Meeting #16
Regular _X_ Special _____

Wednesday September 4, 2024

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: August 21, 2024 Regular Town Board Meeting Minutes	
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.) Appointment of Part Time Seasonal Laborer -Highway Department 2.) Standard Work Day 3.) Authorize Court Clerk to Attend NYS Magistrate Association Court Clerk Conference. 4.) Authorize Town Justice to Attend NYS Magistrate Association Annual Conference 5.) Award Bid for Sale of Property - 146 Potomac Ave	
XII	Licenses:	
XIII	Audit of Bills:	
XIV	Adjournment to: Wednesday September 18, 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

RESOLUTION 2024 #306 Accept Minutes

Supervisor Ashton moved and Councilman Schraft seconded that the reading of the August 7, 2024 meeting minutes 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 #307 Amend Resolution 2024-379 Appointment of Part Time Constable

Supervisor Ashton moved and Councilman Macko Seconded;

WHEREAS; New York State Town Law 39 provides Town Boards of Municipalities the authority to appoint Town Constables, and

WHEREAS; Rosario Schifano, Jr has successfully interviewed and passed all aspects of the Town of Evans Police Department background check;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby appoints, Rosario Schifano, Jr, effective 07/17/2024, nunc pro tunc, to the position of Part-Time Constable with the Town of Evans Police Department, to provide municipal building and court security; and

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

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

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2024 #308 Suspend the Rules of Order

Supervisor Ashton moved and Councilman Wilson seconded to Suspend the Rules of Order for the consideration of one additional resolution.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2024 #309 Advertise a RFP for Audit Services for Payroll Operations

Councilman Schraft moved and Councilman Macko seconded;

WHEREAS, the largest expenditure of Town finances pertain to payroll of our town employees; and it is the Town Boards responsibility to make every effort possible to prevent fraud, waste and abuse of town finances in Town government.

WHEREAS, in an effort to increase transparency and public confidence in the Town of Evans, a bi-partisan Finance Committee will be created consisting of two town board members, the town finance director and two residents.

AND WHEREAS, the Town Board of the Town of Evans desires to enter into a short-term consulting contract with a third-party audit agency to ensure that all town payroll operations are being properly executed. The timeframe of this audit will be from January 1, 2020 to present.

NOW, THEREFORE, BE IT RESOLVED, the Town Clerk is authorized to advertise a request for proposal, prepared by the Town Attorney's office, to provide audit services pertaining to payroll operations. The advertisement of this RFP will begin on August 29th, 2024. Proposals are due to the Town Clerk's Office by 2:00 pm September 13, 2024.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2024 #310 Award and Authorization for Air Monitoring

Councilman Wilson moved and Councilman Reitz Seconded;

WHEREAS; the structures located at:

655 Lake Street, Angola, New York 14006,
893 Bennett Road, Angola, New York 14006,
9136 Brown Street, Angola, New York 14006,
9650 Court Street, Angola, New York 14006,
1393 Elwood Drive, Derby, New York 14047,
1950 Southcreek Road, Derby, New York 14047,
6722 Prescott Drive, Derby, New York 14047

have been deemed unsafe by the Town of Evans Code Enforcement Office; and

WHEREAS; the Town of Evans Town Board accepted a bid for Controlled Demolition of above mentioned properties; and

WHEREAS; it was determined that air monitoring services are necessary for compliance to NYS ICR 56; and

WHEREAS; quotes were obtained by the Code Enforcement Office for air monitoring services; and

WHEREAS; based upon the quotes received and reviewed, it is the recommendation of Code Enforcement Officer John Flading that Advanced Contracting Services, PO Box 986, Grand Island, NY 14072 submitted a bid for 500 dollars a day with an estimated 1,000 dollars per house at a total of 7,000 dollars for the entire project to include technician, samples, visual inspection, and report;

NOW, THEREFORE, BE IT RESOLVED, the Evans Town Board authorizes the above recommendations and hereby awards the air monitoring services to Advanced Contracting Services for the properties located at:

655 Lake Street, Angola, New York 14006,
893 Bennett Road, Angola, New York 14006,
9136 Brown Street, Angola, New York 14006,

9650 Court Street, Angola, New York 14006,
1393 Elwood Drive, Derby, New York 14047,
1950 Southcreek Road, Derby, New York 14047,
6722 Prescott Drive, Derby, New York 14047; and

BE IT FURTHER RESOLVED; Town of Evans Supervisor Ray Ashton is authorized to sign all documents pursuant to the above matter, upon review and approval of the Town Attorney.

