Meeting #10 Wednesday May 15, 2024
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: May 1, 2024 Regular Town Board Meeting Minutes	
V	Communications:	
VI	Public Hearing & Bid Opening:	
VII	Committee & Department Head Reports:	
VIII	Town Clerk's Reports: April 2024 Town Clerk Report $71,882.19 Interest $3.92 Greenspace Fee $2,800.00 Petty Cash $650.00	
IX	Old Business:	
X	Privilege of the Floor:	
XI	Resolutions: 1.) Advertise for vacancy in Planning and Community Development Dept. 2.) Appointment of Part Time Dispatcher-Lederhouse 3.) Appointment of Part Time Dispatcher-Kraft 4.) Authorize Director of Finance to Attend NYGFOA Annual conference 5.) Authorize Town Highway Superintendent to Attend NYS Highway Superintendent Association Conference 6.) Change order # 4 Approval for the Water Tank and System Improvements 7.) Change Order #5 Approvals for the Water Tank and System Improvements 8.) Installation Approval of New Fire Hydrants on LakeShore Rd-LEB Trail Project 9.) Change Order Approval #3 Water Main Replacement-LEB Trail Project 10.) LEB Volunteer Fire Company Elected Membership 11.) Safety Officer Appointment 12.) Approve and Retain Law Firm for Legal, Labor, Land Use and Real Property Tax Assessment Matters	
XII	Licenses: 1.) Chick's Restaurant and Lanes - Refreshment, Amusement, Live Band-Commercial 2.) Special Events-Frederick Garrasi Memorial 5K 3.) Gordon F. Sheffer d/b/a Fattie G's Pizzeria - Refreshment	
XIII	Audit of Bills:	
XIV	Adjournment to: Wednesday June 5, 2024 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:	Michael Schraft	Councilman
	John Wilson	Councilman
	Jeanne Macko	Councilman
	Laurie Reitz	Councilman
	Raymond Ashton	Supervisor
ALSO PRESENT:	Lynn Krajacic	Town Clerk
	Lisa Poch	Town Attorney

RESOLUTION 2024 #192 Accept Minutes

Supervisor Ashton moved Councilman Macko and seconded that the reading of the April 17, 2024 meeting minutes be dispensed with and accepted as submitted by the Town Clerk.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Schraft	Aye
	Councilman Wilson	Aye
	Councilman Macko	Aye
	Councilman Reitz	Aye
	Supervisor Ashton	Aye

RESOLUTION 2024 #193 Accepting Donation - Parks Department

Councilman Schraft moved and Councilman Reitz seconded;

WHEREAS, the Galfo family has decided make a donation to replace the baseball backstop at the Evans Town Park; and

WHEREAS, no funds will be expended to purchase the above referenced backstop;

NOW, THEREFORE, BE IT RESOLVED, the Evans Town Board graciously accepts the donation of the 3 sided (10' x 10' x 10') 12" high baseball backstop for the Evans Town Park baseball diamond.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Schraft	Aye
	Councilman Wilson	Aye
	Councilman Macko	Aye
	Councilman Reitz	Aye
	Supervisor Ashton	Aye

RESOLUTION 2024 #194 Appointment of Seasonal Part Time Marina Gate Guards & Parks Laborers

Councilman Wilson moved and Supervisor Ashton seconded;

BE IT RESOLVED, effective May 6, 2024, the following individuals are hereby appointed as Part Time Seasonal Marina Gate Guards and Park Laborers, for a five (5) month period, working up to 39 hours per week, at the hourly rates indicated:

