Evans Town Board

At a meeting of the Town Board of the Town of Evans, the following were present:

PRESENT:	Michael Schraft	Councilman (Zoom)
	John Wilson	Councilman
	Jeanne Macko	Councilman
	Laurie Reitz	Councilman
	Raymond Ashton	Supervisor
ALSO PRESENT:	Lynn Krajacic	Town Clerk
	Lisa Poch	Town Attorney

RESOLUTION 2024 #226 Enter Executive Session

Supervisor Ashton moved and Councilman Macko 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: Pending Litigation

NOW THEREFORE BE IT RESOLVED: Town Attorney, Lisa Poch 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 #227 Accept Minutes

Supervisor Ashton moved Councilman Reitz and seconded that the reading of the May 15, 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 #228 Town Clerk's Reports

Supervisor Ashton moved and Councilman Schraft seconded to accept the reports of the Town Clerk as presented for the month of May 2024:

Town Clerk Report	$48,002.39
Interest	$2.75
Greenspace Fee	$ 0
Petty Cash	$650.00

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2024 #229 Approve SEIU proposed Collective Bargaining Successor Agreement

Councilman Wilson moved and Councilman Macko seconded;

WHEREAS, the collective bargaining agreement between the Town of Evans and SEIU Local 200 United (hereinafter "SEIU") expired on December 31, 2019; and

WHEREAS, the Town of Evans and SEIU have negotiated a proposed collective bargaining agreement for the period of January 1, 2020 through December 31, 2027; and

NOW, THEREFORE, BE IT RESOLVED, that the Town of Evans hereby approves the proposed collective bargaining agreement with SEIU for the period of January 1, 2020 through December 31, 2027; and

FURTHER BE IT RESOLVED, that Supervisor Ray Ashton is hereby authorized to execute the above referenced proposed agreement between SEIU and the Town of Evans, on behalf of the Town of Evans.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2024 #230 Approve UAW Collective Bargaining Agreement (Table)

Councilman Macko moved and Councilman Reitz seconded to Table the resolution

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

RESOLUTION 2024 #231 4th of July Celebration (July 3rd) Lake Erie Beach Celebration

Councilman Wilson moved and Councilman Macko seconded,

WHEREAS, the 4th of July celebration in the Lake Erie Beach/Point Breeze area brings several thousand people to this community to honor our nation's birth; and

WHEREAS, the public safety responsibility for those people enjoying the celebration, those people residing in this celebration area, and the people who will transverse this area, are a responsibility that is best served through the following road closures;

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans hereby authorizes the closing of Kennedy Avenue and Eisenhower Road from Lake Shore Road to Quebec Street, the closing of Eastwood Avenue from Lake Shore to Northfield Street, the closing of Northfield from Eastwood Avenue to Kennedy Ave, the closing of Garfield Avenue from Lake Shore to Oakland Street and the closing of Oakland from Garfield Ave to Kennedy Ave, for the purpose of providing public safety to all participants, residents, and traffic beginning at 7 p.m. on the 3rd of July, in addition to all other public safety measures as set forth under the Code of the Town of Evans; and

BE IT FURTHER RESOLVED, that there will be no vehicles allowed in Lake Erie Beach Park beginning at 4 a.m. July 3rd through 7 a.m. July 4th; and

BE IT FURTHER RESOLVED, that the Town Clerk is hereby authorized and directed to publish this resolution in the Angola Pennysaver and the Dunkirk Observer, the official paper of the Town of Evans.

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

RESOLUTION 2024 #232 Enter Contract for Roof Replacement – 6409 Lake Shore Road)

Councilman Macko moved and Councilman Wilson seconded;

WHEREAS, the Town of Evans desires to replace the roof at 6409 Lake Shore Road (Storage Building); and

WHEREAS, the Town has received three (3) quotes for the roofing project, including the attached proposal from Buffalo's Best Roofing Company, LLC. (totaling $9,960);

NOW, THEREFORE, BE IT RESOLVED, the Evans Town Board accepts the quote from Buffalo's Best Roofing Company, LLC located at 4589 Genesee Street, Cheektowaga, NY 14225, and authorizes Supervisor Ashton to enter into a contract with Buffalo's Best Roofing Company pursuant to the above referenced project.

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

RESOLUTION 2024 #233 Advertise Public Hearing for Property Demolitions

Councilman Reitz moved and Councilman Wilson seconded;

WHEREAS, pursuant to Chapter 74 of the Code of the Town of Evans entitled, "Buildings Unsafe"; and

WHEREAS, the Town has duly noticed the following property owners and/or those with an interest in the property of the Town's interest in demolition of any such building or structure is considered unsafe or dangerous;

9650 Court Street, Angola, NY 14006 SBL # 250.09-3-83
1393 Elwood Drive, Derby, NY 14047 SBL# 206.08-2-19
1950 South Creek Road, Derby, NY 14047 SBL# 207.07-2-1
655 Lake Street, Angola, NY 14006 SBL# 234.16-4-3
9136 Brown St Angola, NY 14006 SBL# 234.16-1-32
893 Bennett Road, Angola, NY 14006 SBL# 220.1-5-1
6722 Prescott Drive, Derby, NY 14047 SBL# 192.20-1-8;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans authorizes and directs the Town Clerk to publish a notice of public hearing for the purpose to provide an opportunity for property owners and other interested persons/entities to voice opposition or

consideration that shall be given to the Town's interest in demolition of the aforementioned properties; and

FURTHER, BE IT RESOLVED, said Public Hearing will be held on Wednesday, June 19, 2024 at 7:10p.m. in the Court Room at the Evans Town Hall, located at 8787 Erie Road, Angola, NY 14006.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2024 #234 Appointment of Regular Part Time Code Enforcement Officer

Supervisor Ashton moved and Councilman Reitz seconded;

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

WHEREAS; Jared Elliott is currently employed as a Part Time Code Enforcement Officer; and

WHEREAS; Jared Elliott has successfully passed his Code Enforcement training;

NOW, THEREFORE, BE IT RESOLVED; effective June 5, 2024, Jared Elliott is hereby appointed as Regular Part Time Assistant Code Enforcement Officer for the Town of Evans, at an hourly rate of $22.50, with hours not to exceed 39.5 weekly;

FURTHER, BE IT RESOVED, all 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 #235 Declare Surplus Equipment – Court Room

Councilman Reitz moved and Councilman Macko seconded;

WHEREAS, Capstream has replaced the audio equipment in the Town of Evans Court Room;

BE IT RESOLVED, the following Court Room equipment is hereby declared surplus equipment and will be electronically recycled:

Court Room Analog Panel, Asset Tag #2228

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

RESOLUTION 2024 #236 Fireworks License – June 1, 2024

Councilman Wilson moved and Councilman Reitz seconded;

WHEREAS, an application for the display of fireworks on June 1, 2024, no rain date, beginning approximately at 9:00pm, was filed by Matt Shaw, and approved by the Chief of Police, for the display of fireworks for 6742 Lake Shore Road, Angola, New York 14006;

NOW, THEREFORE, BE IT RESOLVED, that the granting of such fireworks license is hereby approved to allow the display of fireworks, for Saturday, June 1, 2024 and is approved nunc pro tunc.

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

RESOLUTION 2024 #237 2024 NYS Water Infrastructure Improvement Act - Water Grant

Councilman Macko moved and Councilman Wilson seconded;

WHEREAS, the Town of Evans, after thorough consideration of the various aspects of the problem and review of available data, has hereby determined that certain work, as described in its NYS Drinking Water Infrastructure Grant Program application and attachments, to address the repair and maintenance of the Water System Improvements - Phase 1, herein called the "Project", is desirable, is in the public interest, and is required in order to implement the Project and address said compliance requirements; and

WHEREAS, the NYS Environmental Facilities Corporation (EFC) authorizes State assistance to municipalities for drinking water quality improvement projects by means of a contract, and the

Town of Evans deems it to be in the public interest and benefit under this law to enter into a contract therewith.