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

RESOLUTION 2024 #311 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	8/22/2024
ABSTRACT NO.	15
VOUCHER NO.	15027 - 15117
CHECK NUMBERS	87804 - 87870
APPROVED AT	Board Meeting
DATE	8/21/2024
GENERAL	$58,818.08
PART TOWN	$7,206.37
HIGHWAY DB	$285,449.91
WATER	$313.66
CAPITAL PROJECTS	$247,512.79
SPECIAL DISTRICTS	$1,627.50
DEBT SERVICE	
TOTAL	$600,928.31

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

RESOLUTION 2024 #312 Adjournment

Supervisor Ashton moved and Councilman Reitz seconded to adjourn to Wednesday September 4, 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

Res 1

RESOLUTION – APPOINTMENT OF PART TIME SEASONAL LABORER – HIGHWAY DEPARTMENT

BE IT RESOLVED, effective September 3, 2024, the following individual be appointed to a Part Time Seasonal Laborer position for the Town of Evans Highway Department, for up to a five (5) month period, working up to 39.5 hours per week, at the hourly rate indicated below;

NAME	SALARY
Lawrence Jenkins	$17.20; and

FURTHER, BE IT RESOLVED, the Town Clerk will give a copy of this resolution to Human Resources and the Superintendent of Highways; and

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

ROLL CALL VOTE:

Res 2

NEW YORK STATE STANDARD WORK DAYS AND REPORTING RESOLUTION FOR ELECTED AND APPOINTED OFFICIALS

BE IT RESOLVED, that the Town Board of the Town of Evans establishes the following as Standard Work Days for Elected and Appointed Officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the clerk of this body (see below):

Title	Standard Work Day	Name	Current Term Begin/End Date	ROA Results	Not Submitted
(Elected Officials)					
Councilwoman	6	Macko, Jeanne	01/01/2022 – 12/31/2025	9.80	
Councilman	6	Schraft, Michael	01/01/2022 – 12/31/2025	11.37	
Councilman	6	Wilson, John	01/01/2024 – 12/31/2027	4.69	
Town Clerk	6	Krajacic, Lynn	01/01/2022 – 12/31/2025	21.96	
Town Justice	6	Cooper, Moira	01/01/2023 – 12/31/2026	3.78	
Town Justice	6	Glascott, Dennis	01/01/2021 – 12/31/2024	2.23	
(Appointed Officials)					
Town Assessor	6	Hill, Jeneen	10/01/2019 – 09/30/2025	22.18	
Town Prosecutor	6	Farrell, Jennifer	01/01/2024 – 12/31/2024	2.24	
Town Attorney	6	Poch, Lisa	01/01/2024 – 12/31/2025	4.05	
Deputy Town Attorney And Town Prosecutor	6	Penberthy, Brittanylee	01/01/2024 – 12/31/2024	3.04	
Secretary to Supervisor	6	Holl, Mary	01/01/2024 – 12/31/2024	33.93	

ROLL CALL VOTE:

Res 3

RESOLUTION - AUTHORIZE COURT CLERK TO ATTEND NEW YORK STATE MAGISTRATES COURT CLERK'S ASSOCIATION ANNUAL CONFERENCE

WHEREAS; Court Clerk Kristen Meyer requests permission to attend the New York State Magistrates Court Clerk's Annual Conference; and

WHEREAS; said annual conference will be held in Niagara Falls, New York from Sunday, September 29, 2024 to Wednesday, October 2, 2024; and

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

ROLL CALL VOTE:

Res 4

RESOLUTION - AUTHORIZE TOWN JUSTICE TO ATTEND NEW YORK STATE MAGISTRATES ASSOCIATION ANNUAL CONFERENCE

WHEREAS; Town Justice Moira Cooper requests permission to attend the New York State Magistrates Association 114th Annual Conference; and

WHEREAS; said annual conference will be held in Niagara Falls, New York from Sunday, September 22, 2024 to Wednesday, September 25, 2024;

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

ROLL CALL VOTE:

Res 5

RESOLUTION – AWARD BID FOR SALE OF PROPERTY (146 Potomac Avenue, Angola, NY 14006)

WHEREAS; per resolution 2024-265, two (2) Town owned properties went up for sale in the Town of Evans, which were bought from BENLIC:

273 Dawn Avenue, Angola, NY 14006
and
146 Potomac Avenue, Angola, NY 14006; and

WHEREAS; the Evans Town Board authorized the Town Clerk to advertise for bids for the sale of the aforementioned properties in the Town of Evans; and

WHEREAS; bids were received and opened on Tuesday, August 6, 2024 at 2:00pm, in accordance with the Notice to Bidders previously authorized; and

WHEREAS; the highest bid and/or the most potential benefits for the sale of the above referenced properties was submitted by Mark A. Riley of 9816 Virginia Street, Angola, N Y 14006 for the purchase of 146 Potomac Avenue, Angola, NY 14006; and

WHEREAS; no bids were submitted for the purchase of 273 Dawn Ave, Angola, NY 14006; and

WHEREAS; the Town of Evans' Code Enforcement Officer and Town Assessor have reviewed the proposal from Mark A. Riley of 9816 Virginia Street, Angola, NY 14006; and

WHEREAS; the bid submitted by Mark A. Riley of 9816 Virginia Street, Angola, N Y 14006 was $10,000 for the property that is located at 146 Potomac Avenue, Angola, NY 14006;

NOW, THEREFORE, BE IT RESOLVED; that the aforementioned bid of Mark A. Riley of 9816 Virginia Street, Angola, N Y 14006 to purchase the 146 Potomac Avenue, Angola, NY 14006 property in the Town of Evans, NY, is hereby accepted by the Town of Evans, with a purchase amount of $10,000; and

FURTHER, BE IT RESOLVED; the Town of Evans will retain ownership of the property located at 273 Dawn Avenue, Angola, NY 14006 since no bids were submitted; and

FURTHER, BE IT RESOLVED, Supervisor Ray Ashton is authorized to execute all bid and/or contract documents for said bid award, upon the approval of the Town Attorney.

ROLL CALL VOTE: