

AGENDA

Evans Town Board
 Evans Town Hall, 8787 Erie Road, Angola, New York

www.townofevans.org

| Item | Description | Disposition |
|------|---|-------------|
| I | Call the Meeting to Order | |
| II | Pledge of Allegiance | |
| III | Roll Call | |
| IV | Approval of the Minutes: Agenda Meeting December 7, 2016 & Regular Meeting December 7, 2016 | |
| V | Communications: 1. Supervisor's Monthly Report - November | |
| VI | Privilege of the Floor on Meeting Agenda Items & Other Issues | |
| VII | Public Hearing & Bid Opening | |
| VIII | Committee & Department Head Reports | |
| IX | Town Clerk Reports: | |
| X | Old Business: | |
| XI | Resolutions: 1. Appt of Lieutenant(s) 2. Solar Tax Exemption Opt Out 3. Appt of Full Time Clerk 4. Bike Path Management Agreement 5. Erie County 2017 Nutrition Agreement 6. Erie County 2017 Van Agreement | |
| XII | Licenses: | |
| XIII | Audit of Bills: | |
| XIV | Adjournment to: Wednesday, December 28, 2016 for a Work Session at 6:0pm and then to an Agenda Meeting at 6pm on January 11, 2017 with the Organizational Meeting at 7pm and the First Regular Meeting immediately following. | |

Evans Town Board

At an Agenda Meeting of the Town Board of the Town of Evans, held at the Evans Town Hall, 8787 Erie Road, Angola New York there were:

| | | |
|----------|-----------------|------------|
| PRESENT: | Dennis Feldmann | Councilman |
| | Jeanne Macko | Councilman |
| | Mary Hosler | Supervisor |

| | | |
|---------------|------------------|-------------------------|
| ALSO PRESENT: | Lynn Stoessel | Deputy Town Clerk |
| | Jennifer Farrell | Town Attorney |
| | Mary Holl | Supervisor's Department |

Supervisor Hosler opened the Agenda Meeting.

RESOLUTION 2016 #529 Enter Executive Session

Supervisor Hosler 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: Personnel Matter

NOW THEREFORE BE IT RESOLVED: Jennifer Farrell, Town Attorney was invited to attend the Evans Town Board Executive Session.

| | | |
|--------------|---------|-------------------------|
| VOTE RESULT: | ADOPTED | |
| | AYES: | Feldmann, Macko, Hosler |
| | NAYS: | None |

Supervisor Hosler closed the Agenda Meeting

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 R. Stoessel
Deputy Town Clerk

Lynn M. Krajacic
Town Clerk

Evans Town Board

At a Regular Meeting of the Town Board of the Town of Evans, held at the Evans Town Hall, 8787 Erie Road, Angola New York there were:

- PRESENT:**
- | | |
|-----------------|------------|
| Dennis Feldmann | Councilman |
| Jeanne Macko | Councilman |
| Mary Hosler | Supervisor |
- ALSO PRESENT:**
- | | |
|---------------------------|--------------------------------|
| Lynn Stoessel | Deputy Town Clerk |
| Jennifer Farrell | Town Attorney |
| Mary Holl | Supervisor's Department |
| Jeneen Lomando-McSkimming | Assessor |
| Paul Ryerse | Supervising Building Inspector |
| Ernie Masullo | Chief of Police |
| Doug Czora | Police Lieutenant |

RESOLUTION 2016 #530 Approve Minutes

Supervisor Hosler moved and Councilman Feldmann seconded that the reading of the minutes of the meeting of November 16, 2016 and November 30, 2016 be dispensed with and approved as submitted by the Town Clerk.

Carried.

Supervisor Hosler submitted her report for the month of October 2016 to the Town Board and the Town Clerk.

Privilege of the Floor

The following people spoke in regards to the 2017 Budget and/or the fiscal history/fiscal situation that the Town is in.

