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
	John Wilson	Councilman
	Ray Ashton	Supervisor
ALSO PRESENT:	Lynn Krajacic	Town Clerk
	Lisa Poch	Town Attorney

RESOLUTION 2024 #81 Enter Executive Session

Supervisor Ashton moved and Councilman Schraft seconded,

WHEREAS: the Evans Town Board wishes to enter Executive Session, and;

BE IT RESOLVED: that the public shall be excluded from discussion of and action upon hereinafter specified subject matter.

The general nature of the subject matter to be discussed as follows: Matters relating to collective negotiations under the Taylor Law and Pending Litigation.

NOW THEREFORE BE IT RESOLVED: Lisa Poch, Town Attorney is invited to attend the Evans Town Board Executive Session.

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

RESOLUTION 2024 #82 Accept Minutes

Supervisor Ashton moved and Councilman Reitz seconded that the reading of the January 3, 2024 Organizational Meeting and Regular 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

Communications

Bill Smith, Minor Subdision Review Committee RE: Minor Subdivision – dividing a 21.7± acre parcel with 3345.06± feet of frontage on Eden Town Line Road, Eden, NY 14057, known as SBL# 222.00-3-2 into two lots to create a 11.7± acre vacant parcel and a 10.0± acre vacant parcel. Petitioner: Paul Pruchnicki, 2260 Eden Evans Center Rd., Eden NY 14057

RESOLUTION 2024 #83 SEQR Negative Declaration - Pruchnicki

Councilman Schraft moved and Councilman Macko seconded;

WHEREAS, minor subdivisions are unlisted SEQR actions, and

WHEREAS, the Town Board of the Town of Evans desires the Town of Evans to be the Lead Agency for the SEQR process, and

WHEREAS, the Town has completed a short Environmental Assessment Form for this action, and

WHEREAS, in a letter dated January 12, 2024, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the Paul Pruchnicki Minor Subdivision, and

WHEREAS, it has been determined that the subdivision of this property will not result in any significant impacts regarding the SEQR process.

NOW THEREFORE BE IT RESOLVED, that the Town of Evans shall be the Lead Agency for the SEQR process for the above mentioned minor subdivision; and

RESOLVED, that the Town Board of the Town of Evans considers the findings of the Town of Evans Minor Subdivision Review Committee and issues a SEQR negative declaration for the Paul Pruchnicki Minor Subdivision.
(Addendum A SEQR Short Environmental Assessment Form),

a division of SBL# 222.00-3-2, dividing a 21.7± acre vacant parcel to create:

1. a 11.7± acre vacant parcel with 1800.0± feet of frontage on Eden Town Line Road, and

2. a 10.0± acre vacant parcel with 1545.06± feet of frontage on Eden Town Line Road.

Petitioner: Paul Pruchnicki, 2260 Eden Evans Center Road, Eden NY 14057

AND BE IT FURTHER RESOLVED, that a copy of this resolution be given to the Planning Office.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2024 #84 Minor Subdivision Approval - Pruchnicki

Councilman Wilson moved and Supervisor Ashton seconded;

WHEREAS, the proposed subdivision was referred to the Erie County Department of Environment and Planning for a 239M Review as required, and

WHEREAS, the Erie County Department of Environment and Planning offered no recommendation, stating the proposed action was determined to be of local concern, and

WHEREAS, the proposed subdivision was also referred to the Erie County Agriculture and Farmland Protection Board for review of the Agricultural Data Statement in which no comment was offered, and

WHEREAS, notification was mailed to all addresses occurring on property within an agricultural district containing a farm operation, or on property within 500 feet of an active farm operation with no comments being received, and

WHEREAS, the Town of Evans Minor Subdivision Review Committee has completed a review and recommended approval, and

WHEREAS, the Evans Town Board, as Lead Agent, issued a negative declaration regarding the SEQR process.

NOW THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby considers the findings of the Town of Evans Minor Subdivision Review Committee and approves the Paul Pruchnicki Minor Subdivision,

a division of SBL# 222.00-3-2, dividing a 21.7± acre vacant parcel to create:

1. a 11.7± acre vacant parcel with 1800.0± feet of frontage on Eden Town Line Road, and

2. a 10.0± acre vacant parcel with 1545.06± feet of frontage on Eden Town Line Road.

