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:	Kristen Bauer	Deputy Town Clerk
	Lisa Poch	Town Attorney

RESOLUTION 2024 #364 Accept Minutes

Supervisor Ashton moved and Councilman Schraft seconded that the reading of the October 9 and October 16, 2024 meeting minutes dispensed with and accepted and 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 #365 Negative Declaration - Clark

Councilman Schraft moved and Councilman Wilson 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 November 1, 2024, the Town of Evans Minor Subdivision Review Committee has recommended a negative declaration regarding the SEQR process for the Daryl Clark Minor Subdivision, and

WHEREAS, it has been determined that the subdivision of this property will not result in any significant environmental 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 Daryl Clark Minor Subdivision
(Addendum A SEQR Short Environmental Assessment Form),

a division of SBL# 251.05-1-55.1, dividing a 4.03± acre parcel to create:

1. A 2.54± acre parcel with 200.97± feet of frontage on Erie Rd. (a.k.a. NYS Route 5), and
2. A .749± acre parcel with 130.00± feet of frontage on Erie Rd.
3. A .327± acre parcel to be annexed to the adjoining parcel at 9466 Erie Rd to form a .97± acre parcel with 173.66± feet of frontage on Erie Rd.
4. A .397± acre parcel to be annexed to the adjoining parcel at 705 Herr Rd to form a .643± acre parcel with 120 feet of frontage on Herr Rd.

Petitioner: Daryl Clark, 5757 Southwestern Blvd, Hamburg NY 14075.

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 #366 Minor Subdivision Approval - Clark

Councilman Reitz moved and Councilman Macko seconded;

WHEREAS, the proposed subdivision was referred to the Erie County Department of Environment and Planning for a 239M Review as required; they offered no recommendation, stating the proposed action was determined to be of local concern, 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 Daryl Clark Minor Subdivision,

a division of SBL# 251.05-1-55.1, dividing a 4.03± acre parcel to create:

1. A 2.54± acre parcel with 200.97± feet of frontage on Erie Rd. (a.k.a. NYS Route 5), and
2. A .749± acre parcel with 130.00± feet of frontage on Erie Rd.
3. A .327± acre parcel to be annexed to the adjoining parcel at 9466 Erie Rd to form a .97± acre parcel with 173.66± feet of frontage on Erie Rd.
4. A .397± acre parcel to be annexed to the adjoining parcel at 705 Herr Rd to form a .643± acre parcel with 120 feet of frontage on Herr Rd.

Petitioner: Daryl Clark, 5757 Southwestern Blvd, Hamburg NY 14075.

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 #367 Remove Item #1 from Old Business

Councilman Macko moved and Councilman Reitz Seconded to remove item #1, Approve IBEW #41 MOU for January 1 2018 to December 31 2025 Collective Bargaining Agreement from Old Business.

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

RESOLUTION 2024 #368 Approve IBEW #41 MOU for January 1 2018 to December 31 2025 Collective Bargaining Agreement

Councilman Macko moved and Councilman Reitz Seconded;

WHEREAS, per Resolution #2023-394, the Evans Town Board approved the IBEW #41 successor collective bargaining agreement (January 1, 2018 – December 31, 2025); and

WHEREAS, three (3) Memorandums of Understanding (MOUs) related to Appendix A (New Hires), Recognition Clause referencing Appendix A Wages (Maintenance Worker II), and Recognition Clause referencing Appendix A Wages (Deputy Town Clerk), have been agreed to by the Town of Evans and IBEW Local #41;

NOW, THEREFORE, BE IT RESOLVED, the above referenced Memorandums of Understanding (MOUs), are hereby accepted and approved by the Evans Town Board, to be incorporated into the IBEW Local #41 successor agreement (January 1, 2018 – December 31, 2025).

FURTHER BE IT RESOLVED, this resolution is considered 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 #369 NYS Association of Towns Delegate and Alternate Designation for 2025

Councilman Reitz moved and Councilman Macko Seconded;
WHEREAS, the Town of Evans is a member of the NYS Association of Towns; and

WHEREAS, the Association of Towns will hold their 2025 Annual Meeting & Training School from February 16-19, 2025; and

WHEREAS, the Annual Business Session will be held during the above referenced week; and

WHEREAS, pursuant to Section 6 of Article III of the Constitution and Bylaws of the NYS Association of Towns, the Town shall designate a Delegate and Alternate;

NOW, THEREFORE, BE IT RESOLVED, that Town of Evans Supervisor Ray Ashton has been designated Delegate and Councilman John Wilson has been designated as Alternate for voting purposes; and

FURTHER, BE IT RESOLVED, a copy of this resolution be given to the Town Clerk and sent to the Association of Towns of the State of New York.