- | | | |
|--------------------|---------------|---------------|
| David Beers | Cheri Hahn | Bob Catalano |
| Kathy Dennis | Bill Henry | Diane Galenda |
| Chris Georgevich | Guy Canonico | Brian Leach |
| Cheryl St. George | Joanne Devoy | Barb McGowan |
| Jeanette Rodriguez | John Hageman | Laurie Ritz |
| Janell Dutchess | Jackie Newman | |

RESOLUTION 2016 #531 Town Clerk's Report

Supervisor Hosler moved and Councilman Macko seconded to accept the

| | |
|-----------------------|-------------|
| November 2016 Monthly | \$19,931.87 |
| Interest | \$ 1.73 |
| Greenspace Fees | \$ 700.00 |

VOTE RESULT: ADOPTED BY ROLL CALL

| | |
|---------------------|-----|
| Councilman Feldmann | Aye |
| Councilman Macko | Aye |
| Supervisor Hosler | Aye |

RESOLUTION 2016 #532 Standardized Residential Solar Permit Process for the Town of Evans

Supervisor Hosler moved and Councilman Feldmann seconded,

WHEREAS, the New York State Energy Research and Development Authority (NYSERDA) is offering financial incentives to municipalities that adopt a uniform New York State solar permit process, and

WHEREAS, the Town Code Enforcement Officer has advised the Town Board of the Town of Evans that the New York State uniform process is consistent and compatible with the Town of Evans Zoning Code and permitting practices, and

WHEREAS, the Town Board supports the use of solar energy as a renewable energy source.

NOW THEREFORE, IT IS HEREBY RESOLVED BY THE TOWN BOARD OF THE Town of Evans that the Town of Evans hereby fully and formally adopts the New York State Unified Solar Permit process for New York - Sun Solar Powering New York, and establishes the permit fee at \$ 100.00.

VOTE RESULT: ADOPTED BY ROLL CALL

| | |
|---------------------|-----|
| Councilman Feldmann | Aye |
| Councilman Macko | Aye |
| Supervisor Hosler | Aye |

RESOLUTION 2016 #533 Assessor to attend New York State Assessor's Association Executive Board Session

Councilman Macko moved and Supervisor Hosler seconded,

BE IT RESOLVED, that Town of Evans Assessor Jeneen McSkimming is authorized to attend the NYS Assessor's Association Executive Board Session, January 13-14, 2017 to be held in Syracuse, New York.

BE IT FURTHER RESOLVED, that Jeneen McSkimming is a member of NYS Assessor's Association Executive Board and that all expenses are paid by the New York State Assessor's Association.

VOTE RESULT: ADOPTED BY ROLL CALL

| | |
|---------------------|-----|
| Councilman Feldmann | Aye |
| Councilman Macko | Aye |

Supervisor Hosler

Aye

RESOLUTION 2016 #534 Erie County Water Surcharge

Councilman Feldmann moved and Councilman Macko seconded,

WHEREAS, per the Town's lease management agreement with the Erie County Water Authority, the District shall notify the Erie County Water Authority annually the amount of its surcharge,

WHEREAS, the Town has completed an analysis of its 2017 payment requirements relating to capital improvements, including construction and repairs, necessary to meet the Authority's standards,

WHEREAS, the Town's only means of financing the aforementioned capital improvements is thru the annual surcharge as outlined in the lease management agreement,

WHEREAS, the surcharge per 1,000 gallons of water metered and billed to all in and out of district customers provided by the Town of Evans waterlines to meet the aforementioned debt requirements is estimated to be \$3.85,

NOW, THEREFORE, IT IS RESOLVED, that the Town Board hereby establish the surcharge to be \$3.85 per 1,000 gallons of water metered and billed to all in and out of district customers provided by the Town of Evans waterlines.

| | | |
|--------------|----------------------|-----|
| VOTE RESULT: | ADOPTED BY ROLL CALL | |
| | Councilman Feldmann | Aye |
| | Councilman Macko | Aye |
| | Supervisor Hosler | Aye |

RESOLUTION 2016 #535 2016 Budget Transfers

Councilman Feldmann moved and Supervisor Hosler seconded,

WHEREAS, the Town is obligated by general municipal law to maintain a balanced budget; and

WHEREAS, the Town Board of the Town of Evans adopted the 2016 Budget on November 18, 2015; and

WHEREAS, the Town Board of the Town of Evans has verified and approved the attached accounts;