NAME	TITLE	HOURLY RATE
Thomas Trevean	Marina Gate Guard	$15.30
Michael Mye	Marina Gate Guard	$15.30
Andrew Inglut	Marina Gate Guard	$15.30
Robert Sikorski	Marina Gate Guard	$15.30
John Kurtzhalts	Marina Gate Guard	$15.30
Robert Watts	Marina Gate Guard	$15.30
Leon Widelko	Marina Gate Guard	$15.30
Alexander Widelko	Marina Gate Guard	$15.30
William Hosler	Marina Gate Guard	$15.30
Shawna John	Marina Gate Guard	$15.30
Nathan Joseph Guarino	Park Laborer	$16.30
Dylan Barrett	Park Laborer	$16.30
James Bingenheimer	Park Laborer	$16.30
Jonathan Szewczyk	Park Laborer	$16.30
Bryce Coyle	Park Laborer	$16.30
Jake Logan	Park Laborer	$16.30

FURTHER, BE IT RESOLVED, the Town Clerk will give a copy of this resolution to Human Resources and the Parks Crew Chief.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman Wilson	Aye
Councilman Macko	Aye
Councilman Reitz	Aye
Supervisor Ashton	Aye

RESOLUTION 2024 #195 Appointment of Seasonal Part Time Gate Guards

Supervisor Ashton moved and Councilman Macko seconded,

BE IT RESOLVED, effective May 20, 2024, the following individuals are hereby appointed as Part Time Seasonal Park Gate Guards, for a five (5) month period, working up to 39 hours per week, at the hourly rates indicated:

NAME	TITLE	HOURLY RATE
Dale Zielonka Park	Gate Guard	$15.30
Mary Webster Park	Gate Guard	$15.30
Nancy Davis Park	Gate Guard	$15.30
Lydia Rivera Park	Gate Guard	$15.30

FURTHER, BE IT RESOLVED, the Town Clerk will give a copy of this resolution to Human Resources and the Parks Crew Chief.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman Wilson	Aye
Councilman Macko	Aye
Councilman Reitz	Aye
Supervisor Ashton	Aye

RESOLUTION 2024 #196 Authorizing Law Section 284 Highway Department

Councilman Reitz moved and Supervisor Ashton seconded;

WHEREAS, the Town Board and the Superintendent of Highways are required by Highway Law Section 284 to enter into a written agreement stating the places and manner in which the Highway Fund appropriations for repairs and improvements are to be expended: and

WHEREAS, in conjunction with the estimate submitted by the Highway Superintendent, the Highway Superintendent has submitted a proposed Highway Law Section 284 agreement to spend Town Highway Funds; and

WHEREAS, the Highway Superintendent has prepared an agreement to spend Town Highway Funds for the fiscal year commencing January 1, 2024, for general repairs and primary work, and permanent improvements subject to limitations set by NYS Capital Highway Improvement Program (CHIPS) funding;

NOW, BE IT RESOLVED, that the Town Board hereby approves said agreement to spend Town Highway Funds therefore, the Town Supervisor and Town Board Members are authorized and directed to execute said agreement as required by law in substantially the same form as annexed hereto.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman Wilson	Aye
Councilman Macko	Aye
Councilman Reitz	Aye
Supervisor Ashton	Aye

RESOLUTION 2024 #197 Budget Transfer - Parks Department

Councilman Macko moved and Councilman Wilson 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 Director of Finance to make the following budget transfer for various Marina/Parks repairs:

Transfer From:
A.917.000.00 Unassigned Fund Balance $95,000.00

Transfer To:
A.7180.412.00 Facility Marina $95,000.00

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Schraft	Aye
	Councilman Wilson	Aye
	Councilman Macko	Aye
	Councilman Reitz	Aye
	Supervisor Ashton	Aye

RESOLUTION 2024 #198 Evans Center Fire Department - LOSAP

Councilman Schraft moved and Councilman Wilson seconded;

WHEREAS, an audit has been completed by the Town of Evans Finance Department for the Length of Service Award Program ("LOSAP") for the 2023 Evans Center Volunteer Fire Company, Inc. records listing per Article 11-A for the New York State General Municipal Law.

BE IT RESOLVED, that the Evans Town Board hereby approves the 2023 Firefighter Records listing for Evans Center Volunteer Fire Company, Inc. and is authorized to execute the 2023 Sponsor Approval for as required by Article 11-A.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Schraft	Aye
	Councilman Wilson	Aye
	Councilman Macko	Aye
	Councilman Reitz	Aye
	Supervisor Ashton	Aye

RESOLUTION 2024 #199 Lake Erie Beach Department - LOSAP

Councilman Wilson moved and Councilman Reitz seconded;

WHEREAS, an audit has been completed by the Town of Evans Finance Department for the Length of Service Award Program ("LOSAP") for the 2023 Lake Erie Beach Volunteer Fire Company, Inc. records listing per Article 11-A for the New York State General Municipal Law.

BE IT RESOLVED, that the Evans Town Board hereby approves the 2023 Firefighter Records listing for Lake Erie Beach Volunteer Fire Company, Inc. and is authorized to execute the 2023 Sponsor Approval for as required by Article 11-A.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Schraft	Aye
	Councilman Wilson	Aye
	Councilman Macko	Aye
	Councilman Reitz	Aye
	Supervisor Ashton	Aye

RESOLUTION 2024 #200 Senior Personnel Clerk Full Time Permanent Appointment

Supervisor Ashton moved and Councilman Reitz seconded;

WHEREAS, Evans Town Board approved the position of the Senior Personnel Clerk by resolution per the Town of Evans Town Board Re-Organizational meeting; and

WHEREAS, Kelly Kent was appointed provisionally as full time Senior Personnel Clerk;

NOW, THEREFORE, BE IT RESOLVED, that effective immediately, Kelly Kent is hereby appointed full time permanent Senior Personnel Clerk for the Town of Evans, and

BE IT FURTHER RESOLVED, all relative issues, rules and regulations will be understood to all parties subject to Civil Service Law and the IBEW #41 collective bargaining agreement.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Schraft	Nay
	Councilman Wilson	Nay
	Councilman Macko	Nay
	Councilman Reitz	Aye
	Supervisor Ashton	Aye

RESOLUTION 2024 #201 Suspend the Rules of Order

Supervisor Ashton moved and Councilman Schraft seconded to Suspend the Rules of Order for the consideration of additional resolutions.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Schraft	Aye
	Councilman Wilson	Aye
	Councilman Macko	Aye
	Councilman Reitz	Aye
	Supervisor Ashton	Aye

RESOLUTION 2024 #202 Advertise for Vacancy in Planning & Community Development

Councilman Schraft moved and Councilman Macko seconded;

WHEREAS, due to a retirement in the Planning and Community Development Department, a vacancy for a full time Principal Clerk has been created; and

WHEREAS, the certified list for the Civil Service title of Principal Clerk has been canvassed and exhausted, whereby a vacancy still exists;

NOW, THERFORE, BE IT RESOLVED, that the Director of Planning and Human Resources request authorization from the Town Board to advertise for said referenced position within the Planning and Community Development Department; and

FURTHER, BE IT RESOLVED, the position will be filled provisionally in conjunction with all Civil Service requirements, rules and regulations and in accordance with the IBEW #41 collective bargaining agreement.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Schraft	Aye
	Councilman Wilson	Aye
	Councilman Macko	Aye
	Councilman Reitz	Aye
	Supervisor Ashton	Aye

RESOLUTION 2024 #203 Authorization for Sturgeon Point Enhancements/Contract Approvals

Councilman Reitz moved and Councilman Wilson seconded;

WHEREAS, the Town Board of the Town of Evans desires to enhance a portion of Sturgeon Point Marina per the attached summary totaling $95,000; and

WHEREAS, the Town Board has received the attached paving estimate from New Frontier Excavating and Paving, Inc. (totaling $33,088) and the attached estimate from LAND-ON Enterprises, Inc., obtained through the public bidding process, (totaling $10,500), for sealing work;

THEREFORE, BE IT RESOLVED, that the Sturgeon Point enhancements, per the attached summary, are hereby approved and Supervisor Ashton is authorized to enter into a contract with New Frontier Excavating and Paving, Inc., (County Bid List #270045-004), as well as with LAND-ON Enterprises, Inc.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Schraft	Aye
	Councilman Wilson	Aye
	Councilman Macko	Aye
	Councilman Reitz	Aye
	Supervisor Ashton	Aye

RESOLUTION 2023 #204 Approve Town Licenses

Councilman Wilson moved and Councilman Macko seconded,

Graycliff Conservancy - Live Band Commercial

RESOLVED, that the aforesaid licenses be granted pertaining to the report of the Chief of Police and the Department of Health where appropriate.