NOW, THEREFORE, BE IT RESOLVED BY the Evans Town Board, that:

1. Ray Ashton, Supervisor, or his representative or successor in office, is the representative authorized to act on behalf of the Evans Town Board in all matters related to State assistance under the New York State Environmental Facilities Corporation (EFC) and/or any applicable State grant provisions.

2. Supervisor, or his representative, is also authorized to make an application in the amount of $8,300,000.00 which the Town is requesting the maximum of $5,000,000 of the total project cost in grant funding;

3. The Town of Evans Town Board agrees to fund its portion of the cost of the Project, of $3,300,000 by way of a General Obligation Bond or a series of Bond Anticipation Notes, and that funds will be made available to initiate the Project efforts within 12 months of written approval of its application by the NYS Department of Health and the New York State Environmental Facilities Corporation authority;

4. The one certified copy of this Resolution be prepared and sent to the Albany office of the NYS Environmental Facilities Corporation; and

5. This Resolution takes effect immediately.

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

RESOLUTION 2024 #238 Suspend the Rules of Order

Supervisor Ashton moved and Councilman Reitz seconded to Suspend the Rules of Order for the consideration of an 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 #239 Waiver of Service Fees – July 3rd Special Events License

Councilman Wilson moved and Councilman Reitz seconded;

WHEREAS, Evans Community Events, Inc. is hosting the July 3rd Fireworks Event (to be held on July 3, 2024) at Lake Erie Beach Park; and

WHEREAS, Evans Community Events, Inc. has submitted the Special Event Application and all applicable paperwork; and

WHEREAS, all applicable Town of Evans' departments have review and submitted the additional services fees in conjunction with the above referenced event; and

WHEREAS, Evans Community Events, Inc. has submitted a request to waive the additional service Code Enforcement fee of $252.00 (site plan and fire safety inspections) and additional service Police Department fees of $2,970.00 (Public safety, crowd and traffic control (totaling $3,222.00); and

WHEREAS, in addition, Evans Community Events, Inc. has submitted a request for the Town of Evans to assist with the cost of portable bathrooms (if necessary and cost to be determined);

NOW, BE IT RESOLVED, the Town Board does hereby grant a waiver of the Code Enforcement fee of $252.00 (site plan and fire safety inspections) and additional service Police Department fees of $2,970.00 (Public safety, crowd and traffic control (totaling $3,222.00), as submitted by the applicable Town Departments, for the July 3, 2024 event; and

FURTHER, BE IT RESOLVED, the Town of Evans will pay one-half of the portable bathroom cost, not to exceed $1,000; and

FURTHER BE IT RESOLVED, a copy of this resolution be given to the appropriate Town Departments.

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

RESOLUTION 2024 #240 Approve Town Licenses

Councilman Schraft moved and Councilman Reitz seconded,

Matt Shaw – 7/3/2024 9566 Lake Shore Road, Angola - Fireworks
Matt Shaw – 7/4/2024 8686 Lake Shore Road, Angola - Fireworks

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 #241 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	6/6/2024
ABSTRACT NO.	11
VOUCHER NO.	14557 - 14669
CHECK NUMBERS	87433 - 87517
APPROVED AT	Board Meeting
DATE	6/5/2024
GENERAL	$344,019.12
PART TOWN	$10,004.01
HIGHWAY DB	$40,484.02
WATER	$13,630.51
CAPITAL PROJECTS	$18,550.00
SPECIAL DISTRICTS	$113,474.20
DEBT SERVICE	
TOTAL	$540,161.86

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2024 #242 Adjournment

Supervisor Ashton moved and Councilman Reitz seconded to adjourn to Wednesday June 19, 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