Petitioner: Paul Pruchnicki, 2260 Eden Evans Center Road, Eden NY 14057

AND BE IT FURTHER RESOLVED, that a copy of this resolution be given to the Planning Office.

VOTE RESULT: ADOPTED BY ROLL CALL

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

PUBLIC HEARING

LEGAL NOTICE

Please take notice that the Town Board of the Town of Evans, Erie County, New York, will hold a public hearing on January 17th, 2024 at 7:10 PM prevailing time at the Evans Town Fall, 8787 Erie Road, Angola, New York 14006 with respect to the request by SL Evans, LLC (d/b/a Solar Liberty), for the Town of Evans to enter into a contract for a 20-year Payment in Lieu of Taxes ("PILOT") Agreement and Host Community Agreement "HCA".

The PILOT and HCA agreements will allow the solar energy system provider to offer the community certain payments and provisions in exchange for tax relief benefits by SL Evans, LLC to better ensure fiscal planning and budgeting purposes.

All parties in interest and citizens shall have the 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 RMC
Town Clerk

RESOLUTION 2024 #85 Open the Public Hearing

Supervisor Ashton moved and Councilman Reitz seconded to open the public hearing.

There was nobody wishing to speak in favor or opposition

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2024 #86 Close the Public Hearing

Supervisor Ashton moved and Councilman Reitz seconded to close the public hearing.

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

RESOLUTION 2024 #87 Town Clerk's Reports

Supervisor Ashton moved and Councilman Macko seconded to accept the reports of the Town Clerk as presented for the month of December 2023:

Town Clerk Report	$9,198.77
Interest	$.85
Greenspace Fee	$ 0
Petty Cash	$650.00

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

RESOLUTION 2024 #88 Advertise RFP for Marketing, Branding & Communications Services

Councilman Reitz moved and Councilman Macko seconded;

WHEREAS, the Town of Evans is seeking to retain a professional firm specializing in marketing, branding and communications services to develop and implement a strategic plan with the primary objective of increasing the regional awareness of the Town of Evans and promoting the development of our local business, waterfront, agricultural and residential communities; 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 marketing, branding and communications services; and

WHEREAS, the RFP will be posted and made available at the Evans Planning Office, 8787 Erie Road, Angola, NY 14006, beginning Thursday, January 18th, 2024.

NOW, THEREFORE BE IT RESOLVED, the Planning Office shall advertise a notice of invitation for proposals for Marketing, Branding and Communications Services; and

BE IT FURTHER RESOLVED, that proposals are due via email to the Evans Director of Planning and Community Development at wsmith@townofevans.org by 4:00 p.m. (local time) on Thursday, February 8th of 2024.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2024 #89 Appointment of Full Time Police Officer - Dechent

Supervisor Ashton moved and Councilman Schraft seconded;

WHEREAS, there is an opening for a Full Time Police Officer in the Town of Evans Police Department; and,

WHEREAS, a canvass and interview process of the Town of Evans Civil Service list was conducted; and

WHEREAS, Brett Dechent has successfully interviewed and passed all aspects of the Town of Evans Police Department Background check and is a United States Army Veteran;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans hereby appoints Brett Dechent to the position of Full Time Police Officer with the Town of Evans Police Department, effective 1/22/2024, and is subject to the successful completion of the 144th Basic Course for Police Officers at the Erie County Law Enforcement Training Academy;

FURTHER, BE IT RESOLVED, all other relative issues, rules and regulations will be understood to all parties subject to Civil Service Law and Evans Police Benevolent Association collective bargaining agreement;

FURTHER, BE IT RESOLVED, the Town Clerk will give a copy of this 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 #90 Appointment of Full Time Police Officer - Herlan

Councilman Macko moved and Counciman Reitz seconded,

WHEREAS, there is an opening for a Full Time Police Officer in the Town of Evans Police Department; and

WHEREAS, a canvass and interview process of the Town of Evans Civil Service list was conducted; and

WHEREAS, Patrick Herlan 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, Patrick Herlan to the position of Full Time Police Officer with the Town of Evans Police Department, effective January 22, 2024, and is subject to the successful completion of the 144th Basic Course for Police Officers at the Erie County Law Enforcement Training Academy; and

FURTHER, BE IT RESOLVED, all other relative issues, rules and regulations will be understood to all parties subject to Civil Service Law and Evans Police Benevolent Association collective bargaining agreement; and

FURTHER, BE IT RESOLVED, the Town Clerk will give a copy of this 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 #91 Appointment of Full Time Police Officer - Blasz

Councilman Wilson moved and Councilman Reitz seconded,

WHEREAS, there is an opening for a Part Time Police Officer in the Town of Evans Police Department; and

WHEREAS, Nicholas Blasz is a certified Police Officer and full time Police Lieutenant in the Town of Eden Police Department; and

WHEREAS, Nicholas Blasz 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 Nicholas Blasz, effective on January 18, 2024, to the position of Part-Time Police Officer with the Town of Evans Police Department; and

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

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2024 #92 Appointment of Full Time Police Officer - Costantino

Councilman Schraft moved and Councilman Reitz seconded,

WHEREAS, there is an opening for a Part Time Police Officer in the Town of Evans Police Department; and

WHEREAS, Frederick Costantino is a certified Police Officer and full time Police Officer in the City of Buffalo; and

WHEREAS, Frederick Costantino 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 Frederick Costantino, effective January 18, 2024, to the position of Part-Time Police Officer with the Town of Evans Police Department; and

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

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2024 #93 Suspend the Rules of Order

Supervisor Ashton moved and Councilman Reitz 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 #94 Detective Training

Councilman Reitz moved and Councilman Macko seconded,

WHEREAS; the NYS Division of Criminal Justice Services is offering free Aquatic Death and Homicidal Drowning Investigation Training in Albany County on February 7th and 8th, 2024; and

WHEREAS; the Town of Evans has a significant amount of shoreline on Lake Erie, and this is valuable training for our Detectives,

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans hereby approves the request of Chief of Police Gregory Szarowicz to send Detective Kenneth Kloss to Albany County on February 6th through February 8th, 2024 for said training and all appropriate and reasonable expenses shall be paid by the Town, per Town policy; and

FURTHER, BE IT RESOLVED, the Town Clerk will give a copy of this resolution to 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 #95 Approve Town Licenses

Councilman Wilson moved and Councilman Reitz seconded,

1.) Newcomb Long Post 928 (Refreshment & Live Band Commercial)
2.) Derby Do-Op d/b/a Super Freeze (Refreshment & Amusement)
3.) Vincent Cala Jr. d/b/a Cala's Catering (Refreshment)
4.) 8934 Grandview Beach LLC d/b/a The Beach Club at Mickey Rats (Refreshment, Amusement & Live Band Commercial)
5.) TSG Hamburg LLC d/b/a McDonalds (Refreshment)
6.) Gary Ballowe d/b/a Turtle Joe's Sand Bar (Refreshment, Amusement & Live Band Commercial)

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

RESOLUTION 2024 #96 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	1/18/2024
ABSTRACT NO.	25 (2023)
VOUCHER NO.	13852-13878/13909-13910
CHECK NUMBERS	86825 - 86852
APPROVED AT	Board Meeting
DATE	1/17/2024
GENERAL	$30,784.18
PART TOWN	$9,000.00
HIGHWAY DB	$19,782.74
WATER	
CAPITAL PROJECTS	$0.00
SPECIAL DISTRICTS	$116,823.32
DEBT SERVICE	

	TOTAL	$176,390.24

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2024 #97 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	1/18/2024
ABSTRACT NO.	2
VOUCHER NO.	13879 - 13908
CHECK NUMBERS	86853 - 86880
APPROVED AT	Board Meeting
DATE	1/17/2024
GENERAL	$139,738.16
PART TOWN	$3,701.65
HIGHWAY DB	$23,805.34
WATER	$1,823.10
CAPITAL PROJECTS	$6,500.00
SPECIAL DISTRICTS	$0.00
DEBT SERVICE	
TOTAL	$175,568.25

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2024 #98 Adjournment

Supervisor Ashton moved and Councilman Reitz seconded to adjourn to Wednesday, February 7, 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