VOTE RESULT:	ADOPTED BY ROLL CALL	
	Councilman Schraft	Aye
	Councilman Wilson	Aye
	Councilman Macko	Aye
	Councilman Reitz	Aye
	Supervisor Ashton	Aye

RESOLUTION 2024 #205 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	5/2/2024
ABSTRACT NO.	9
VOUCHER NO.	14401 - 14446
CHECK NUMBERS	87309 - 87346
APPROVED AT	Board Meeting

DATE	5/1/2024
GENERAL	$43,664.48
PART TOWN	$2,769.77
HIGHWAY DB	$19,096.34
WATER	$2,753.92
CAPITAL PROJECTS	$88,747.60
SPECIAL DISTRICTS	
DEBT SERVICE	
TOTAL	$157,032.11

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman Wilson	Aye
Councilman Macko	Aye
Councilman Reitz	Aye
Supervisor Ashton	Aye

RESOLUTION 2024 #206 Adjournment

Supervisor Ashton moved and Councilman Macko seconded to adjourn to Wednesday May 15, 2024 at 6:00pm for a Work Session and the Regular Meeting to follow.

VOTE RESULT: ADOPTED BY ROLL CALL

Councilman Schraft	Aye
Councilman Wilson	Aye
Councilman Macko	Aye
Councilman Reitz	Aye
Supervisor Ashton	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

New Frontier Excavating & Paving, Inc.

Site Work • Excavating & Paving



New Frontier Excavating & Paving Inc
7003 Brown Hill Rd
Boston, NY 14025

Estimate

Date	Estimate #
4/22/2024	733

Name / Address
Town of Evans 8787 Erie Road Angola, NY 14006-9600 Attn.:Ray Ashton

Project

Description	Qty	Cost	Total
Sturgeon Pt. Pavement Repairs			
Mill 4560 sy 1.5 inches deep. All millings to be dumped at Evans Highway Dept. Price includes all labor , trucking, and clean up.	1	17,303.00	17,303.00
Pave 390 tons of 9.5 mm top. Price includes all labor, and tack coat. All Black top and delivery to be provided by the Town. Water for the roller and mill to be provided by the Town.	1	15,785.00	15,785.00
Pavement repairs from front gate to launch ramp.			

Subtotal	$33,088.00
Sales Tax (8.75%)	$0.00
Total	$33,088.00

7003 Brown Hill Road • Boston, New York 14025
Office: 716-226-4298 • Fax: 716-226-4299

LAND-ON
ENTERPRISES, INC

P.O. BOX 295 • LAKE VIEW, NY 14085
716.998.3978

FEDERAL IDENTIFICATION NUMBER
464806188

PROPOSAL SUBMITTED TO Sturgeon Point Marina	PHONE	DATE 4/29/24
	JOB NAME	
STREET 618 · Sturgeon Point rd at lake	JOB LOCATION	
CITY, STATE AND ZIP CODE		JOB PHONE

We hereby submit specifications and estimates for:

	AMOUNT
1) Zone 1 upper portion	$5,300.00
Striping +	$450.00
2.) Zone 2. Lower around loop.	$4,300.00
Areas will be weed wacked and blown off from all loose debris. Sealer will be broom applied with ash phalt	
striping	$450.00

Estimated Start Date _____

- ☐ Customer is to complete Certificate of Capital Improvement on Back
- ☐ Sales tax is to be added to the proposed amount

TOTAL → 10,500.00

We propose hereby to furnish material and labor - complete in accordance with above specifications, for the amount shown in the total box, plus sales tax if a tax-exempted certificate is not provided.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimates. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado an other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Note: This proposal may be withdrawn by us if not accepted within _____ days. Authorized Signature _____

Acceptance of Proposal: I have read both sides of this document and accept the prices, specifications and conditions stated. I understand that upon signing, this proposal become a binding contract. You are authorized to do the work as specified. Payment will be made as outlined.

