the Highway Law requires the Town Board to approve all purchases of equipment, tools and other implements utilized for the highway maintenance in excess of $1,000.00 per year; and

WHEREAS: Section 103 of the General Municipal Law requires public bidding for purchases of equipment in excess of $20,000.00 for materials only and $35,000.00 for municipal contracts; and

WHEREAS: the Superintendent of Highways of the Town of Evans makes numerous purchases from time and time throughout the year in total not to exceed the detail line items within the annual budget; and
WHEREAS: pursuant to Section 142 of the Highway Law, it is desirable to the Town Board to authorize the Superintendent of Highways to purchase said equipment, tools and other implements in excess of $1,000.00;

NOW, THEREFORE BE IT RESOLVED, that the Superintendent of Highways is hereby authorized to, without prior approval of the Town Board, purchase equipment, tools, and other implements to be used for highway maintenance, construction, or reconstruction, snow plows or other devices for the removal of snow from highways in a sum not to exceed the limitations as prescribed under Section 103 of General Municipal Law as amended from time to time and in accordance with the Town's procurement policy.

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

RESOLUTION 2023-042

Councilman Reitz moved and Supervisor Hosler seconded,

RESOLVED: that Lynn M. Krajacic, as Town Clerk under her duties and responsibilities is hereby appointed as custodian of the Town of Evans records and the vault and;

BE IT FURTHER RESOLVED: that Lynn M. Krajacic, as Town Clerk is hereby appointed Records Management Officer and FOIL Officer for Town wide information excluding police and dispatch.

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

RESOLUTION 2023-043

Councilman Schraft moved and Councilman Reitz seconded,

RESOLVED: that Kelly Kent, is hereby appointed ADA Officer and Affirmative Action Officer for the calendar year of 2023.

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

RESOLUTION 2023-044

Councilman Macko moved and Councilman Reitz seconded,

BE IT RESOLVED: that Kelly Kent is hereby appointed Safety Officer, effective January 1, 2023 to and including December 31, 2023, at a rate of $2,000 annually, paid bi-weekly.

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

RESOLUTION 2023-045

Councilman Reitz moved and Councilman George seconded,

RESOLVED: that Supervisor Mary Hosler, is hereby appointed as Budget Director with a salary of $15,0000 payable bi-weekly.

VOTE RESULT: ROLL CALL VOTE
Councilman Reitz - Aye
Councilman Macko - Nay
Councilman Schraft - Nay
Councilman George - Aye
Supervisor Hosler - Aye

RESOLUTION 2023-046

Councilman Reitz moved and Councilman George seconded,

RESOLVED: that Supervisor Mary Hosler is hereby appointed Personnel Director at no additional compensation

VOTE RESULT: ROLL CALL VOTE
Councilman Reitz - Aye
Councilman Macko - Aye
Councilman Schraft - Nay
Councilman George - Aye
Supervisor Hosler - Aye

RESOLUTION 2023-047

Councilman Schraft moved and Councilman Macko seconded,

RESOLVED: that Mary K. Hosler, Supervisor, be named as "Appointing Officer" of the Town of Evans. Per Section 2 of the Civil Service Law, the "Appointing Officer" signs appointment forms and personnel changes submitted to his/her office; certifies that the Civil Division payroll is accurate and in accordance with Civil Service Law; canvasses eligible lists and performs the functions relating to Civil Service Law; signs PO-1M Forms reporting appointments, terminations and other personnel changes to Erie County Department of Personnel.

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

RESOLUTION 2023-048

Supervisor Hosler moved and Councilman Schraft seconded,

RESOLVED: that the Town Board of the Town of Evans does hereby acknowledge the Evans Police Department's appointment of Pastor Michael Trippett as Police Department Chaplin for the calendar year of 2023 with no compensation.

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

RESOLUTION 2023-049

Councilman Macko moved and Councilman Schraft seconded,

RESOLVED that the Town is required to appoint a Stormwater Management Officer (MS4) to monitor the quantity and quality of stormwater runoff which consists of inspecting 210 outflows throughout the town; and

BE IT FURTHER RESOLVED that the MS4 Officer is required to file a yearly MS4 report, reflecting his findings of the outflow inspections; and

THEREFORE, BE IT RESOLVED that the Town hereby appoints Anthony Fischione to perform the duty of Stormwater Management Officer for the year 2023 with an annual stipend of $3,000 to be paid bi-weekly; and

FURTHER BE IT RESOLVED that flooding is a serious issue within our town boundaries and the Town Board recognizes that stricter controls need to be in place in order to address the flooding issues that our residents have been facing for far too long; and

THEREFORE, BE IT RESOLVED that the Town hereby appoints Anthony Fischione to perform the duties as floodplain manager for the year of 2023 with an annual stipend of $2,000 to be paid bi-weekly. The floodplain manager is required to hold at least four meetings per year with the drainage committee to discuss flooding issues and potential solutions.

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

RESOLUTION 2023-050

Councilman Reitz moved and Councilman George seconded,

RESOLVED: that the part time police department personnel, clerks, seasonal laborers and maintenance/custodial workers are hereby appointed, in accordance with provisions of Civil Service rules, as per the attached list Exhibit A, for the year 2023 with their respective rates.

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

RESOLUTION 2023-051

Supervisor Hosler moved and Councilman Schraft seconded,

RESOLVED: that the Town Board of the Town of Evans hereby appoints and/or confirms the following people to serve out their term as members on the Town of Evans Zoning Board of Appeals, the term for each member is 5 years with staggered expiration dates:

NAME	TERM (5 year term)
Howard Martin	12/31/2024
Donald Maglich	12/31/2023
Tracy Spada	12/31/2026
Christopher LaRusso	12/31/2026
John Kennedy	12/31/2024
Alternate	open

BE IT FURTHER RESOLVED: that Howard Martin is hereby appointed Chairman of the Zoning Board of Appeals for the calendar year of 2023; and

BE IT FURTHER RESOLVED: that Anthony Fischione as the Code Enforcement Officer is hereby appointed as liaison to the Zoning Board of Appeals for the calendar year of 2023.

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

RESOLUTION 2023-052

Councilman Schraft moved and Councilman Macko seconded,

RESOLVED: that the Town Board of the Town of Evans hereby appoints and/or confirms the following people to serve out their term as members on the Town of Evans Planning Board:

NAME	TERM (7 year terms)
Anne Sellers	12/31/2023
Joseph Pinter	12/31/2024
John Wilson	12/31/2029 Expired in 2022
Melissa Keller	12/31/2026 Appointing in 2023
Lori Szewczyk	12/31/2025
Donald Schiedel, Jr.	12/31/2028
open	12/31/2027

BE IT FURTHER RESOLVED: that Anne Sellers is hereby appointed Chairwoman of the Planning Board for the calendar year of 2023

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

RESOLUTION 2023-053

Supervisor Hosler moved and Councilman Reitz seconded,

RESOLVED: that Guy Canonico is hereby appointed as Disaster Coordinator for the year of 2023 at no additional compensation and;

BE IT FURTHER RESOLVED: that William Hamm is hereby appointed as Deputy Disaster Coordinator for the year of 2023 at no compensation and;

BE IT FURTHER RESOLVED: that Michael Conti is hereby appointed as Deputy Disaster Coordinator for the year of 2023 at no compensation.

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

RESOLUTION 2023-054

Councilman Schraft moved and Councilman Macko seconded,

BE IT RESOLVED, that membership of the Town of Evans boards and committees listed on Exhibit B attached to the minutes of the organizational meeting shall be as set forth therein.

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

RESOLUTION 2023-055

Councilman George moved and Supervisor Hosler seconded,

RESOLVED: that notification by Supervisor of committee liaison appointments for 2023 calendar year are as follows:

Supervisor Hosler	Councilman George	Councilman Reitz	Councilman Schraft	Councilman Macko
Climate Smart & Conservation	Police	Senior Center	Agriculture	Accessibilities
Veterans	Recycling	Community Events	Highway	Garbage/Landfill
	Parks & Marina		Veterans	Fire/EMS
				Building Dept

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

RESOLUTION 2023-056

Supervisor Hosler moved and Councilman Reitz seconded,
to adjourn the annual Organizational meeting to the board meeting immediately to follow.

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