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2024 #370 Budget Amendments - Highway

Councilman Wilson moved and Councilman Schraft seconded;

WHEREAS, the Town of Evans Town Board approved the 2024 budget on November 15, 2023 by resolution #2023-500; and,

WHEREAS, the Town finds it necessary to amend the 2024 budget to adjust to NYS DOT Official Apportionments for 2024-2025;

NOW, THEREFORE BE IT RESOLVED, that the Town Board of the Town of Evans hereby amends the 2024 budget; and,

BE IT FURTHER RESOLVED, that the Town Board of the Town of Evans hereby authorizes the Director of Finance to make the following budget amendments:

Account	Approved Appropriation	Change	Amended Appropriations
DB.5112.230.01	$217,116.00	+ $9,205.76	$226,321.76
DB.5112.230.02	$ 42,590.00	+ $ .23	$ 42,590.23
DB.5112.230.03	$ 51,006.00	+ $ 144.50	$ 51,150.50
DB.5112.230.04	$ 34,004.00	+ $ 96.34	$ 34,100.34

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2024 #371 Budget Transfer - Highway

Councilman Schraft 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 machinery equipment and parts:

Transfer From:		
DB.5110.401.06	Supplies - Guardrails	$24,519.70
Transfer To:		
DB.5130.410.00	Equipment – Parts and Supplies	$24,519.70

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2024 #372 Budget Transfer – Parks Department

Supervisor Ashton moved and Councilman Schraft 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 Planned Purchases:

Transfer From:		
A7180.412.00	Facility – Marina	$3,000.00
Transfer To:		
A7110.401.00	Supplies – Parks	$3,000.00

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2024 #373 Budget Transfer – Police Department (Car 47)

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 Change Over on Car 47:

Transfer From:		
A3120.210.00	Information Technology	$2,997.01
Transfer To:		
A3120.220.02	Machinery/Motor Vehicles Changeovers	$2,997.01

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2024 #374 Budget Transfer – Police Department (DCO Car)

Councilman Reitz moved and Supervisor Ashton 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 DCO Car Repairs:

Transfer From:		
A3120.411.00	Maintenance - Vehicle	$2,000.00
Transfer To:		
A3510.411.00	Maintenance - Vehicle	$2,000.00

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2024 #375 Budget Transfer - Police

Supervisor Ashton 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 Veterinarian Care/Services:

Transfer From:		
A3510.401.03	Animal Disposal/Vet Care Brant	$1,000.00
Transfer To:		
A3510.401.01	Supplies – Disposal	$1,000.00

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2024 #376 Declare Surplus Equipment – Parks Department

Councilman Wilson moved and Councilman Reitz Seconded;

FURTHER, BE IT RESOLVED, that the following Parks Department Equipment are hereby declared surplus vehicles and will be sold at auction with the proceeds being deposited in the Towns General Fund account:
Jacobsen Textron Turfcat T628D: SN: 94671300221
Jacobsen Texton HR-51111
John Deere Gator

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2024 #377 Declare Surplus Vehicle from Police Department and Transfer to Code Enforcement Department

Councilman Macko and Councilman Reitz Seconded;

BE IT RESOLVED, that the following Police vehicle is hereby declared surplus from the Town of Evans Police Department inventory and will be transfer to the Town of Evans Code Enforcement Department.

2021 Ford Explorer PI VIN: 1FM5K8AB3MGA50883

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2024 #378 Declare Surplus Vehicle – Building Maintenance

Councilman Reitz moved and Councilman Wilson seconded;

FURTHER, BE IT RESOLVED, that the following town vehicle is hereby declared a surplus vehicle and will be sold at auction with the proceeds being deposited in the Towns General Fund account:

2004 Chevy Silverado 1500 VIN: 1GCEC14VX4E356361

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2024 #379 Declare Surplus Vehicles – Police Department

Supervisor Ashton moved and Councilman Schraft Seconded;

FURTHER, BE IT RESOLVED, that the following Police Department Vehicles are hereby declared surplus vehicles and will be sold at auction with the proceeds being deposited in the Towns General Fund account:

2020 Ford Explorer PI VIN: 1FM5K8AB5LGC99801
2019 Ford Explorer PI VIN: 1FM5K8AR9KGB44101

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2024 #380 Approve Parks and Marina Fees for 2025

Councilman Schraft moved and Councilman Wilson Seconded;

RESOLVED, that the attached fees be approved for the calendar year 2025 for the Town of Evans Parks and Marina; and

FURTHER BE IT RESOLVED, that effective immediately, the Parks Department is hereby directed to advertise the 2025 Parks and Marina fees; and

BE IT FURTHER RESOLVED, that all boat slip and dry dock fees shall be due to the Parks Department by March 1, 2025; and

BE IT FURTHER RESOLVED, that relocation day for same sized slips shall be Saturday, November 9, 2024; and

BE IT FURTHER RESOLVED, that Shelter/Pavilion Reservation day shall be Saturday, March 8, 2025.

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

RESOLUTION 2024 #381 Audit of the Bills

Councilman Macko moved and Supervisor Ashton seconded that all properly audited bills be paid out of their respective accounts as follows:

AUDIT OF BILLS

DATE	11/6/2024
ABSTRACT NO.	20
VOUCHER NO.	15440 - 15574
CHECK NUMBERS	22126 - 88225
APPROVED AT	Board Meeting
DATE	11/7/2024
GENERAL	$215,050.69
PART TOWN	$8,814.22
HIGHWAY DB	$66,032.41

WATER	$3,892.88
CAPITAL PROJECTS	$328,420.23
SPECIAL DISTRICTS	$111,104.93
DEBT SERVICE	
TOTAL	$733,315.36

VOTE RESULT: ADOPTED BY ROLL CALL

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

RESOLUTION 2024 #382 Adjournment

Supervisor Ashton moved and Councilman Macko seconded to adjourn to Wednesday, November 13, 2024 at 6:00 pm for a Work Session and the Regular Meeting to follow. This meeting is adjourned in Memory of David Esis.

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,

Kristen L. Bauer
Deputy Town Clerk

Lynn M. Krajacic
Town Clerk