Payment is due within ten days of invoicing. Because of the nature of our work, partial billing (based upon work completed) may be necessary.

ALL OVERDUE ACCOUNTS SUBJECT TO A 2% MONTHLY SERVICE CHARGE, PLUS ANY SUBSEQUENT COLLECTION FEES. MINIMUM CHARGE: 50¢ PER MONTH.

Signature _____ Owner(s)

Signature _____ Land-On Enterprises, Inc.; by Kyle Jablonski, President

THIS IS YOUR INVOICE. PAYMENT IS DUE WITHIN 10 DAYS OF JOB COMPLETION.

MAKE CHECKS PAYABLE TO: LAND-ON ENTERPRISES, INC

Enhancements / Sturgeon point

ASPHALT MATERIAL (390)	$35,100.00
STURGEON PT. PAVEMENT REPAIRS	33,088.00
SEAL FROM BOAT LANCH ----------	
WHERE NEEDED	10,500.00
STRIP COMPLEAT MARINA ----------	
MAINTANCE BUILDING	
REPAIR ROOF/ PAINT SAME	13,700.00
MATERIALS NEEDED FOR PARK	8,000.00
SEAL/ STRIP TOWN HALL	4,000.00
TRIM TREE'S /CLEAN UP	
OVER RAILINGS	1,000.00
	95,000.00 TOTAL

TOWN OF EVANS

LYNN M. KRAJACIC, TOWN CLERK

8787 Erie Road • Angola, NY 14006-9600

Telephone (716) 549-8787

May 1, 2024

Raymond Ashton, Supervisor
8787 Erie Road
Angola, New York 14006

Dear Supervisor Ashton,

Per transfer through Evans Bank, $74,686.11 was transferred to the Town of Evans Savings & Green Space account.

This represents the following:

Town Clerk April 1, 2024 - April 30, 2024	$71,882.19
Interest Earned on Checking Account April 1, 2024 - April 30, 2024	$ 3.92
Greenspace Fees/Trust & Agency Account April 1, 2024 - April 30, 2024	$ 2,800.00
Petty Cash Fund Balance	$ 650.00

These funds were received by me as Town Clerk for the Town of Evans.

Best Regards,

Lynn Krajacic

Lynn Krajacic, RMC
Town Clerk

Cc: Finance Dept
Councilman Wilson
Councilman Schraft
Councilman Macko
Councilman Reitz

Res 1

RESOLUTION – ADVERTISE FOR VACANCY IN PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

WHEREAS, the position of Planner will be created in the Planning and Community Development Department and whereby a vacancy for a full time Planner position will exist; and

WHEREAS, the certified list for the Civil Service title of Planner will be canvassed; and

WHEREAS, in the event the Civil Service canvassed list is exhausted and whereby a vacancy will still exist;

NOW, THERFORE, BE IT RESOLVED, that the Director of Planning and the Human Resource Department request authorization from the Town Board to advertise for said referenced position within the Planning and Community Development Department; and

FURTHER, BE IT RESOLVED, the position will be filled provisionally in conjunction with all Civil Service requirements, rules and regulations and in accordance with the IBEW #41 collective bargaining agreement.