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Evans hereby authorizes the Finance Department to make the following budget transfers for the 2016 Budget as attached (Attachment A).

| | | |
|--------------|----------------------|-----|
| VOTE RESULT: | ADOPTED BY ROLL CALL | |
| | Councilman Feldmann | Aye |
| | Councilman Macko | Aye |
| | Supervisor Hosler | Aye |

RESOLUTION 2016 #536 Town Licenses

Supervisor Hosler moved and Councilman Macko seconded

- 1.)Michael & Deborah Slawinski D/B/A Stroh’s Tavern - Refreshment & Amusement
- 2.)Russell T. Mogavero D/B/A Meadowbrook Rest & Bar - Refreshment, Amusement & 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 Feldmann | Aye |
| Councilman Macko | Aye |
| Supervisor Hosler | Aye |

RESOLUTION 2016 #537 Audit of Bills

Councilman Macko moved Councilman Feldmann seconded that all properly audited bills be paid out of the respective accounts per abstract 21A dated December 7, 2016 in the amount of \$27,000.73.

DATE: 12/08/16
 ABSTRACT NO. 21A
 VOUCHER NO. 1959 - 1963
 CHECK NUMBERS 75626- 75629

Approved as per Board Meeting 12/07/2016 audit of bills

| | |
|-------------------|------------------|
| GENERAL | 5,674.11 |
| PART TOWN | |
| HIGHWAY DA | |
| HIGHWAY | |
| WATER | |
| CAPITAL PROJECTS | |
| SPECIAL DISTRICTS | 21,326.62 |
| DEBT SERVICE | |
| COMM DEVELOPMENT | |
| TOTAL | \$ 27,000.73 |

VOTE RESULT: ADOPTED BY ROLL CALL

| | |
|---------------------|-----|
| Councilman Feldmann | Aye |
| Councilman Macko | Aye |

Supervisor Hosler

Aye

RESOLUTION 2016 #538 Audit of Bills

Councilman Macko moved Councilman Feldmann seconded that all properly credited bills be paid out of the respective accounts per abstract 22 dated December 7, 2016 in the amount of \$46,224.46.

DATE: 12/08/16
ABSTRACT NO. 22
VOUCHER NO. 1876 - 1918
CHECK NUMBERS 75630- 75658

Approved as per Board Meeting 12/07/2016 audit of bills

| | |
|-------------------|--------------|
| GENERAL | 28,112.62 |
| PART TOWN | 272.90 |
| HIGHWAY DA | |
| HIGHWAY | |
| WATER | 36.97 |
| CAPITAL PROJECTS | |
| SPECIAL DISTRICTS | 17,801.97 |
| DEBT SERVICE | |
| COMM DEVELOPMENT | |
| TOTAL | \$ 46,224.46 |

VOTE RESULT: ADOPTED BY ROLL CALL

| | |
|---------------------|-----|
| Councilman Feldmann | Aye |
| Councilman Macko | Aye |
| Supervisor Hosler | Aye |

Supervisor Hosler thanked Chief Ernie Masullo for all of his years of service and dedication to the community and for leaving a top notch police force which will be left in good hands and that I know you will be a good resource and thank you very much.

RESOLUTION 2016 #539 Adjournment

Supervisor Hosler moved and Councilman Macko seconded to adjourn to Wednesday, December 14, 2016 at 6pm for a Work Session then to Wednesday, December 21, 2016 at 6pm for an Agenda Meeting and Regular Meeting at 7pm.

VOTE RESULT: ADOPTED

| | |
|-------|------------------------|
| AYES: | Feldman, Macko, Hosler |
| NAYS: | None |

Supervisor Hosler wished everyone a Merry Christmas.