ROLL CALL VOTE:

Res 2

RESOLUTION – APPOINTMENT OF PART-TIME DISPATCHER

Submitted for the May 15, 2024 Board Meeting by Police Department

WHEREAS, there is an opening for a part time Public Safety Dispatcher in the Evans Police Department; and

WHEREAS, Austin Lederhouse has been interviewed and has met the qualifications to be a Public Safety Dispatcher; and

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby appoints Austin Lederhouse, effective 5/17/2024, to the position of part time Police Dispatcher with the Evans Police Department; at an hourly rate set forth in the 2024 reorganizational resolution; and

FURTHER, BE IT RESOLVED, all other relative issues, rules and regulations will be understood to all parties subject to Civil Service Law; and

FURTHER, BE IT RESOLVED, the Town Clerk will give a copy of this resolution to Human Resources and the Chief of Police.

ROLL CALL VOTE:

Authorized by _____
Chief of Police

Res 3

RESOLUTION – APPOINTMENT OF PART-TIME DISPATCHER

Submitted for the May 15, 2024 Board Meeting by Police Department

WHEREAS, there is an opening for a part time Public Safety Dispatcher in the Evans Police Department; and

WHEREAS, Jason Kraft has been interviewed and has met the qualifications to be a Public Safety Dispatcher; and

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans hereby appoints Jason Kraft, effective 5/17/2024, to the position of part time Police Dispatcher with the Evans Police Department; at an hourly rate set forth in the 2024 reorganizational resolution; and

FURTHER, BE IT RESOLVED, all other relative issues, rules and regulations will be understood to all parties subject to Civil Service Law; and

FURTHER, BE IT RESOLVED, the Town Clerk will give a copy of this resolution to Human Resources and the Chief of Police

ROLL CALL VOTE:

Authorized by _____
Chief of Police

Res 4

RESOLUTION - AUTHORIZE DIRECTOR OF FINANCE TO ATTEND NEW YORK GOVERNMENT FINANCE OFFICERS' ASSOCIATION (NYGFOA) ANNUAL CONFERENCE

WHEREAS, Director of Finance William Reece request permission to attend the New York Government Finance Officers' Association (NYGFOA) Annual Conference; and

WHEREAS, said training will be held in Albany, New York on April 17-19, 2024;

NOW, THEREFORE, BE IT RESOLVED, that the Evans Town Board shall grant permission to Director of Finance William Reece to attend said training with all appropriate and reasonable expenses to be paid by the Town, per Town policy; and

FURTHER, BE IT RESOLVED, this resolution is nunc pro tunc.

ROLL CALL VOTE:

Res 5

Submitted by Town of Evans Highway Department

Resolution- Authorize payment of hotel accommodations for Town Highway Superintendent while attending the New York State Highway Superintendent Association Conference.

WHEREAS, Town Highway Superintendent Jack Fritz will be attending the NYS Highway Superintendent Conference in Ithaca, NY from June 2nd- June 5th 2024.

NOW, THEREFORE, BE IT RESOLVED, that the Board of the Town of Evans shall grant permission for all appropriate and reasonable expenses related to said conference to be paid by the Town, per town policy.

ROLL CALL VOTE:

Res 6

RESOLUTION – CHANGE ORDER #4 APPROVAL FOR THE WATER TANK AND SYSTEM IMPROVEMENTS

WHEREAS, the Town of Evans (Owner) has a contract with Kandey Company (Contractor) to complete the installation of a new pump station and water storage tank, along with associated water main, along Eden Evans Center Road; and

WHEREAS, several changes are being proposed to the project, additional work to include the following:

Installation of snow stops on the pump station roof
Installation of antennae cable on water tank
Exterior of fiber network to tank
Ethernet for the generator
Fuel for the generator and additional insurance costs;

BE IT RESOLVED, that the Town Board of the Town of Evans hereby resolves to approve Change Order #4 to the Kandey Company in the **increased** amount of $28,866.74; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Supervisor to sign change order paperwork related to this change.