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Respectfully Submitted,

Lynn R. Stoessel
Deputy Town Clerk

Lynn M. Krajacic
Town Clerk

DRAFT

Evans Town Board

At a Work Session of the Town Board of the Town of Evans, held at the Evans Town Hall, 8787 Erie Road, Angola New York there were:

| | | |
|---------------|---|--|
| PRESENT: | Dennis Feldmann Jeanne Macko Mary Hosler | Councilman Councilman Supervisor |
| ALSO PRESENT: | Lynn Krajacic Jennifer Farrell Mary Holl Jeneen Lomando-McSkimming | Town Clerk Town Attorney Supervisor's Department Assessor |

RESOLUTION 2016 #540 Audit of Bills

Councilman Macko moved Councilman Feldmann seconded that all properly audited bills be paid out of the respective accounts per abstract 22A dated December 15, 2016 in the amount of \$519,162.99.

**DATE: 12/15/16
ABSTRACT NO. 22A
VOUCHER NO. 1919 - 1938
CHECK NUMBERS 75659- 75677**

**Approved as per
Work Session 12/14/2016 audit of bills**

| | |
|-------------------|----------------------|
| GENERAL | 140,181.21 |
| PART TOWN | 29,847.70 |
| HIGHWAY DA | |
| HIGHWAY | 28,489.51 |
| WATER | 9,940.54 |
| CAPITAL PROJECTS | 59,595.45 |
| SPECIAL DISTRICTS | 251,108.58 |
| DEBT SERVICE | |
| COMM DEVELOPMENT | |
| TOTAL | \$ 519,162.99 |

| | |
|--------------|-------------------------------|
| VOTE RESULT: | ADOPTED BY ROLL CALL |
| | Councilman Feldmann Aye |
| | Councilman Macko Aye |
| | Supervisor Hosler Aye |

RESOLUTION 2016 # 541 Enter Executive Session

Supervisor Hosler 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: personnel matters of 2 employees and litigation.

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

| | | |
|--------------|---------|-------------------------|
| VOTE RESULT: | ADOPTED | |
| | AYES: | Feldmann, Macko, Hosler |
| | NAYS: | None |

RESOLUTION 2016 #542 Adjournment

Supervisor Hosler moved and Councilman Feldmann seconded to adjourn tonight's Work Session meeting.

| | |
|--------------|-------------------------------|
| VOTE RESULT: | ADOPTED |
| | Ayes: Feldmann, Macko, Hosler |
| | Nays: None |

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Respectfully Submitted,

Lynn M. Krajacic
Town Clerk

Communication

The Supervisor's Monthly report has been made to the Town Board and a copy was filed with the Town Clerk's office in accordance with Town Law.

November, 20 16
(12-19-16)

1-A

RESOLUTION – TOWN OF EVANS POLICE LIEUTENANT APPOINTMENT

WHEREBY, due to a vacancy existing in the position of Lieutenant for the Town of Evans Police Department by reason of retirement;

NOW, THEREOFRE, BE IT RESOLVED, that on effective December 24, 2016, Patrolman _____ will be promoted to the rank of Lieutenant for the Town of Evans Police Department.

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

ROLL CALL VOTE:

Councilman Feldmann

Councilwoman Macko

Supervisor Hosler

1-B

RESOLUTION – TOWN OF EVANS POLICE LIEUTENANT APPOINTMENT

WHEREBY, due to a vacancy existing in the position of Lieutenant for the Town of Evans Police Department by reason of retirement;

NOW, THEREOFRE, BE IT RESOLVED, that on effective January 7, 2017, Patrolman _____ will be promoted to the rank of Lieutenant for the Town of Evans Police Department.

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

ROLL CALL VOTE:

Councilman Feldmann

Councilwoman Macko

Supervisor Hosler

RESOLUTION – SAFETY INSPECTION (BUILDING) DEPARTMENT CLERK
APPOINTMENT

WHEREBY, on February 1, 2017, a vacancy will exist in the position of
Town of Evans' Safety Inspection (Building) Department by reason of the retirement of
Gloria Hougler; and

WHEREBY, as a result of the consolidation of three (3) Town Departments (Assessors,
Planning and Safety Inspection (Building)), which represents a saving to the Town of
Evans;

NOW, THEREFORE, BE IT RESOLVED, that Jennifer Renaldo shall be appointed
Safety Inspection (Building) Clerk, effective February 1, 2017;

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

ROLL CALL VOTE:

Councilman Feldmann

Councilwoman Macko

Supervisor Hosler