ROLL CALL VOTE:

Res 7

RESOLUTION – CHANGE ORDER #5 APPROVAL FOR THE WATER TANK AND SYSTEM IMPROVEMENTS

WHEREAS, the Town of Evans (Owner) has a contract with Kandey Company (Contractor) to complete the installation of a new pump station and water storage tank, along with associated water main, along Eden Evans Center Road; and

WHEREAS, several changes are being proposed to the project, additional work to include the following:

Piping modification of the approved design plans per a request from the Erie County Water Authority (ECWA);

BE IT RESOLVED, that the Town Board of the Town of Evans hereby resolves to approve Change Order #5 to the Kandey Company in the **increased** amount of $12,463.00; and

BE IT FURTHER RESOLVED, that the Town Board authorizes the Supervisor to sign change order paperwork related to this change.

ROLL CALL VOTE:

Res 8

RESOLUTION – INSTALLATION OF NEW FIRE HYDRANTS ON LAKE SHORE ROAD (LAKE ERIE BEACH TRAIL PROJECT)

WHEREAS, the Town of Evans desires to replace the existing water main along Lake Shore Road, from Dawn Ave to the northern driveway of AJ Schmidt Elementary School, in conjunction with the Lake Erie Beach Trail Project; and

WHEREAS, the installation of two additional fire hydrants is required during the course of construction to satisfy current design standards regarding hydrant spacing on a public potable water distribution system; and

WHEREAS, the hydrants will become the property of the Town of Evans under the Lease Management Agreement with Erie County Water Authority (ECWA);

NOW, THEREFORE, BE IT RESOLVED, the Evans Town Board approves the installation of the aforementioned hydrants;

FURTHER, BE IT RESOLVED, that the Town Clerk is authorized to pay the annual maintenance fee of $160.80 per hydrant.

ROLL CALL VOTE:

Res 9

RESOLUTION – LAKE ERIE BEACH TRAIL PROJECT CHANGE ORDER 03 – WATER MAIN REPLACEMENT

WHEREAS, the Town of Evans and S. St. George Enterprises, Inc. entered into a contract regarding the Lake Erie Beach Trail project; and

WHEREAS, the following conditions are the circumstances for Change Order 03 pursuant to the above referenced project;

1. Water main replacement from Dawn Ave to the northern driveway of AJ Schmidt Elementary School;

NOW, THEREFORE, BE IT RESOLVED, the Evans Town Board authorizes Change Order 03 to increase the aforementioned contract amount in the amount of $949,388.00.

FURTHER, BE IT RESOLVED, that Supervisor Ray Ashton is authorized to sign any and all documents pursuant to Change Order 03.

ROLL CALL VOTE:

Res 10

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

WHEREAS, the 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 candidate was elected into membership of the Lake Erie Beach Volunteer Fire Company, Inc. during the May 2, 2024 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 the Lake Erie Beach Volunteer Fire Company, Inc.;

Jeremy Schiffmaker

ROLL CALL VOTE

Res 11

RESOLUTION – SAFETY OFFICER APPOINTMENT

BE IT RESOLVED, that Mary Holl shall be appointed to assume the duties of Town of Evans Safety Officer, effective May 15, 2024; and

BE IT FURTHER, RESOLVED, that Mary Holl be paid a stipend of $2,000 annually, pro-rata, for the additional duties and responsibilities of Safety Officer, to be paid bi-weekly, effective May 15, 2024.

ROLL CALL VOTE:

Res 12

RESOLUTION – APPROVE AND RETAIN LAW FIRM FOR LEGAL, LABOR, LAND USE AND REAL PROPERTY TAX ASSESSMENT MATTERS

RESOLVED, effective immediately, Lippes Mathias, LLP, at a rate not to exceed $350 per hour (Partner), and $325 per hour (Associates) for legal and labor law matters; are hereby approved to be retained for legal issues and labor law as needed; and

FURTHER, BE IT RESOLVED, effective immediately, Lippes Mathias, LLP, at a rate not to exceed $225 per hour (Partner), and $200 per hour (Associates) for real property tax assessment matters and related issues and land use matters; are hereby approved to be retained for real property tax assessment and related issues and land use matters as needed.

ROLL CALL VOTE: